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DATE: April 14, 1999

**HOUSE OF REPRESENTATIVES
AS REVISED BY THE COMMITTEE ON
GOVERNMENTAL RULES AND REGULATIONS
ANALYSIS**

BILL #: HB 1991

RELATING TO: Community College Reporting Requirements

SPONSOR(S): Representative Stansel

COMPANION BILL(S): SB 2430 (Identical)

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

- (1) COMMUNITY COLLEGES AND CAREER PREP YEAS 12 NAYS 0
 - (2) GOVERNMENTAL RULES AND REGULATIONS YEAS 7 NAYS 0
 - (3) EDUCATION APPROPRIATIONS
 - (4)
 - (5)
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I. SUMMARY:

Prior to 1997, Information Resources Management (IRM) reporting requirements applied to state agencies including the Department of Education, the Board of Regents and the State Board of Community Colleges. In 1997, the Legislature directed that Information Resources Management reporting requirements be applied to local community colleges. Sections 282.005, 282.3031, and 282.310(2), Florida Statutes, require the State Board of Community Colleges to include the individual colleges in materials that it prepares to comply with IRM reporting requirements. However, section 240.317, F.S., identifies community colleges as statutorily-authorized political subdivisions rather than a state agency.

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.

Local community colleges anticipate a positive fiscal impact.

II. SUBSTANTIVE ANALYSIS:

A. PRESENT SITUATION:

Information Resources Management (IRM) reporting has traditionally applied to state agencies. Changes to the IRM statutes during the 1997 legislative session applied IRM reporting requirements to local community colleges in addition to the State Board of Community Colleges (SBCC). 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. Section 240.317, Florida Statutes, identifies local community colleges as statutorily-authorized political subdivisions rather than a state agency.

Section 282.3063, Florida Statutes, requires the Chief Information Officer of each state agency to report annually on IRM activities. An Agency Annual Information Resources Management Report (AAIRMR) must be submitted to the State Technology Office by September 1 of each year, except for the State University system which is required to submit the report 90 days after completion of the expenditures analysis developed pursuant to s. 240.271 (4), F. S.

The AAIRMR requires the following information, at the minimum:

- ❖ A forecast of information resources management priorities and initiatives for the ensuing two years.
- ❖ A description of the current information resources management infrastructure of the agency and planned changes for the ensuing two years.
- ❖ A status report on the major information resources management projects of the agency.
- ❖ An assessment of the progress made toward implementing the prior fiscal year legislative appropriation to the agency for information resources management.
- ❖ The estimated expenditures by the agency for information resources management for the prior fiscal year.
- ❖ An inventory list, by major categories, of the agency information technology resources, which specifically identifies the resources acquired during the previous fiscal year.
- ❖ An assessment of opportunities for the agency to share information resources management projects or initiatives with other governmental or private entities.
- ❖ A list of information resources management issues the agency has identified as statewide issues or critical information resources management issues for which the State Technology Council could provide future leadership or assistance.

Information obtained from the AAIRMR report is 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 for the AAIRMR is burdensome for community colleges since community colleges are accountable for this information locally and are required to have technology plans for long range planning. In addition, the information collected by community colleges and required for the AAIRMR is not standardized due to the State Board of Community Colleges' position as a coordinating board rather than a governing board. This leads to difficulty in managing and reporting the information effectively.

B. EFFECT OF PROPOSED CHANGES:

This bill would eliminate language in current law requiring local community colleges to comply with Information Resources Management (IRM) reporting requirements pursuant ss. 282.005, 282.3031, 282.310, F.S. The State Board of Community Colleges, as a state agency, is still 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?

The bill removes language referring to the State Board of Community Colleges as the agency responsible for establishing and developing rules and policies for the State Community College System.

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

The bill eliminates IRM reporting requirements for local community colleges.

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

No.

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

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:

Amends 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. Removes references to the State Board of Community Colleges as the agency responsible for establishing and developing rules and policies for the State Community College System.

Section 2. Amends s. 282.3031, F.S.; revises information resource management responsibilities. Removes references to the State Board of Community Colleges as the agency responsible for establishing and developing rules and policies for the State Community College System.

Section 3. Amends s. 282.310, F. S., 1998 Supplement; revises requirements for submitting the State Annual Report on Information Resources Management. Removes references to requirements applied to the State Community College System.

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 anticipate a positive fiscal impact due to no longer incurring the cost of IRM reporting.

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.

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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