

**HOUSE OF REPRESENTATIVES STAFF ANALYSIS**

**BILL #:** HB 167 Digital Divide Trust Fund

**SPONSOR(S):** Jennings

**TIED BILLS:** IDEN./SIM. BILLS:

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<b>REFERENCE</b>	<b>ACTION</b>	<b>ANALYST</b>	<b>STAFF DIRECTOR</b>
1) <u>Workforce and Economic Development</u>	<u>4 Y, 0 N</u>	<u>Winker</u>	<u>Whitfield</u>
2) <u>Commerce</u>	<u>12 Y, 0 N</u>	<u>Winker</u>	<u>Whitfield</u>
3) <u>Education Innovation</u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
4) <u>Education K-20</u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
5) <u>Commerce and Local Affairs Appropriations</u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
6) <u>Appropriations</u>	<u>                    </u>	<u>                    </u>	<u>                    </u>

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**SUMMARY ANALYSIS**

HB 167 creates the Digital Divide Trust Fund in the State Technology Office and authorizes the Digital Divide Council to administer the Trust Fund. The bill authorizes the deposit of state appropriated monies and other funds into the Trust Fund and provides for the review and termination of the Trust Fund on or before July 1, 2007.

The bill will take effect on July 1, 2003.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. DOES THE BILL:

- |                                      |                              |                             |   |
|--------------------------------------|------------------------------|-----------------------------|---|
| 1. Reduce government?                | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. Lower taxes?                      | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. Expand individual freedom?        | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. Increase personal responsibility? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. Empower families?                 | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/>            |

For any principle that received a "no" above, please explain:

#### B. EFFECT OF PROPOSED CHANGES:

HB 167 creates the Digital Divide Trust Fund in the State Technology Office for the purpose of receiving and disbursing funds required to pay part or all of the costs of facilitating the design and implementation of programs using information technology to educate and train members of economically disadvantaged families to become qualified to compete effectively for high skill/high wage employment. The bill authorizes the Digital Divide Council to administer the Trust Fund.

The bill provides for the deposit of funds from other sources, including, but not limited to; state appropriations, gifts, donations, and matching contributions from other state agencies, persons, and private entities. The bill provides for the review and termination of the Trust Fund pursuant to s. 19 (f) (2), Article III of the State Constitution. The bill provides for the act to take effect on July 1, 2003.

Presently, there is no trust fund that holds any funds authorized for use for the purposes intended for the funds that would be deposited in the Digital Divide Trust Fund.

#### **Digital Divide Council**

The 2001 Legislature created the Digital Divide Council in the State Technology Office to administer the design and implementation of programs through the State Technology Office. The council is comprised of eleven voting members consisting of:

- The Chief Information Officer in the State Technology Office;
- The Director of the Office of Tourism, Trade and Economic Development in the Executive Office of the Governor;
- The President of Workforce Florida, Inc.;
- The Director of the Agency for Workforce Innovation;
- The Chair of itflorida.com, Inc.;
- The Commissioner of Education;
- The Executive Director of the State Board of Community Colleges;

- The Executive Director of the State Board for Career Education;
- The Chair of the Network Access Point of the Americas;
- A representative of the information technology industry in Florida appointed by the Speaker of the Florida House of Representatives; and
- A representative of the information technology industry in Florida appointed by the President of the Florida Senate.

The Council also includes four non-voting, ex-officio members consisting of:

- Two members of the Florida House of Representatives appointed by the Speaker of the House, one from each caucus; and
- Two members of the Florida Senate appointed by the President of the Senate, one from each caucus.

The State Technology Office provides administrative and technical support for the Digital Divide Council to effectively carry out its duties and responsibilities. The State Technology Office is also responsible for facilitating the design and implementation of digital divide programs.

The objectives and goals of the digital divide programs are as follows:

- Maximizing efficient and productive use of existing facilities, equipment, personnel, programs and funds available from any public agency or private person or entity;
- Using innovative concepts employing newly developed technologies in educating and training those enrolled in such programs;
- Developing viable partnerships between public agencies and private persons and entities in designing and implementing such programs;
- Recruiting, enrolling, retaining, and graduating from such programs as many at-risk family members as is feasible.
- Reducing the number of underachieving and failing students in the state's public school systems who are members of at risk families;
- Using information technology to facilitate achievement of Sunshine State Standards by all children who are enrolled in the state's K-12 school system and are members of at-risk families;
- Training teachers in the state's K-12 school system to efficiently and effectively use information technology to plan, teach, and administer all courses of instruction required and available to children enrolled in the system;
- Using information technology to enable members of at-risk families who are no longer enrolled in K-12 schools to obtain the education and training they need to earn a high school diploma, an applied technology diploma, a vocational certificate, an associate of arts degree, or a baccalaureate degree; and
- Bridging the digital divide in developing a competitive workforce to meet the employment needs of Florida's information technology businesses and providing the state with the most information technology ready workforce in the western hemisphere.

The Digital Divide Council, through the State Technology Office, is also responsible for monitoring, reviewing, evaluating, and reporting on the progress of digital divide programs to the Governor, the Speaker of the House, and the President of the Senate.

The Digital Divide Council has designated six pilot project regions that will address the digital divide. The locations include Tampa (Greater Hillsborough), Miami (Greater Dade), West Palm Beach (Greater Palm Beach), Gainesville (Greater Alachua), Orlando (Greater Orange) and Tallahassee (Greater Leon).

The Digital Divide Council is working with the local workforce boards in the 6 regions, the Front Porch Communities located in those areas, and the Department of Education to provide access for both children and adults to digital divide programs.

During the 2002 Legislative Session, funding was appropriated to the Council for the design and implementation of the six Digital Divide pilot projects. The Council chose to provide funding to these neighborhoods through the local Workforce Development Board that serves that area. The funds are distributed through a grant process and each Workforce Development Board is eligible to apply for a maximum of \$125,000 (\$75,000 allocated from the Council and \$50,000 allocated from Front Porch Florida to assist the Digital Divide Council in its efforts.

#### C. SECTION DIRECTORY:

SECTION 1: In an un-numbered section of statute, the bill creates the Digital Divide Trust Fund in the State Technology Office; specifies its purpose; requires the trust fund to be administered by the Digital Divide Council; and provides for the trust fund to receive funds from numerous sources.

SECTION 2: Provides for a termination of the trust fund pursuant to s. 19(f)(2), Article III of the State Constitution on or before July 1, 2007, upon its review pursuant to s. 215.3206(1) and (2), Florida Statutes.

SECTION 3: The bill takes effect on July 1, 2003.

## II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

#### A. FISCAL IMPACT ON STATE GOVERNMENT:

##### 1. Revenues:

The Digital Divide Trust Fund would be the repository for funds from numerous public and private sources.

##### 2. Expenditures:

None.

#### B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

##### 1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Moneys from the Digital Divide Trust Funds could be used for projects which would benefit the private sector.

D. FISCAL COMMENTS:

Other than the fiscal notes above, HB 167 would have no additional fiscal impact on state agencies or state funds, on local governments or local government funds, or on the private sector. The bill creates a state trust fund for an expressed purpose and would provide for the trust fund to be reviewed and terminated on July 1, 2007, unless extended by subsequent legislative action effective before that date

**III. COMMENTS**

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

The bill does not require the expenditure of funds by local governments, does not reduce the authority to raise revenue, and does not reduce the percentage of state tax shared with local governments

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

**IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES**