

Bill No. SB 1462

Amendment No. 1 Barcode 521910

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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The Committee on Governmental Oversight and Productivity recommended the following amendment:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause

and insert:

Section 1. Legislative findings and intent; Digital Divide Council; powers and duties; program objectives and goals; review and assessment of program performances; annual report.

(1) Legislative findings and intent.--The Legislature finds as follows:

(a) frequent access to use of information technology and possession of the knowledge and skills required to use information technology productively is becoming increasingly important to being competitively qualified for high skill/high wage employment;

(b) the availability of reasonable opportunities to have frequent access to use of information technology and to obtain the education and training necessary to acquire the

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1 knowledge and skills required to use information technology  
2 productively is critical to becoming competitively qualified  
3 for high skill/high wage employment;

4 (c) families that are living near or below the poverty  
5 level are without adequate economic resources to have  
6 reasonable opportunities to obtain frequent access to use of  
7 information technology or the education and training necessary  
8 to acquire the knowledge and skills required to become  
9 competitively qualified for high skill/high wage employment;

10 (d) the absence of such economic resources divides  
11 such families from those who have adequate economic resources  
12 to have such opportunities, places such families at-risk of  
13 never realizing their employment and income earning potential,  
14 and prevents the state's economy from prospering to the extent  
15 it could if such families realized their employment and income  
16 earning potential; and

17 (e) the divide between the members of such at-risk  
18 families and those who have adequate economic resources to  
19 have reasonable opportunities to obtain frequent use of  
20 information technology and the education and training  
21 necessary to acquire the knowledge and skills required to  
22 become competitively qualified for high skill/high wage  
23 employment could be reduced, and the economy of the state  
24 could be enhanced, by the design and implementation of  
25 programs that provide such opportunities to members of such  
26 at-risk families.

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28 It is the intent of the Legislature to provide the authority  
29 and resources reasonably necessary to facilitate design and  
30 implementation of such programs.

31 (2) Digital Divide Council.--There is created in the

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1 State Technology Office a Digital Divide Council. The Council  
2 shall be constituted as follows:

3 (a) the Chief Information Officer in the State  
4 Technology Office;

5 (b) the Director of the Office of Tourism, Trade and  
6 Economic Development in the Executive Office of the Governor;

7 (c) the President of Workforce Florida, Inc.;

8 (d) the Director of the Agency for Workforce  
9 Innovation;

10 (e) the Chair of itflorida.com, Inc.;

11 (f) the Commissioner of Education;

12 (g) the Executive Director of the State Board of  
13 Community Colleges;

14 (h) the Executive Director of the State Board for  
15 Career Education;

16 (i) the Chair of the Network Access Point of the  
17 Americas;

18 (j) a representative of the information technology  
19 industry in Florida appointed by the Speaker of the Florida  
20 House of Representatives;

21 (k) a representative of the information technology  
22 industry in Florida appointed by the President of the Florida  
23 Senate.

24 (l) two members of the Florida House of  
25 Representatives appointed by the Speaker of the House, one of  
26 whom shall be a member of the Republican caucus, and the other  
27 of whom shall be a member of the Democratic caucus; and

28 (m) two members of the Florida Senate appointed by the  
29 President of the Senate, one of whom shall be a member of the  
30 Republican caucus, and the other of whom shall be a member of  
31 the Democratic caucus.

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1           (3) Term of appointed members of Council; vacancies;  
2 compensation of members.--

3           The appointed members of the Council shall serve an  
4 initial term of one year commencing July 1, 2001, and ending  
5 June 30, 2002, and successor appointees shall serve a term of  
6 two years, the first of which shall commence July 1, 2002 and  
7 end June 30, 2004. Successive two year terms shall commence  
8 and end on the same schedule in subsequent years. Any vacancy  
9 in the membership of the Council resulting from resignation,  
10 incapacity or death shall be filled within 30 days from the  
11 date the vacancy is effective. The appointed members of the  
12 Council shall serve without compensation, but such appointees  
13 and the other members of the Council shall be entitled to  
14 receive per diem and reimbursement for travel expenses as  
15 provided in s. 112.061, Florida Statute. Payment of such per  
16 diem and reimbursement of such travel expenses shall be made  
17 from revenues deposited in the Digital Divide Trust Fund and  
18 from appropriations authorized to be used for such purposes.

19           (4) Council meetings; election of officers.--The  
20 Council shall conduct its initial meeting by August 1, 2001,  
21 and shall meet thereafter at least once every 60 days. In its  
22 initial meeting, the members of the Council shall elect one of  
23 themselves to serve as Chair and another to serve as  
24 Vice-Chair, each for a term of one year from the date of the  
25 election. Any vacancy in the offices of Chair and Vice-Chair  
26 resulting from resignation, incapacity or death shall be  
27 filled by similar election within 30 days from the date the  
28 vacancy is effective.

29           (5) Administrative and technical support; payment of  
30 support costs.--The State Technology Office shall provide such  
31 administrative and technical support to the Council as is

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1 reasonably necessary for the Council to effectively and timely  
2 carry out its duties and responsibilities. All direct and  
3 indirect costs of providing such support and performing the  
4 other duties imposed on the State Technology Office related to  
5 design and implementation of the programs authorized above  
6 shall be paid from revenues deposited in the Digital Divide  
7 Trust Fund and from appropriations authorized to be used for  
8 such purposes.

9 (6) Powers and duties of Council.--The Digital Divide  
10 Council, through the State Technology Office, is authorized  
11 and empowered to facilitate the design and implementation of  
12 programs that are aimed at achieving the objectives and goals  
13 stated in this section. The State Technology Office shall  
14 present and demonstrate to the Council the design  
15 characteristics and functional elements of each program  
16 proposed to be implemented to achieve the objectives and goals  
17 stated in this section, and each such program shall be  
18 reviewed and approved by the Council before being  
19 implemented. Such programs shall initially be implemented as  
20 pilot programs in a minimum of six different areas of the  
21 state to develop model programs that are likely to be  
22 successful if deployed throughout the state. The areas of the  
23 state where the pilot programs are implemented shall be  
24 selected by the Digital Divide Council with the objectives of  
25 testing the merits of the programs in each geographic region  
26 of the state and providing equal exposure of the programs to  
27 urban and rural communities alike. Implementation of all such  
28 pilot and model programs shall be administered by and through  
29 the local workforce development boards, and each such board  
30 shall coordinate and confirm the ready availability and timely  
31 delivery of all elements of such programs to ensure the

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1 highest probability of such programs achieving their intended  
2 results.

3 (7) Program objectives and goals.--The programs  
4 authorized by this section shall have the following objectives  
5 and goals:

6 (a) maximizing efficient and productive use of  
7 existing facilities, equipment, personnel, programs and funds  
8 available from federal, state and local government agencies,  
9 and from any private person or entity;

10 (b) using innovative concepts employing newly  
11 developed technologies in educating and training those who are  
12 enrolled in the programs authorized by this section;

13 (c) developing viable partnerships between public  
14 agencies and private persons and entities based on mutual  
15 commitment to responsible and dedicated participation in  
16 designing and implementing the programs authorized by this  
17 section;

18 (d) recruiting, enrolling, retaining and graduating as  
19 many at-risk family members as feasible to ensure that they  
20 have reasonable opportunities to obtain access to frequent use  
21 of information technology and the education and training  
22 necessary to competitively qualify them for high skill/high  
23 wage employment;

24 (e) reducing the number of underachieving and failing  
25 students in the state's public school systems who are members  
26 of at-risk families;

27 (f) reducing the number of underemployed and  
28 unemployed members of at-risk families;

29 (g) using information technology to facilitate  
30 achievement of Sunshine State Standards by all children  
31 enrolled in the state's K-12 school system who are members of

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1 at-risk families;

2 (h) training teachers in the state's K-12 school  
3 system to efficiently and effectively use information  
4 technology to plan, teach and administer all courses of  
5 instruction required and available by election of children  
6 enrolled in the system;

7 (i) using information technology to enable members of  
8 at-risk families who are no longer enrolled in K-12 schools to  
9 obtain the education needed to achieve successful completion  
10 of general education development test preparation to earn a  
11 high school diploma, an applied technology diploma, a  
12 vocational certificate, an associate of arts degree, or a  
13 baccalaureate degree;

14 (j) bridge the digital divide in developing a  
15 competitive workforce to meet the employment needs of Florida  
16 based information technology businesses and establish Florida  
17 as having the most information technology ready workforce in  
18 the western hemisphere.

19 (8) Monitoring, reviewing and evaluating program  
20 performances; reporting results.

21 The Digital Divide Council, through the State  
22 Technology Office, shall continually monitor, review and  
23 evaluate the progress of performances realized from  
24 implementation of the programs authorized by this  
25 section. The State Technology Office shall prepare and submit  
26 a report to the Council at least 10 days in advance of each of  
27 its meetings subsequent to its initial meeting and each such  
28 report shall, at a minimum, identify and describe the  
29 functional elements of each program being implemented, and  
30 identify and describe the facilities, equipment, personnel,  
31 programs and funds used to design and implement the

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1 program. For each such program, the report shall also  
2 identify by name, address, age and sex the school-age  
3 children, and their older siblings and parents who are  
4 enrolled in the program, state the educational level achieved  
5 by each enrollee as of the date he or she enrolled in the  
6 program, state the attendance and achievement level recorded  
7 for each enrollee in the program, evaluate the progress each  
8 enrollee is making toward successful completion of the  
9 program, and identify by name, address, age and sex each  
10 enrollee who successfully completes the program. For each  
11 such program that is designed to prepare enrollees for high  
12 skill/high wage employment, the report shall identify each  
13 enrollee who successfully completes the program, describe each  
14 such employment position for which each enrollee has applied,  
15 identify by name, address and nature of business each Florida  
16 based employer to whom each such application for employment  
17 has been addressed, state the results each enrollee obtained  
18 from making each such application, and describe the nature of  
19 any employment obtained and terms of compensation being earned  
20 from such employment by each enrollee as a result of making  
21 such applications.

22 (9) Annual report.--By March 1, 2002, the Digital  
23 Divide Council, through the State Technology Office, shall  
24 report to the Executive Office of the Governor, the Speaker of  
25 the Florida House of Representatives, and the President of the  
26 Florida Senate the results of the Council's monitoring,  
27 reviewing and evaluating such programs since their inception,  
28 and the Council's recommendations as to whether such programs  
29 should be continued and expanded to achieve the objectives and  
30 goals stated in this section.

31 Section 2. There is hereby appropriated \$3 million



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1 from the Digital Divide Trust Fund to implement this act, \$1  
2 million of which shall be released on July 1, 2001, and the  
3 remainder of which shall be released upon deposit of matching  
4 funds in the Digital Divide Trust Fund. Matching funds shall  
5 include, but not be limited to, any non-Temporary Assistance  
6 to Needy Families funds, any other federal, state and local  
7 government funds, and any gifts, donations, in-kind or  
8 matching contributions from private person or entity that may  
9 be lawfully made to and received in the Digital Divide Trust  
10 Fund.

11 Section 3. This act shall take effect on July 1, 2001,  
12 or upon becoming a law, whichever first occurs.

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15 ===== T I T L E A M E N D M E N T =====

16 And the title is amended as follows:

17 On page 1, lines 2-6, delete all of said lines

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19

and insert:

20 An act relating to workforce development through  
21 education and training in information technology; stating  
22 legislative findings and intent; providing for creation of  
23 Digital Divide Council; authorizing design and implementation  
24 of programs; expressing program objectives and goals;  
25 providing for review and assessment of program performances;  
26 providing an appropriation; providing an effective date.

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