

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/CS/HB 685 Educational Dollars for Duty Program
SPONSOR(S): Economic Development & Community Affairs Policy Council, Proctor and others
TIED BILLS: **IDEN./SIM. BILLS:**

	REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1)	Military & Local Affairs Policy Committee	14 Y, 0 N, As CS	Fudge	Hoagland
2)	Economic Development & Community Affairs Policy Council	14 Y, 0 N, As CS	Fudge	Tinker
3)	Full Appropriations Council on Education & Economic Development		Rayman	Martin
4)				
5)				

SUMMARY ANALYSIS

The Educational Dollars for Duty (EDD) program was created in 1997 to provide educational benefits to certain active Florida National Guard members and is subject to annual appropriations. Appropriations for this program in 2008 were \$1,781,900. In 2007-2008 approximately 765 members used the EDD program.

The Department of Military Affairs may pay the full cost of tuition and fees for required courses for current members of the Florida National Guard (Guard) who enlisted after June 30, 1997. A member may not participate for more than five years from becoming eligible for the program. These restrictions make it difficult for the Guard to retain their most experienced and well trained troops.

The bill removes certain restrictions on the EDD program to make it more competitive with programs in other states.

The bill extends the program to include: nonpublic institutions of higher learning in the state accredited by the Commission on Colleges of the Southern Association of Colleges and Schools. The amount the Department pays is limited to the average tuition and fees at a public postsecondary institution or public vocational-technical program.

The bill also expands eligibility to those seeking a master’s degree, those with more than 15 years service, and to those who have not completed basic military training.

The bill clarifies that the EDD program is for an active drilling member and requires the member to continue to serve for the period specified in their enlistment or reenlistment contract instead of for 3 years after the exemption is granted. The member’s obligation to reimburse the Department applies regardless of whether the obligation was incurred before, on, or after July 1, 2009.

The bill extends residency status to all active drilling members of the Florida National Guard, not just those participating in the education programs.

The bill does not appear to have a fiscal impact on state or local governments.

HOUSE PRINCIPLES

Members are encouraged to evaluate proposed legislation in light of the following guiding principles of the House of Representatives

- Balance the state budget.
- Create a legal and regulatory environment that fosters economic growth and job creation.
- Lower the tax burden on families and businesses.
- Reverse or restrain the growth of government.
- Promote public safety.
- Promote educational accountability, excellence, and choice.
- Foster respect for the family and for innocent human life.
- Protect Florida's natural beauty.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Current Situation

The Florida Department of Military Affairs administers two educational assistance programs to active Florida National Guard members: the State Tuition Exemption Program (STEP) and the Educational Dollars for Duty (EDD) program.

The STEP program is available for qualified members of the Florida National Guard. The program exempts the member from payment of one-half of tuition and fees, subject to certain limitations. According to the Board of Governors only five students received the waiver in the State University System in 2007.

The Educational Dollars for Duty (EDD) program was created in 1997 to provide educational benefits to certain active Florida National Guard members and is subject to annual appropriations. Appropriations for this program in 2008 were \$1,781,900. In 2007-2008 approximately 765 members used the EDD program.

The Department of Military Affairs may pay the full cost of tuition and fees for required courses for current members of the Florida National Guard (Guard) who enlisted after June 30, 1997. A member may not participate for more than five years from becoming eligible for the program. These restrictions make it difficult for the Guard to retain their most experienced and well trained troops.

The program provides education assistance for members in good standing of the active Florida National Guard who enroll in a public institution of higher learning. The requirements of the program are:

- 17 years of age or older
- Domiciled in the state
- Member in good standing in the active National Guard throughout the academic term
- Continuous participation in the active National Guard
- Complete a memorandum of agreement to serve in the active National Guard for 3 years after completion of studies.

The program also identifies certain members deemed ineligible to participate, such as: commissioned, officer, warrant officer, or enlisted person holding a baccalaureate degree; any member with 15 years or more of total military service; and any member that has not completed basic training.

Moreover, certain courses are not included, such as: noncredit courses, courses that do not meet degree requirements, and courses that do not meet requirements for completion of career training.

Effect of Proposed Changes

The bill removes certain restrictions on the EDD program to make it more competitive with other programs. The Board of Governors and State Board of Education are removed from developing the education assistance program. The bill extends the program to include: nonpublic institutions of higher learning in the state accredited by the Commission on Colleges of the Southern Association of Colleges and Schools. The amount the Department pays is limited to the average tuition and fees at a public postsecondary institution or public vocational-technical program.

The bill clarifies that the EDD program is for an active drilling member and requires the member to continue to serve for the period specified in their enlistment or reenlistment contract instead of for 3 years after the exemption is granted. The member's obligation to reimburse the Department applies regardless of whether the obligation was incurred before, on, or after July 1, 2009.

The bill also revises the criteria for those members who are ineligible by:

- Including those who have obtained a master's degree, thereby increasing the availability of the program to those who had obtained a bachelor's degree
- Removing the restriction on those who have 15 years or more of military service creditable toward retirement
- Removing the restriction on those who have not completed basic military training
- Inactive members of the Florida National Guard and members of the Individual Ready Reserve (IRR) are not eligible to participate in the program

The STEP program is eliminated along with the corresponding reference for fee waivers.

Finally, the bill extends residency status to all active drilling members of the Florida National Guard, not just those participating in the education programs.

B. SECTION DIRECTORY:

Section 1. Amends s. 250.10, F.S. to remove certain restrictions from the Educational Dollars for Duty program.

Section 2. Amends s. 1009.21, F.S., allowing resident status for active drilling members of the Florida National Guard, not just those that qualify for the program.

Section 3. Amends s. 1009.26, F.S., to correct cross-reference.

Section 4. Provides an effective date of July 1, 2009.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

The bill does not appear to have a fiscal impact on state or local governments.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COUNCIL OR COMMITTEE SUBSTITUTE CHANGES

On March 11, 2009, the Military & Local Affairs Policy Committee adopted two amendments. The first amendment clarified a member's obligation to reimburse the Department tuition and fees. The second amendment expanded the program to include nonpublic institutions accredited by an accrediting body recognized by the US Department of Education or licensed by the Florida Commission for Independent Education.

On April 1, 2009, the Economic Development & Community Affairs Policy Council adopted an amendment revising those institutions where the program is available.