

STORAGE NAME: h1991a.ccc

DATE: April 6, 1999

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
Community Colleges and Career Prep
ANALYSIS**

BILL #: House Bill 1991

RELATING TO: Community college reporting requirements

SPONSOR(S): Representative Stansel

COMPANION BILL(S): SB 2430 (Senator Mitchell)

ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:

- (1) COMMUNITY COLLEGES AND CAREER PREP YEAS 12 NAYS 0
- (2) GOVERNMENTAL RULES AND REGULATIONS
- (3) EDUCATION APPROPRIATIONS
- (4)
- (5)

I. SUMMARY:

Information Resources Management (IRM) reporting has traditionally applied to state agencies. Changes to the IRM statutes made during the 1997 legislative session caused the IRM reporting requirements to be applied to local community colleges in addition to the State Board of Community Colleges (SBCC) as a state "agency." Sections 282.005; 282.3031; and 282.310(2), Florida Statutes, currently require the State Board of Community Colleges to include the individual colleges in materials that it prepares to comply with IRM reporting requirements.

The IRM reporting requirements apply to all state agencies including the Department of Education, the Board of Regents and the State Board of Community Colleges. Local community colleges, however, are not state agencies, but rather are *statutorily-authorized political subdivisions* (Section 240.317, Florida Statutes). No other units of local government are included in these statutes, including local school boards.

This bill would eliminate language in current law that requires local community colleges to comply with IRM reporting requirements. The State Board of Community Colleges, as a state agency, would still be required to comply.

There could be a positive indeterminate fiscal impact on local community colleges because they would no longer incur the costs of IRM reporting.

II. SUBSTANTIVE ANALYSIS:

A. PRESENT SITUATION:

Information Resources Management (IRM) reporting has traditionally applied to state agencies. Changes to the IRM statutes made during the 1997 legislative session caused the IRM reporting requirements to be applied to local community colleges in addition to the State Board of Community Colleges (SBCC) as a state "agency." Sections 282.005; 282.3031; and 282.310(2), Florida Statutes, currently require the State Board of Community Colleges to include the individual colleges in materials that it prepares to comply with IRM reporting requirements.

The IRM reporting requirements apply to all state agencies including the Department of Education, the Board of Regents and the State Board of Community Colleges. Local community colleges, however, are not state agencies, but rather are *statutorily-authorized political subdivisions* (Section 240.317, Florida Statutes). No other units of local government are included in these statutes, including local school boards.

The Chief Information Officer of each Florida State agency is required by Section 282.3063, Florida Statutes, to report annually on information resources management activities. An Agency Annual Information Resources Management Report must be submitted to the State Technology Office each September 1 for the previous fiscal year. Information obtained from this report is intended to be used to provide information to Florida citizens regarding information technology projects funded by the Legislature, assist in the review of upcoming information resource management Legislative Budget Requests, and assist in the development of long-range technology resource policies for the state.

The information required in this report is burdensome and duplicative for local community colleges. Since the State Board of Community Colleges is a coordinating board rather than a governing board, the information would not be standardized and, therefore, would be difficult to manage and report effectively. Also, community colleges are accountable for this information locally and are currently required to have technology plans for long range planning.

B. EFFECT OF PROPOSED CHANGES:

This bill would eliminate language in current law that requires local community colleges to comply with Information Resources Management (IRM) reporting requirements. The State Board of Community Colleges, as a state agency, would still be required to comply.

C. APPLICATION OF PRINCIPLES:

1. Less Government:

a. Does the bill create, increase or reduce, either directly or indirectly:

(1) any authority to make rules or adjudicate disputes?

No.

(2) any new responsibilities, obligations or work for other governmental or private organizations or individuals?

The bill would eliminate burdensome IRM reporting for local community colleges.

(3) any entitlement to a government service or benefit?

No.

b. If an agency or program is eliminated or reduced:

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An agency or program is not eliminated or reduced.

(1) what responsibilities, costs and powers are passed on to another program, agency, level of government, or private entity?

N/A

(2) what is the cost of such responsibility at the new level/agency?

N/A

(3) how is the new agency accountable to the people governed?

N/A

2. Lower Taxes:

a. Does the bill increase anyone's taxes?

No.

b. Does the bill require or authorize an increase in any fees?

No.

c. Does the bill reduce total taxes, both rates and revenues?

No.

d. Does the bill reduce total fees, both rates and revenues?

No.

e. Does the bill authorize any fee or tax increase by any local government?

No.

3. Personal Responsibility:

a. Does the bill reduce or eliminate an entitlement to government services or subsidy?

No.

b. Do the beneficiaries of the legislation directly pay any portion of the cost of implementation and operation?

No.

4. Individual Freedom:

a. Does the bill increase the allowable options of individuals or private organizations/associations to conduct their own affairs?

b. Does the bill prohibit, or create new government interference with, any presently lawful activity?

No.

5. Family Empowerment:

- a. If the bill purports to provide services to families or children:

The bill does not purport to provide services for children or families.

- (1) Who evaluates the family's needs?

N/A

- (2) Who makes the decisions?

N/A

- (3) Are private alternatives permitted?

N/A

- (4) Are families required to participate in a program?

N/A

- (5) Are families penalized for not participating in a program?

N/A

- b. Does the bill directly affect the legal rights and obligations between family members?

No.

- c. If the bill creates or changes a program providing services to families or children, in which of the following does the bill vest control of the program, either through direct participation or appointment authority:

The bill does not create or change a program providing services to families or children.

- (1) parents and guardians?

N/A

- (2) service providers?

N/A

- (3) government employees/agencies?

N/A

D. STATUTE(S) AFFECTED:

Sections 282.005, 282.3031, 282.310, Florida Statutes.

E. SECTION-BY-SECTION ANALYSIS:

Section 1. Amends s. 282.005, F.S.; revises legislative intent.

Section 2. Amends s. 282.3031, F.S.; revises information resource management responsibilities.

Section 3. Amends s. 282.310, F. S., 1998 Supplement; revises requirements for submitting the State Annual Report on Information Resources Management.

Section 4. Provides that the act will take effect upon becoming a law.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring Effects:

None.

2. Recurring Effects:

None.

3. Long Run Effects Other Than Normal Growth:

None.

4. Total Revenues and Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring Effects:

None.

2. Recurring Effects:

Local community colleges could realize an indeterminate positive fiscal impact because they would no longer incur the costs of IRM reporting (since they are not a state agency).

3. Long Run Effects Other Than Normal Growth:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

None.

2. Direct Private Sector Benefits:

None.

3. Effects on Competition, Private Enterprise and Employment Markets:

None.

D. FISCAL COMMENTS:

None.

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IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

This bill does not require counties or municipalities to spend funds or to take an action requiring the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

This bill does not reduce the authority of municipalities or counties to have to raise revenues in the aggregate.

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

This bill does not reduce the percentage of a state tax shared with counties or municipalities.

V. COMMENTS:

None.

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

None.

VII. SIGNATURES:

COMMITTEE ON Community Colleges and Career Prep:

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