

**STORAGE NAME:** h713z.ccc  
**DATE:** May 28, 1999

**\*\*AS PASSED BY THE LEGISLATURE\*\***  
**\*\*CHAPTER #: 99-227, Laws of Florida\*\***

**HOUSE OF REPRESENTATIVES  
AS FURTHER REVISED BY THE COMMITTEE ON  
COMMUNITY COLLEGES AND CAREER PREP  
FINAL ANALYSIS**

**BILL #:** CS/CS/HB 713 (Passed as CS/SB 1664)

**RELATING TO:** Training Centers

**SPONSOR(S):** Rep. Kelly

**COMPANION BILL(S):** SB 1664, by Sen. Horne

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

- (1) COMMUNITY COLLEGES & CAREER PREP YEAS 7 NAYS 3
- (2) JUVENILE JUSTICE (W/D)
- (3) EDUCATION APPROPRIATIONS YEAS 8 NAYS 1
- (4)
- (5)

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I. FINAL ACTION STATUS:

**5/28/99 Became law without Governor's signature - CHAPTER 99-227, Laws of Florida**

II. SUMMARY:

Currently, law enforcement and corrections training programs are vocational certificate programs which can be conducted at either vocational-technical centers operated by school districts or at community colleges.

The bill transfers existing law enforcement, corrections, and public criminal justice training programs at two vocational-technical centers to the community college in the respective areas. The bill also transfers ownership of state owned educational facilities or plants to the community college; provides that facilities or plants which were paid for, in whole or in part with local tax funds shall be leased; provides a study to determine a purchase price; and provides that issues relating to leases would be mediated by the Criminal Justice Standards and Training Commission (CJSTC).

The bill requires an articulation agreement with the State University System for graduates of community college criminal justice training programs to be able to continue their upper division education.

The bill provides that funding generated by students, including FTE or workforce development recurring, and nonrecurring funds would be transferred from the school district to the community college. In addition, the bill authorizes that the fees for continuing workforce education for public law enforcement officers shall not exceed 25% (rather than the current 50%) of costs.

Additionally, the bill provides that school districts which transfer programs will receive 15% of the funding generated under the FEFP in 1996-97; and that community colleges will receive 90% of funds generated in the FEFP in 1996-97 and school districts will retain the remaining 10%.

III. SUBSTANTIVE ANALYSIS:

A. PRESENT SITUATION:

Currently, law enforcement and corrections training programs are vocational certificate programs which can be conducted at either vocational-technical centers operated by school districts or at community colleges, except that all law enforcement and corrections training must be approved by the Criminal Justice Standards and Training Commission (CJSTC).

If such programs are offered at a community college, the college then owns or leases the facilities in which it operates the program, and collects fee revenue and state appropriations for the program. Likewise, if the programs are offered at a school district vo-tech center, the school district owns or leases the facilities in which it operates the program, and collects fee revenue and state appropriations for the program. It should be noted that as of the changes in funding beginning with CS/CS/SB 1688 and CS/CS/SB 1124, school districts and community colleges are not funded based on enrollment counts, but are funded with an 85% allocation based on their prior year appropriation and a 15% allocation based on completions and placements. Prior to SBs 1688 and 1124, the decision regarding whether the school district or the community college would offer the training programs in an area was made based on a local articulation agreement. SBs 1688 and 1124 made those local articulation agreements obsolete by requiring statewide articulation of programs and courses between school districts and community colleges. The decision was still locally determined, but after 1688 and 1124, both institutions could offer the training, although the training would still have to be approved by the CJSTC.

According to the CJSTC, there has been an effort, for many years, to increase the amount of education required to become a law enforcement officer. The current educational program is a vocational certificate. The CJSTC would like to see an associate degree required.

B. EFFECT OF PROPOSED CHANGES:

The bill transfers existing law enforcement, corrections, officer, and public criminal justice training programs in Leon and St. Johns counties from the two vocational-technical centers to the community college in the respective areas. The bill also transfers ownership of state owned educational facilities or plants to the community college; provides that facilities or plants which were paid for, in whole or in part with local tax funds shall be leased; provides a study to determine a purchase price; and provides that issues relating to leases would be mediated by the Criminal Justice Standards and Training Commission (CJSTC).

The Criminal Justice Standards and Training Commission certification of the program will be transferred to the community college which will have to continue to meet the requirements of the commission.

Additionally, the community college board of trustees must establish an advisory committee, provide certificate and noncredit options for students, and develop articulation agreements with the state university system to facilitate the transfer of graduates into a corresponding state university program. The community college may transfer staff from the existing center to the community college at the same rate of pay. This staff transfer is permissive, not required, and could potentially result in some current employees losing their jobs.

These changes will effectively transfer all aspects of the governance of existing criminal justice training centers at two school district vocational-technical centers from the school district to the community college and is a new policy direction, different from the direction of SBs 1688 and 1124.

The bill provides that funding generated by students, including FTE or workforce development recurring, and nonrecurring funds will be transferred from the school district to the community college. Additionally, the bill provides that the fees for continuing workforce education for public law enforcement officers shall not exceed 25% (rather than the current 50%) of costs.

Additionally, the bill provides that school districts which transfer programs will receive 15% of the funding generated under the FEFP in 1996-97; and that community colleges will receive 90% of funds generated in the FEFP in 1996-97 and school districts will retain the remaining 10%.

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?

Yes. The bill requires two community college boards of trustees to establish an advisory committee.

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

No.

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

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

Two programs are transferred from school districts to community colleges. The funds associated with the programs are also transferred in the bill.

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

The funds associated with the programs are also transferred in the bill.

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

There is no new agency. Community colleges are currently held accountable by accountability measures reported to the Legislature in an annual plan, and by performance funding.

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?

No.

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

The bill transfers programs that are currently offered by school districts to community colleges.

5. Family Empowerment:

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

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

(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:**

Creates an unspecified section of the Florida Statutes.

**E. SECTION-BY-SECTION ANALYSIS:**

Section 1. Creates an unspecified section of law relating to training school consolidation pilot projects.

Section 2. Provides that the act shall take effect upon becoming a law.

**IV. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:**

**A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:**

1. Non-recurring Effects:

The Department of Education is to shift funds, including funds generated by FTE or workforce development, recurring and nonrecurring for criminal justice training programs, from school districts to community colleges. Additionally, the bill provides that school districts which transfer programs will receive 15% of the funding generated under the FEFP in 1996-97; and that community colleges will receive 90% of funds generated in the FEFP in 1996-97 and school districts will retain the remaining 10%.

2. Recurring Effects:

Indeterminate.

3. Long Run Effects Other Than Normal Growth:

N/A

4. Total Revenues and Expenditures:

Indeterminate.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring Effects:

The Department of Education is to shift funds, including funds generated by FTE or workforce development, recurring and nonrecurring for criminal justice training programs, from school districts to community colleges. Additionally, the bill provides that school districts which transfer programs will receive 15% of the funding generated under the FEFP in 1996-97; and that community colleges will receive 90% of funds generated in the FEFP in 1996-97 and school districts will retain the remaining 10%.

2. Recurring Effects:

The bill provides that the fees for continuing workforce education for public law enforcement officers shall not exceed 25% (rather than the current 50%) of costs. This will potentially reduce fee revenue to community colleges with these programs.

3. Long Run Effects Other Than Normal Growth:

N/A

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

N/A

2. Direct Private Sector Benefits:

N/A

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

N/A

D. FISCAL COMMENTS:

None.

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

E. APPLICABILITY OF THE MANDATES PROVISION:

N/A

F. REDUCTION OF REVENUE RAISING AUTHORITY:

N/A

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

N/A

V. COMMENTS:

N/A

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

On March 31, 1999, the Committee on Community Colleges and Career Prep considered this bill; passed a strike everything amendment and one amendment to the amendment; and made it into a committee substitute; the substance of which is incorporated into this bill analysis.

On April 9, 1999 the Education Appropriations Committee considered CS/HB 713, amended the bill and made it a Committee Substitute for Committee Substitute. The Committee Substitute for the Committee Substitute differs from the Committee Substitute in the following ways:

1. Prescribes conditions and procedures for the use, lease, transfer and purchase of criminal justice training facilities and property when criminal justice training programs are transferred from school districts to community colleges.
2. Provides that fees for continuing workforce development education for public law enforcement officers and corrections officers shall not exceed 25% of the cost of the course.

VII. SIGNATURES:

**COMMITTEE ON COMMUNITY COLLEGES & CAREER PREP:**

Prepared by:

Staff Director:

Stacey S. Webb

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**AS FURTHER REVISED BY THE COMMITTEE ON EDUCATION APPROPRIATIONS:**

Prepared by:

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Mark Armstrong

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**FINAL ANALYSIS PREPARED BY THE COMMITTEE ON COMMUNITY COLLEGES & CAREER PREP:**

Prepared by:

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**FINAL ANALYSIS PREPARED BY THE COMMITTEE ON COMMUNITY COLLEGES AND CAREER PREP:**

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