

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

BILL: SB 2178

SPONSOR: Senator Crist

SUBJECT: Digital Divide Trust Fund

DATE: April 17, 2003 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Wiehle</u>	<u>Caldwell</u>	<u>CU</u>	<u>Favorable</u>
2.	<u>Wilson</u>	<u>Wilson</u>	<u>GO</u>	<u>Favorable</u>
3.	_____	_____	<u>AGG</u>	_____
4.	_____	_____	<u>AP</u>	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

The bill creates the Digital Divide Trust Fund within the State Technology Office for the purpose of receiving and disbursing funds to pay part or all of the costs of facilitating design and implementation of one or more programs provided for in s. 445.049, F.S. The trust fund is to be administered by the Digital Divide Council and may receive funding from sources such as, but not limited to, appropriations from the state and gifts, donations, and matching contributions from other public agencies and private persons and entities. The trust fund is terminated July 1, 2007, unless terminated sooner, and is to be reviewed before its schedule termination.

This bill creates an as yet un-numbered section of the Florida Statutes.

II. Present Situation:

In 2001, the Legislature enacted s. 445.049, F.S., to create the Digital Divide Council within the State Technology Office. It consists 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 this state appointed by the Speaker of the House of Representatives.
 - A representative of the information technology industry in this state appointed by the President of the Senate.
 - Two members of the House of Representatives, who shall be ex officio, nonvoting members of the council, appointed by the Speaker of the House of Representatives, one of whom shall be a member of the Republican Caucus and the other of whom shall be a member of the Democratic Caucus.
 - Two members of the Senate, who shall be ex officio, nonvoting members of the council, appointed by the President of the Senate, one of whom shall be a member of the Republican Caucus and the other of whom shall be a member of the Democratic Caucus.
- Members serve two-year terms, without compensation, but receive per diem and reimbursement for travel expenses. The council meets at least once every 60 days.

The council was created based on the following findings:

- Frequent access to use of information technology and possession of the knowledge and skills required to use information technology productively is becoming increasingly more important to being competitively qualified for high-skill, high-wage employment.
- 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 knowledge and skills required to use information technology productively is critical to becoming competitively qualified for high-skill, high-wage employment.
- Families that are living near or below the poverty level are without adequate economic resources to have reasonable opportunities to obtain frequent access to use of information technology or the education and training necessary to acquire the knowledge and skills required to become competitively qualified for high-skill, high-wage employment.
- The absence of such economic resources divides such families from those who have adequate economic resources to have such opportunities, places such families at risk of never realizing their employment and income earning potential, and prevents the state's economy from prospering to the extent possible if such families realized their employment and income earning potential.
- The divide between the members of such at-risk families and those who have adequate economic resources to have reasonable opportunities to obtain access to frequent use of information technology and the education and training necessary to acquire the knowledge and skills required to become competitively qualified for high-skill, high-wage employment could be reduced, and the economy of the state could be enhanced, by designing and implementing programs that provide such opportunities to members of such at-risk families.

The purpose of the council is to facilitate design and implementation of programs that provide these opportunities to members of at-risk families. The stated objectives and goals of the programs are:

- Maximizing efficient and productive use of existing facilities, equipment, personnel, programs, and funds available from federal, state, and local government agencies and from any private person or entity.
- Using innovative concepts employing newly developed technologies in educating and training those who are enrolled in the programs authorized by this section.

- Developing viable partnerships between public agencies and private persons and entities based on mutual commitment to responsible and dedicated participation in designing and implementing the programs authorized by this section.
- Recruiting, enrolling, retaining, and graduating as many at-risk family members as feasible to ensure that they have reasonable opportunities to obtain access to frequent use of information technology and the education and training necessary to competitively qualify them for high-skill, high-wage employment.
- Reducing the number of underachieving and failing students in the state's public school systems who are members of at-risk families.
- Reducing the number of underemployed and unemployed members of at-risk families.
- Using information technology to facilitate achievement of the Sunshine State Standards by all children enrolled in the state's K-12 school system who 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 by election of 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 needed to achieve successful completion of general education development test preparation to earn a high school diploma, an applied technology diploma, a vocational certificate, an associate of arts degree, or a baccalaureate degree.
- Bridging the digital divide in developing a competitive workforce to meet the employment needs of state-based information technology businesses and establishing this state as having the most information technology ready workforce in the western hemisphere.

Development of the programs is accomplished by the State Technology Office, which provides administrative and technical support to the council, presenting to the council the design for its approval characteristics and functional elements of each program proposed to be implemented to achieve the stated objectives and goals. Approved programs are initially to be implemented as pilot programs in a minimum of six different areas of the state to develop model programs that are likely to be successful if implemented throughout the state. The areas of the state where the pilot programs are implemented are to be selected by the council with the objectives of testing the merits of the programs in each geographic region of the state and providing equal exposure of the programs to urban and rural communities alike. Implementation of all pilot and model programs is to be administered by and through the local workforce development boards and each board is to coordinate and confirm the ready availability and timely delivery of all elements of the programs to ensure the highest probability of the programs achieving their intended results.

The council, through the State Technology Office, is to continually monitor, review, and evaluate the progress of performances realized from implementation of the programs. The State Technology Office is to report on each program at each council meeting. The council, through the State Technology Office, is to report to the Executive Office of the Governor, the Speaker of the House of Representatives, and the President of the Senate the results of the council's monitoring, reviewing, and evaluating of the programs since their inception and the council's recommendations as to whether the programs should be continued and expanded to achieve the stated objectives and goals.

III. Effect of Proposed Changes:

The bill creates the Digital Divide Trust Fund within the State Technology Office for the purpose of receiving and disbursing funds to pay part or all of the costs of facilitating design and implementation of one or more programs provided for in s. 445.049, F.S. The trust fund is to be administered by the Digital Divide Council and may receive funding from sources such as, but not limited to, appropriations from the state and gifts, donations, and matching contributions from other public agencies and private persons and entities. The trust fund is terminated July 1, 2007, unless terminated sooner, and must be reviewed before its schedule termination.

The bill takes effect July 1, 2003.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

Under s. 19(f), Art. III, of the State Constitution, a trust fund must be created in a separate bill for that purpose only and by a three-fifths (3/5) vote of the membership of each house of the Legislature. Additionally, all newly created trust funds must terminate not more than four years after the effective date of the act creating the trust fund.

V. Economic Impact and Fiscal Note:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

Creation of a trust fund dedicating funds to the use of the Digital Divide Council may encourage contributions from the private sector.

C. Government Sector Impact:

Section 445.049(7)(a), F.S., provides that one of the purposes of the programs developed by the Digital Divide Council is to maximize efficient and productive use of existing funds available from federal, state, and local government agencies and from any private person or entity. Creation of the trust fund provides a dedicated account for the administration of those collected funds.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.
