

STORAGE NAME: h3205a.ccc

DATE: February 4, 1998

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
COMMUNITY COLLEGES AND CAREER PREP
BILL RESEARCH & ECONOMIC IMPACT STATEMENT**

BILL #: HB 3205

RELATING TO: National Guard

SPONSOR(S): Representative Wiles and others

COMPANION BILL(S): SB 534, by Senator Kirkpatrick

ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:

- (1) COMMUNITY COLLEGES AND CAREER PREP YEAS 10 NAYS 0
- (2) COMMUNITY AFFAIRS
- (3) FINANCE & TAXATION
- (4) EDUCATION APPROPRIATIONS
- (5)

I. SUMMARY:

This bill deletes a date restriction which was created by HB 255 as passed by the 1997 Florida Legislature. The bill deletes the date which restricts eligibility for members of the Florida National Guard to receive an exemption of one-half of tuition and fees to those members who were enlisted prior to June 30, 1997. This effectively provides a fall-back provision for new recruits to receive at least a 50% exemption from tuition and fees, in the absence of a legislative appropriation providing for a full cost exemption.

The fiscal impact is contingent upon the appropriation amount in the 1998 General Appropriations Act.

II. SUBSTANTIVE RESEARCH:

A. PRESENT SITUATION:

Prior to 1997, there was a statutorily authorized tuition assistance program which provided an exemption of up to one-half of tuition and fees for all members of the Florida National Guard. The 1997 Florida Legislature passed HB 255 which provides that, subject to legislative appropriation, the Department of Military Affairs may pay the full cost of tuition and fees for new recruits (those who enlist in the National Guard after June 30, 1997). The one-half tuition and fee exemption is maintained for those who were members of the guard as of June 30, 1997, as HB 255 adds that date in statute.

There is a concern that the appropriation for the full cost of tuition and fees may not always be available. Because of the date restriction added by HB 255 for members who are eligible to receive the one-half exemption, there would be no fall-back provision for newly enlisted members of the National Guard if an appropriation was not made for the full cost exemption. The guard contends that if the appropriation is cut, their ability to recruit new members will be severely affected.

B. EFFECT OF PROPOSED CHANGES:

The date restriction for the one-half exemption would be removed so that at a minimum, all guard members could access this benefit. The provision added by HB 255 for the full payment of tuition and fees for new recruits, subject to legislative appropriation, would remain intact. The bill would provide a fall-back for new recruits, who would receive an exemption of one-half of tuition and fees, in the event that an appropriation is not made to support the full tuition and fee exemption.

C. APPLICATION OF PRINCIPLES:

1. Less Government:

a. Does the bill create, increase or reduce, either directly or indirectly:

(1) any authority to make rules or adjudicate disputes?

N/A

(2) any new responsibilities, obligations or work for other governmental or private organizations or individuals?

N/A

(3) any entitlement to a government service or benefit?

Provides a fall-back provision for new recruits of the Florida National Guard to receive at least a 50% exemption from tuition and fees, in the absence of a legislative appropriation providing for a full exemption.

b. If an agency or program is eliminated or reduced:

(1) what responsibilities, costs and powers are passed on to another program, agency, level of government, or private entity?

N/A

(2) what is the cost of such responsibility at the new level/agency?

N/A

(3) how is the new agency accountable to the people governed?

N/A

2. Lower Taxes:

a. Does the bill increase anyone's taxes?

No.

b. Does the bill require or authorize an increase in any fees?

No.

c. Does the bill reduce total taxes, both rates and revenues?

No.

d. Does the bill reduce total fees, both rates and revenues?

No.

e. Does the bill authorize any fee or tax increase by any local government?

No.

3. Personal Responsibility:

a. Does the bill reduce or eliminate an entitlement to government services or subsidy?

N/A

b. Do the beneficiaries of the legislation directly pay any portion of the cost of implementation and operation?

N/A

4. Individual Freedom:

a. Does the bill increase the allowable options of individuals or private organizations/associations to conduct their own affairs?

The bill provides at least a 50% tuition and fees exemption for new recruits of the Florida National Guard.

b. Does the bill prohibit, or create new government interference with, any presently lawful activity?

N/A

5. Family Empowerment:

a. If the bill purports to provide services to families or children:

(1) Who evaluates the family's needs?

N/A

(2) Who makes the decisions?

N/A

(3) Are private alternatives permitted?

N/A

(4) Are families required to participate in a program?

N/A

(5) Are families penalized for not participating in a program?

N/A

b. Does the bill directly affect the legal rights and obligations between family members?

N/A

c. If the bill creates or changes a program providing services to families or children, in which of the following does the bill vest control of the program, either through direct participation or appointment authority:

(1) parents and guardians?

N/A

(2) service providers?

N/A

(3) government employees/agencies?

N/A

D. STATUTE(S) AFFECTED:

Amends s. 250.10, F.S.

E. SECTION-BY-SECTION RESEARCH:

Section 1. Amends paragraphs (a) and (b) of subsection (8) of section 250.10, F.S., relating to the tuition assistance program.

Section 2. Provides that the act take effect upon becoming law.

III. FISCAL RESEARCH & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring Effects:

None

2. Recurring Effects:

None

3. Long Run Effects Other Than Normal Growth:

N/A

4. Total Revenues and Expenditures:

None

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring Effects:

N/A

2. Recurring Effects:

N/A

3. Long Run Effects Other Than Normal Growth:

N/A

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

N/A

2. Direct Private Sector Benefits:

Members of the Florida National Guard would benefit by having, at a minimum, 50% of their tuition and fees paid for by the state.

3. Effects on Competition, Private Enterprise and Employment Markets:

N/A

D. FISCAL COMMENTS:

According to the Department of Military Affairs, the costs of this bill have been budgeted for the next three years.

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

N/A

B. REDUCTION OF REVENUE RAISING AUTHORITY:

N/A

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

N/A

V. COMMENTS:

N/A

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

N/A

VII. SIGNATURES:

COMMITTEE ON COMMUNITY COLLEGES AND CAREER PREP:

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