

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 1421

Digital Divide Council

SPONSOR(S): Brisé

TIED BILLS:

IDEN./SIM. BILLS: SB 2304

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REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) Committee on Education Innovation & Career Preparation		Beagle	White
2) Schools & Learning Council			
3) Policy & Budget Council			
4) _____			
5) _____			

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SUMMARY ANALYSIS

The Digital Divide Council (DDC) was established by the Legislature in 2001 and was created within the State Technology Office (STO). Florida law authorizes the DDC to design and implement programs aimed at increasing access to information technology by at-risk individuals and members of underserved communities. The DDC has conducted various technology training programs designed to assist these individuals in obtaining skills necessary to increase their employability and meet the technological demands of the workplace. The STO has not been funded since 2005, and since that time, the DDC has ceased operations.

When the DDC was in operation, its programs were initially required to be implemented as pilot programs in a minimum of six different areas of the state. Pilot programs were to be developed and tested for effectiveness in both rural and urban areas. DDC programs were implemented by local workforce boards. The DDC partnered with 24 regional workforce boards to implement its programs throughout the state. DDC was responsible for oversight and monitoring of programs, and was required to submit an annual report to the Governor, Speaker of the House of Representatives, and President of the Senate.

Appointed members of the council served without compensation. The 2001 council members served a one-year term. Beginning in 2002, council members served two-year terms. The STO provided administrative support services and staff for the DDC.

House Bill 1421 amends s. 445.049, F.S. to establish the DDC within the Department of Education (DOE), rather than the STO. The bill reconfigures the list of individuals that comprise the DDC's membership. The bill further provides that appointed members of the DDC will serve a one-year term beginning July 1, 2007 and ending June 30, 2008. Successor appointees will serve two-year terms beginning July 1, 2008.

The bill requires that the DDC meet every 90 days. The bill also removes the requirement that DDC programs be implemented initially as pilot projects and limited to six locations throughout the state.

The bill's fiscal impact is indeterminate. (See Fiscal Comments).

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. HOUSE PRINCIPLES ANALYSIS:

**Empower Families--** The bill provides for the establishment of programs designed to increase access to information technology by at-risk individuals and members of underserved communities.

#### B. EFFECT OF PROPOSED CHANGES:

##### Present Situation

##### The Digital Divide Council

The DDC was established by the Legislature in 2001 within the STO<sup>1</sup> for the purpose of increasing access to information technology by at-risk individuals and members of underserved communities.<sup>2</sup> The STO was statutorily tasked with providing administrative and technical support to the DDC. In 2005, the Legislature did not appropriate funding for the STO. Thereafter, the DDC ceased operations, but statute continues to provide for its existence, powers, and duties.

When it was operational, the DDC conducted education and training in the use of technology to assist at-risk individuals and members of underserved communities in obtaining skills that are:

- Necessary to meet the technological demands of the workplace;
- Critical to obtaining high-skill, high-wage employment;
- Required to be a productive member of a growing information technology (IT) society;
- Necessary for the state's economy; and
- Essential to bridging the digital divide between people that have the economic resources and access to technology and those that lack the necessary technological resources, access, and training.<sup>3</sup>

Additionally, as directed by statute, the DDC designed and implemented programs aimed at achieving its goals. These programs included establishing partnerships to provide reasonable opportunities for computer training, education, and internet access to at-risk families in underserved communities.<sup>4</sup> DDC programs were initially required to be implemented as pilot programs in a minimum of six different areas of the state. The DDC selected program locations and pilot programs. Programs were then developed and tested for effectiveness in both rural and urban areas. The programs were implemented by local workforce boards. The DDC was responsible for oversight and monitoring of programs, and required to submit an annual report to the Governor, Speaker of the House of Representatives, and President of the Senate.

##### Council Membership

Florida law currently provides that the DDC is to be comprised of the following members:

- The Chief Information Officer in the STO;
- 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;

<sup>1</sup> The STO was defunded, and thus effectively abolished, by the 2005 Legislature. Statutory authorization for the STO's existence still remains in law. See Section 20.22, F.S.

<sup>2</sup> Section 445.049, F.S.

<sup>3</sup> Digital Divide Council, About the Council, Legislation Creating the Council *available at* [http://www.digitaldividecouncil.com/digitaldivide/creating\\_legislation.html](http://www.digitaldividecouncil.com/digitaldivide/creating_legislation.html).

<sup>4</sup> Section 445.049, F.S.

- The Chair of itflorida.com, Inc.
- The Commissioner of Education
- The Chair of the Network Access Point of the Americas;
- Two representatives from the technology industry; one appointed by the Speaker of the House of Representatives and one by the President of the Senate; and
- Two members each from the House of Representatives and the Senate.<sup>5</sup>

Appointed members of the council served without compensation. During its operation, the 2001 council members served a one-year term. Beginning in 2002, council members served two-year terms. The DDC was required to meet every 60 days. While the council was in operation, the STO provided administrative support services and staff necessary to carry out the DDC's duties.<sup>6</sup>

### **Effect of Proposed Changes**

House Bill 1421 amends s. 445.049, F.S. to establish the DDC within the Department of Education (DOE), rather than the STO. The bill reconfigures the list of individuals that comprise the DDC's membership by removing the Chief Information Officer of the STO and the Chair of the Network Access Point of the Americas and provides that a representative from the technology industry appointed by the Governor shall serve on the council. The bill further provides that appointed members of the DDC will serve a one-year term beginning July 1, 2007 and ending June 30, 2008. Successor appointees will serve two-year terms beginning July 1, 2008. The bill states that the DDC must meet every 90 days, instead of every 60 days.

The bill removes the requirement that DDC programs must first be implemented as pilot projects and limited to six locations throughout the state. The bill removes the requirement that DDC programs first be developed and tested for effectiveness in both rural and urban areas. The bill removes provisions stating that DDC programs must be implemented by local workforce boards. This enables the DDC to implement programs statewide.

#### C. SECTION DIRECTORY:

**Section 1.:** Amends s. 445.049, F.S.; removing the Chief Information Officer in the STO and the Chair of the Network Access Point of the Americas as council members; providing that a representative from the technology industry appointed by the governor shall serve on the DDC; providing that initially appointed members will serve a one-year term; providing that subsequent appointed members will serve two-year terms; removing limitations on initial implementation of DDC programs.

**Section 2.:** Provides an effective date.

## **II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

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

##### 1. Revenues:

This bill does not appear to have a fiscal impact on state revenues.

##### 2. Expenditures:

The bill's fiscal impact on state expenditures is indeterminate. (See Fiscal Comments).

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

##### 1. Revenues:

<sup>5</sup> *Id.*

<sup>6</sup> *Id.*

This bill does not appear to have a fiscal impact on local revenues.

2. Expenditures:

This bill does not appear to have a fiscal impact on local revenues.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

This bill does not appear to have a direct economic impact on the private sector.

D. FISCAL COMMENTS:

The bill has an indeterminate fiscal impact. The bill requires the DOE to administer the DDC. Additionally, the bill permits council members to receive per diem and travel expenses. As the bill does not provide an appropriation, it appears that the DOE must pay for these expenses out of existing funds. The DOE has not provided an analysis stating the anticipated fiscal impact of the bill on the agency.

The bill removes the requirement that DDC programs be implemented initially as pilot projects and limited to six locations throughout the state. This enables the DDC to fully implement its programs on a statewide basis. The financial implications of DDC's increased ability to implement statewide programs are indeterminate.

### III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

This bill does not appear to require counties or municipalities to take an action requiring the expenditure of funds.

This bill does not reduce the authority that counties or municipalities have to raise revenue in the aggregate.

This bill does not reduce the percentage of state tax shared with counties or municipalities.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

This bill does not appear to create, modify, or eliminate rulemaking authority.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

D. STATEMENT OF THE SPONSOR

### IV. AMENDMENTS/COUNCIL SUBSTITUTE CHANGES