

By the Committees on General Government Appropriations,  
Governmental Operations and Representatives Culp, Effman and  
Trovillion

1                                   A bill to be entitled  
2           An act relating to state planning and  
3           budgeting; amending s. 216.011, F.S.; defining  
4           the terms "disincentive," "incentive,"  
5           "performance-based program appropriation," and  
6           "performance ledger" for purposes of budgeting  
7           and state fiscal affairs; amending s. 216.0166,  
8           F.S.; revising guidelines and requirements for  
9           state agencies in submitting performance-based  
10          budget requests, programs, and performance  
11          measures; amending s. 216.0172, F.S.; revising  
12          the schedule for submission of  
13          performance-based program budget legislative  
14          budget requests; amending s. 216.0235, F.S.;  
15          requiring that additional information be  
16          included in program budget instructions;  
17          amending s. 216.031, F.S.; revising information  
18          to be contained in legislative budget requests;  
19          amending s. 216.163, F.S.; prescribing  
20          additional incentives and disincentives that  
21          may be included in the Governor's recommended  
22          budget; amending s. 216.167, F.S.; requiring  
23          that the Governor's recommendations include a  
24          financial schedule that provides information on  
25          revenues in the Budget Stabilization Fund;  
26          amending s. 216.178, F.S.; providing a date for  
27          the final budget report; amending s. 216.292,  
28          F.S.; providing an exception to nontransferable  
29          appropriations; amending ss. 240.285 and  
30          337.023, F.S.; correcting cross references, to  
31          conform; amending 186.022, F.S.; revising

1 requirements for state agency strategic plans;  
2 amending s. 121.051, F.S.; conforming a cross  
3 reference to changes made by the act; amending  
4 s. 215.32, F.S.; including the Budget  
5 Stabilization Fund in the list of funds in  
6 which state moneys are deposited; amending s.  
7 216.221, F.S.; providing legislative intent for  
8 use of the Budget Stabilization Fund; amending  
9 s. 20.055, F.S.; requiring inspectors general  
10 to review and assess the validity of  
11 performance measures prior to submission to the  
12 Executive Office of the Governor; amending s.  
13 252.37, F.S.; providing legislative intent  
14 regarding the order of recourse in use of state  
15 funds for emergencies; repealing s. 186.021(5),  
16 F.S., relating to state agency strategic plans;  
17 repealing ss. 186.009 and 186.031, F.S.,  
18 relating to the growth management portion of  
19 the state comprehensive plan and to the annual  
20 report by the Governor in his or her capacity  
21 as chief planning and budgeting officer of the  
22 state; repealing s. 212.081(3), F.S., relating  
23 to legislative intent; amending s. 186.021,  
24 F.S.; providing that certain information  
25 resources management projects are not required  
26 in agency strategic plans; amending s. 216.181,  
27 F.S.; providing that certain information  
28 resource management projects are not subject to  
29 the mandatory notice and review requirements  
30 for amendments to agencies' original approved  
31 operating budgets; amending s. 186.022, F.S.;

1 providing that certain coordinating councils  
2 and boards are required to develop annual  
3 performance reports; amending s. 282.3063,  
4 F.S.; modifying the date for submission of the  
5 Agency Annual Information Resources Management  
6 Report; amending s. 282.310, F.S.; modifying  
7 the date by which the State Annual Report on  
8 Information Resources Management must be  
9 developed; requiring the inclusion of specified  
10 information within the report; amending s.  
11 282.3091, F.S.; authorizing members of the  
12 State Technology Council to appoint designees  
13 to serve on their behalf; amending s. 282.322,  
14 F.S.; requiring the submission of quarterly  
15 reports for information resources projects  
16 designated for special monitoring; providing an  
17 additional recipient of project monitors' final  
18 reports; amending s. 282.404, F.S.; removing  
19 the chair of the Geographic Information  
20 Advisory Council as an ex officio member of the  
21 Geographic Information Board; revising duties  
22 of the Geographic Information Board; providing  
23 that the board shall serve as coordinator for  
24 census activities; requiring the chair to  
25 attend all meetings of the Geographic  
26 Information Board on behalf of the council;  
27 amending s. 215.96, F.S.; providing a technical  
28 correction; providing an effective date.  
29  
30 Be It Enacted by the Legislature of the State of Florida:  
31

1           Section 1. Subsection (1) of section 216.011, Florida  
2 Statutes, is amended to read:

3           216.011 Definitions.--

4           (1) For the purpose of fiscal affairs of the state,  
5 appropriations acts, legislative budgets, and approved  
6 budgets, each of the following terms has the meaning  
7 indicated:

8           (a) "Annual salary rate" means the salary estimated to  
9 be paid or actually paid a position or positions on an  
10 annualized basis. In calculating salary rate, a vacant  
11 position shall be calculated at the minimum of the pay grade  
12 for that position.

13           (b) "Appropriation" means a legal authorization to  
14 make expenditures for specific purposes within the amounts  
15 authorized in the appropriations act.

16           (c) "Appropriations act" means the authorization of  
17 the Legislature, based upon legislative budgets or based upon  
18 legislative findings of the necessity for an authorization  
19 when no legislative budget is filed, for the expenditure of  
20 amounts of money by an agency, the judicial branch, and the  
21 legislative branch for stated purposes in the performance of  
22 the functions it is authorized by law to perform.

23           (d) "Authorized position" means a position included in  
24 an approved budget. In counting the number of authorized  
25 positions, part-time positions shall be converted to full-time  
26 equivalents.

27           (e) "Budget entity" means a unit or function at the  
28 lowest level to which funds are specifically appropriated in  
29 the appropriations act.

30           (f) "Consultation" means to deliberate and seek advice  
31 in an open and forthright manner with the full committee, a

1 subcommittee thereof, the chair, or the staff as deemed  
2 appropriate by the chair of the respective appropriations  
3 committee.

4 (g) "Continuing appropriation" means an appropriation  
5 automatically renewed without further legislative action,  
6 period after period, until altered or revoked by the  
7 Legislature.

8 (h) "Data processing services" means electronic data  
9 processing services provided by or to state agencies or the  
10 judicial branch, which services include, but are not limited  
11 to, systems design, software development, or time-sharing by  
12 other governmental units or budget entities.

13 (i) "Disbursement" means the payment of an  
14 expenditure.

15 (j) "Disincentive" means a sanction as described in s.  
16 216.163.

17 (k)~~(j)~~ "Established position" means an authorized  
18 position which has been classified in accordance with a  
19 classification and pay plan as provided by law.

20 (l)~~(k)~~ "Expenditure" means the creation or incurring  
21 of a legal obligation to disburse money.

22 (m)~~(l)~~ "Expense" means the usual, ordinary, and  
23 incidental expenditures by an agency or the judicial branch,  
24 including, but not limited to, such items as contractual  
25 services, commodities, and supplies of a consumable nature,  
26 current obligations, and fixed charges, and excluding  
27 expenditures classified as operating capital outlay. Payments  
28 to other funds or local, state, or federal agencies are  
29 included in this budget classification of expenditures.

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1           (n)~~(m)~~ "Fiscal year of the state" means a period of  
2 time beginning July 1 and ending on the following June 30,  
3 both dates inclusive.

4           (o)~~(n)~~ "Fixed capital outlay" means real property  
5 (land, buildings, including appurtenances, fixtures and fixed  
6 equipment, structures, etc.), including additions,  
7 replacements, major repairs, and renovations to real property  
8 which materially extend its useful life or materially improve  
9 or change its functional use and including furniture and  
10 equipment necessary to furnish and operate a new or improved  
11 facility, when appropriated by the Legislature in the fixed  
12 capital outlay appropriation category.

13           (p)~~(o)~~ "Full-time position" means a position  
14 authorized for the entire normally established work period,  
15 daily, weekly, monthly, or annually.

16           (q)~~(p)~~ "Grants and aids" means contributions to units  
17 of governments or nonprofit organizations to be used for one  
18 or more specified purposes, activities, or facilities. Funds  
19 appropriated under this category may be advanced.

20           (r) "Incentive" means a mechanism, as described in s.  
21 216.163, for recognizing the achievement of performance  
22 standards or for motivating performance that exceeds  
23 performance standards.

24           (s)~~(q)~~ "Independent judgment" means an evaluation of  
25 actual needs made separately and apart from the legislative  
26 budget request of any other agency or of the judicial branch,  
27 or any assessments by the Governor. Such evaluation shall not  
28 be limited by revenue estimates of the Revenue Estimating  
29 Conference.

30           (t)~~(r)~~ "Judicial branch" means all officers,  
31 employees, and offices of the Supreme Court, district courts

1 of appeal, circuit courts, county courts, and the Judicial  
2 Qualifications Commission.

3 (u)~~(s)~~ "Legislative branch" means the various  
4 officers, committees, and other units of the legislative  
5 branch of state government.

6 (v)~~(t)~~ "Legislative budget" means a request to the  
7 Legislature, filed pursuant to s. 216.023, or supplemental  
8 detailed requests filed with the Legislature, for the amounts  
9 of money such agency or branch believes will be needed in the  
10 performance of the functions that it is authorized, or which  
11 it is requesting authorization by law, to perform.

12 (w)~~(u)~~ "Lump-sum appropriation" means funds  
13 appropriated to accomplish a specific activity or project  
14 which must be transferred to one or more appropriation  
15 categories for expenditure.

16 (x)~~(v)~~ "Operating capital outlay" means equipment,  
17 fixtures, and other tangible personal property of a  
18 nonconsumable and nonexpendable nature, the value or cost of  
19 which is \$500 or more and the normal expected life of which is  
20 1 year or more, and hardback-covered bound books that are  
21 circulated to students or the general public, the value or  
22 cost of which is \$25 or more, and hardback-covered bound  
23 books, the value or cost of which is \$100 or more.

24 (y)~~(w)~~ "Original approved budget" means the approved  
25 plan of operation of an agency or of the judicial branch  
26 consistent with the General Appropriations Act or special  
27 appropriations acts.

28 (z)~~(x)~~ "Other personal services" means the  
29 compensation for services rendered by a person who is not a  
30 regular or full-time employee filling an established position.  
31 This definition includes, but is not limited to, services of

1 temporary employees, student or graduate assistants, persons  
2 on fellowships, part-time academic employees, board members,  
3 and consultants and other services specifically budgeted by  
4 each agency, or by the judicial branch, in this category.

5 1. In distinguishing between payments to be made from  
6 salaries appropriations and other-personal-services  
7 appropriations, those persons filling established positions  
8 shall be paid from salaries appropriations and those persons  
9 performing services for a state agency or for the judicial  
10 branch, but who are not filling established positions, shall  
11 be paid from other-personal-services appropriations.

12 2. It is further intended that those persons paid from  
13 salaries appropriations shall be state officers or employees  
14 and shall be eligible for membership in a state retirement  
15 system and those paid from other-personal-services  
16 appropriations shall not be eligible for such membership.

17 (aa)~~(y)~~ "Part-time position" means a position  
18 authorized for less than the entire normally established work  
19 period, daily, weekly, monthly, or annually.

20 (bb)~~(z)~~ "Pay plan" means a document which formally  
21 describes the philosophy, methods, procedures, and salary  
22 schedule for compensating employees for work performed.

23 (cc)~~(aa)~~ "Perquisites" means those things, or the use  
24 thereof, or services of a kind which confer on the officers or  
25 employees receiving same some benefit that is in the nature of  
26 additional compensation, or which reduces to some extent the  
27 normal personal expenses of the officer or employee receiving  
28 the same, and shall include, but not be limited to, such  
29 things as quarters, subsistence, utilities, laundry services,  
30 medical service, use of state-owned vehicles for other than  
31



1 state purposes, servants paid by the state, and other similar  
2 things.

3 (dd)~~(bb)~~ "Position" means the work, consisting of  
4 duties and responsibilities, assigned to be performed by an  
5 officer or employee.

6 (ee)~~(cc)~~ "Position number" means the identification  
7 number assigned to an established position.

8 (ff)~~(dd)~~ "Program component" means an aggregation of  
9 generally related objectives which, because of their special  
10 character, related workload, and interrelated output, can  
11 logically be considered an entity for purposes of  
12 organization, management, accounting, reporting, and  
13 budgeting.

14 (gg)~~(ee)~~ "Proviso" means language that qualifies or  
15 restricts a specific appropriation and which can be logically  
16 and directly related to the specific appropriation.

17 (hh)~~(ff)~~ "Reclassification" means changing an  
18 established position in one class in a series to the next  
19 higher or lower class in the same series or to a class in a  
20 different series which is the result of a natural change in  
21 the duties and responsibilities of the position.

22 (ii)~~(gg)~~ "Revolving fund" means a cash fund maintained  
23 within or outside of the State Treasury and established from  
24 an appropriation, to be used by an agency or the judicial  
25 branch in making authorized expenditures.

26 (jj)~~(hh)~~ "Salary" means the cash compensation for  
27 services rendered for a specific period of time.

28 (kk)~~(ii)~~ "Salary schedule" means an official document  
29 which contains a complete list of classes and their assigned  
30 salary ranges.

31

1        (ll)~~(jj)~~ "Special category" means amounts appropriated  
2 for a specific need or classification of expenditures.  
3        (mm)~~(kk)~~ "State agency" or "agency" means any  
4 official, officer, commission, board, authority, council,  
5 committee, or department of the executive branch of state  
6 government. For purposes of this chapter and chapter 215,  
7 "state agency" or "agency" includes state attorneys, public  
8 defenders, the Capital Collateral Representative, and the  
9 Justice Administrative Commission.  
10        (nn)~~(ll)~~ "State revenue sharing" means statutory or  
11 constitutional distributions to local units of government.  
12        (oo)~~(mm)~~ "Title of position," or "class of positions"  
13 means the official name assigned to a position or class of  
14 positions.  
15        (pp)~~(nn)~~ "Grants and Aids to Local Governments and  
16 Nonprofit Organizations-Fixed Capital Outlay" means that  
17 appropriation category which includes:  
18            1. Grants to local units of governments and nonprofit  
19 organizations for the acquisition of real property (land,  
20 buildings, including appurtenances, fixtures and fixed  
21 equipment, structures, etc.); additions, replacements, major  
22 repairs, and renovations to real property which materially  
23 extend its useful life or materially improve or change its  
24 functional use; and operating capital outlay necessary to  
25 furnish and operate a new or improved facility; and  
26            2. Grants to local units of government for their  
27 respective infrastructure and growth management needs related  
28 to local government comprehensive plans.  
29  
30 Funds appropriated under this category may be advanced in part  
31 or in whole.

1        (qq)~~(oo)~~ "Baseline data" means indicators of a state  
2 agency's current performance level, pursuant to guidelines  
3 established by the Executive Office of the Governor, in  
4 consultation with legislative appropriations and appropriate  
5 substantive committees.

6        (rr)~~(pp)~~ "Outcome" means an indicator of the actual  
7 impact or public benefit of a program.

8        (ss)~~(qq)~~ "Output" means the actual service or product  
9 delivered by a state agency.

10       (tt)~~(rr)~~ "Performance-based program budget" means a  
11 budget that incorporates approved programs and performance  
12 measures.

13       (uu)~~(ss)~~ "Performance measure" means a quantitative or  
14 qualitative indicator used to assess state agency performance.

15       (vv)~~(tt)~~ "Program" means a set of activities  
16 undertaken in accordance with a plan of action organized to  
17 realize identifiable goals and objectives based on legislative  
18 authorization.

19       (ww)~~(uu)~~ "Standard" means the level of performance of  
20 an outcome or output.

21       (xx) "Performance-based program appropriation" means  
22 funds appropriated for a specific set of activities or  
23 classification of expenditure within an approved  
24 performance-based program.

25       (yy) "Performance ledger" means the official  
26 compilation of information about state agency  
27 performance-based programs and measures, including approved  
28 programs, approved outputs and outcomes, baseline data,  
29 approved standards for each performance measure and any  
30 approved adjustments thereto, as well as actual agency  
31 performance for each measure.

1 Section 2. Section 216.0166, Florida Statutes, is  
2 amended to read:

3 216.0166 Submission by state agencies of  
4 performance-based budget requests, programs, and performance  
5 measures.--

6 (1) Prior to September 1 ~~October 15~~ of the fiscal year  
7 prior to in which a state agency is required to submit a  
8 performance-based program budget request pursuant to s.  
9 216.0172, such state agency shall identify and submit to the  
10 Executive Office of the Governor a list of proposed state  
11 agency programs and performance measures. The agency may also  
12 provide a list of statutes or rules affecting its performance  
13 which may be addressed as incentives or disincentives for the  
14 performance-based program budget. The list should be  
15 accompanied by recommended legislation to implement the  
16 requested changes for potential incentives. Such  
17 identification shall be conducted after discussion with  
18 legislative appropriations and appropriate substantive  
19 committees and shall be approved by the Executive Office of  
20 the Governor. ~~State agencies selected by the Governor pursuant~~  
21 ~~to s. 216.0172(1) shall submit such lists prior to May 15,~~  
22 ~~1994.~~ The Executive Office of the Governor, after discussion  
23 with legislative appropriations and appropriate substantive  
24 committees and the Office of Program Policy Analysis and  
25 Government Accountability, shall review the list of programs  
26 and performance measures, may make any changes or require the  
27 agency to resubmit the list, and shall make a final  
28 recommendation of programs and associated performance measures  
29 to the Legislature ~~approve or disapprove a list~~ within 60 ~~30~~  
30 days after ~~of~~ receipt, to be used in the preparation and  
31 submission of the state agency's final legislative budget

1 request pursuant to s. 216.023(5). The Executive Office of the  
2 Governor may also recommend legislation to implement any or  
3 all of the proposed incentives. Agencies continuing under  
4 performance-based program budgeting may provide as part of  
5 their legislative budget request a list of statutes or rules  
6 affecting their program performance which may be addressed as  
7 incentives or disincentives for the performance-based program  
8 budget. The Executive Office of the Governor shall provide  
9 the approved program list to the Legislature.

10 (2) The following documentation shall accompany the  
11 list of proposed programs and measures submitted by the state  
12 agency:

13 (a) The constitutional or statutory direction and  
14 authority for each program.

15 (b) Identification of the customers, clients, and  
16 users of each program.

17 (c) The purpose of each program or the benefit derived  
18 by the customers, clients, and users of the program.

19 (d) Direct and indirect costs of each program.

20 ~~(e) Information on fees collected and the adequacy of~~  
21 ~~those fees in funding each program for which the fees are~~  
22 ~~collected.~~

23 (e)(f) An assessment of whether each program is  
24 conducive to performance-based program budgeting.

25 (f)(g) An assessment of the time needed to develop  
26 meaningful performance measures for each program.

27 (g) Any proposed legislation necessary to implement  
28 the incentives or disincentives requested pursuant to this  
29 section.

30 (h) A comparison of the agency's existing budget  
31 structure to the proposed budget structure.

1           (i) A description of the use of performance measures  
2 in agency decisionmaking, agency actions to allocate funds and  
3 manage programs, and the agency strategic plan.

4           ~~(3) The Executive Office of the Governor, after~~  
5 ~~discussion with legislative appropriations committees,~~  
6 ~~appropriate substantive committees, and the Legislative~~  
7 ~~Auditing Committee, shall jointly develop instructions for the~~  
8 ~~development of performance measures for each program on the~~  
9 ~~list approved pursuant to this section and shall submit such~~  
10 ~~instructions to the state agencies prior to December 1 of the~~  
11 ~~fiscal year preceding the year in which a state agency is~~  
12 ~~required to submit a performance-based program budget request~~  
13 ~~pursuant to s. 216.0172.~~

14           ~~(4) Prior to June 1, each state agency is required to~~  
15 ~~submit to the executive Office of the Governor performance~~  
16 ~~measures for each program on the approved list required~~  
17 ~~pursuant to subsection (1). State agencies shall also identify~~

18           (j) The outputs produced by each proposed approved  
19 program, the outcomes resulting from each proposed approved  
20 program, and baseline data associated with each performance  
21 measure. Agencies must submit documentation for each output  
22 and outcome measure which explains the validity, reliability,  
23 and appropriateness of each performance measure. Such  
24 documentation must be prepared by the agency in consultation  
25 with its inspector general.~~Performance measures shall be~~  
26 ~~reviewed, after discussion with legislative appropriations and~~  
27 ~~appropriate substantive committees and the Office of Program~~  
28 ~~Policy Analysis and Government Accountability, revised as~~  
29 ~~necessary, and approved or disapproved by the Executive Office~~  
30 ~~of the Governor within 30 days of receipt. For those state~~  
31 ~~agencies selected by the Governor pursuant to s. 216.0172(1),~~

1 ~~performance measures, outputs, outcomes, and baseline data~~  
2 ~~shall be submitted prior to July 1, 1994.~~

3       (3)(5) The agency shall submit a performance-based  
4 program legislative budget request pursuant to s. 216.0172,  
5 using the programs and performance measures adopted by the  
6 Legislature, or, if none are adopted, those recommended by the  
7 Executive Office of the Governor.Notwithstanding the  
8 programs, performance measures, and standards requested in  
9 each state agency's final legislative budget request or the  
10 Governor's budget recommendations, the Legislature shall have  
11 final approval of all programs, performance measures, and  
12 standards through the General Appropriations Act or  
13 legislation implementing the General Appropriations Act.

14       ~~(6) Each state agency shall submit documentation to~~  
15 ~~the Executive Office of the Governor regarding the validity,~~  
16 ~~reliability, and appropriateness of each performance measure.~~  
17 ~~In addition, each state agency shall indicate how the~~  
18 ~~performance measure relates to its strategic plan and how it~~  
19 ~~is used in management decisionmaking and other agency~~  
20 ~~processes.~~

21       (4)(7) Annually, no later than 45 days after the  
22 General Appropriations Act becomes law, state agencies may  
23 submit to the Executive Office of the Governor any adjustments  
24 to their performance standards based on the amounts  
25 appropriated for each program by the Legislature. When such  
26 adjustment is made, all performance standards, including any  
27 adjustments made, shall be submitted to and reviewed and  
28 revised as necessary by the Executive Office of the Governor,  
29 and, upon approval, submitted to the Legislature pursuant to  
30 the review and approval process provided in s. 216.177. The  
31 Executive Office of the Governor shall maintain both the

1 official record of adjustments to the performance standards as  
2 part of the agency's approved operating budget and the  
3 official performance ledger.

4 ~~(5)(8)~~ A state agency operating under a  
5 performance-based program budget pursuant to s. 216.0172 shall  
6 not have the authority to amend approved ~~or establish~~ programs  
7 or performance measures. However, a state agency may propose  
8 revisions ~~a revision to the list of~~ approved programs or  
9 performance measures ~~used in its legislative budget request~~.  
10 Such revisions are ~~revision is~~ subject to review and approval  
11 by the Executive Office of the Governor and the Legislature  
12 and shall be submitted to the Executive Office of the Governor  
13 prior to February 1 ~~April 15~~ of the year in which the state  
14 agency proposes ~~intends~~ to incorporate these changes into its  
15 legislative budget request. The submission must include the  
16 documentation required by subsection (2), where applicable.  
17 The Executive Office of the Governor shall have 30 days to  
18 review ~~act on~~ the proposed revisions and make a recommendation  
19 to the Legislature. All approved revisions must ~~Revised~~  
20 ~~performance measures, standards, and baseline data shall be~~  
21 submitted ~~along~~ with the agency's preliminary legislative  
22 budget request. Any new programs or performance measures  
23 proposed by the agency must be submitted pursuant to  
24 subsection (1) and must include the documentation required by  
25 subsection (2), where applicable.

26 Section 3. Section 216.0172, Florida Statutes, is  
27 amended to read:

28 216.0172 Schedule for submission of performance-based  
29 program budgets.--In order to implement the provisions of  
30 chapter 94-249, Laws of Florida, state agencies shall submit  
31 performance-based program budget legislative budget requests



- 1 ~~budgets~~ for programs approved pursuant to s. 216.0166 to the  
2 Executive Office of the Governor and the Legislature based on  
3 the following schedule:
- 4 (1) By September 1, 1994, for the 1995-1996 fiscal  
5 year, two state agencies selected by the Governor, subject to  
6 the review and approval process pursuant to s. 216.177.
- 7 (2) By September 1, 1995, for the 1996-1997 fiscal  
8 year:
- 9 (a) Department of Education (Community Colleges).  
10 (b) Department of Health and Rehabilitative Services  
11 (Alcohol, Drug Abuse, Mental Health).  
12 (c) Department of Labor and Employment Security.  
13 (d) Department of Law Enforcement.  
14 (e) Department of Management Services.  
15 (f) Division of Retirement.
- 16 (3) By September 1, 1996, for the 1997-1998 fiscal  
17 year, by the following:
- 18 (a) Agency for Health Care Administration.  
19 (b) Department of Education (State University System).  
20 (c) Game and Fresh Water Fish Commission.  
21 (d) Department of Highway Safety and Motor Vehicles.  
22 (e) Department of Revenue.  
23 (f) Department of State.  
24 (g) Department of Transportation.
- 25 (4) By September 1, 1997, for the 1998-1999 fiscal  
26 year, by the following:
- 27 (a) Department of Banking and Finance.  
28 (b) Department of Corrections.  
29 (c) Department of Education (Public Schools).  
30 (d) Department of Environmental Protection.  
31 (e) Executive Office of the Governor.

- 1           (f) Department of Children and Family ~~Health and~~  
2 ~~Rehabilitative~~ Services.
- 3           (g) Department of Legal Affairs.
- 4           (h) Department of Juvenile Justice.
- 5           (5) By September 1, 1998, for the 1999-2000 fiscal  
6 year, by the following:
- 7           (a) Department of Agriculture and Consumer Services.
- 8           ~~(b) Department of Commerce.~~
- 9           (b)(c) Department of Elderly Affairs.
- 10          (c)(d) Department of the Lottery.
- 11          (d)(e) Department of Military Affairs.
- 12          (6) By September 1, 1999, for the 2000-2001 fiscal  
13 year, by the following:
- 14          (a) Division of Administrative Hearings.
- 15          (b) Department of Business and Professional  
16 Regulation.
- 17          (c) Parole and Probation Commission.
- 18          (d) Public Service Commission.
- 19          (e) Department of Health.
- 20          (f) Department of Education (all remaining programs).
- 21          (7) By September 1, 2000, for the 2001-2002 fiscal  
22 year, by the following:
- 23          (a) Department of Citrus.
- 24          (b) Department of Community Affairs.
- 25          (c) Department of Insurance.
- 26          (d) Department of Veterans' Affairs.
- 27          (e) State attorneys.
- 28          (f) Public defenders.
- 29          (g) Justice Administrative Commission and capital  
30 collateral counsel.
- 31

1           (8) Any new agency or portion thereof created after  
2 September 1, 2000, shall submit a performance-based program  
3 budget request for programs approved pursuant to s. 216.0166  
4 to the Executive Office of the Governor and the Legislature by  
5 September 1 of the year following the creation of the agency  
6 or portion thereof.

7           ~~(9)(8)~~ The schedule set forth in subsections (2)  
8 through (7) may be amended by the Legislative Auditing  
9 Committee, the General Appropriations Act, or upon the  
10 recommendation of the Governor, which recommendation is  
11 subject to the review and approval process provided in s.  
12 216.177.

13           (10) Beginning in fiscal year 1998-1999, the Executive  
14 Office of the Governor shall, for any agency that fails to  
15 meet the requirements set forth in s. 216.0166 according to  
16 the schedule set forth in this section or within 3 years  
17 thereafter, recommend programs and performance measures to the  
18 Legislature on behalf of that agency.

19           Section 4. Subsection (3) of section 216.0235, Florida  
20 Statutes, is amended to read:

21           216.0235 Performance-based legislative program budget  
22 requests to be furnished by agencies.--

23           (3) The Executive Office of the Governor and the  
24 legislative appropriations committees shall jointly develop  
25 legislative program budget instructions from which each agency  
26 that has an approved program and the judicial branch, pursuant  
27 to ss. 216.0166 and 216.043, shall prepare its legislative  
28 program budget request. The program budget instructions must  
29 be consistent with s. 216.141 and must be transmitted to each  
30 agency and to the judicial branch no later than June 15 of  
31 each year. The budget instructions must also include

1 instructions for agencies in submitting performance measures  
2 and standards as required by s. 216.0166.In the event that  
3 agreement cannot be reached between the Executive Office of  
4 the Governor and the legislative appropriations committees  
5 regarding legislative program budget instructions, the issue  
6 shall be resolved by the Governor, the President of the  
7 Senate, and the Speaker of the House of Representatives.

8 Section 5. Subsection (11) of section 216.031, Florida  
9 Statutes, is amended, and subsection (12) is added to said  
10 section, to read:

11 216.031 Budgets for operational expenditures.--A  
12 legislative budget request, reflecting the independent  
13 judgment of the head of the state agency, and of the Chief  
14 Justice of the Supreme Court, with respect to the needs of the  
15 agency and the judicial branch for operational expenditures  
16 during the next fiscal year, shall be submitted by each head  
17 of a state agency and by the Chief Justice of the Supreme  
18 Court and shall contain the following:

19 (11) For performance-based program budgets, the  
20 baseline data, outcome measures outcomes, output performance  
21 measures, and standards for program measures current programs,  
22 including justification for those programs in the format  
23 required by the legislative budget instructions.

24 (12) A prioritized listing of planned expenditures for  
25 review and possible reduction in the event of revenue  
26 shortfalls, as provided for in s. 216.221. Such list shall be  
27 in the format provided in the planning and budgeting  
28 instructions.

29  
30 Either chair of a legislative appropriations committee, or the  
31 Executive Office of the Governor for state agencies, may

1 require the agency or the Chief Justice to address major  
2 issues separate from those outlined in s. 216.023, this  
3 section, and s. 216.043 for inclusion in the requests of the  
4 agency or of the judicial branch. The issues shall be  
5 submitted to the agency no later than July 30 of each year and  
6 shall be displayed in its requests as provided in the budget  
7 instructions. The Executive Office of the Governor may  
8 request an agency, or the chair of the appropriations  
9 committees of the Senate or House of Representatives may  
10 request any agency or the judicial branch, to submit no later  
11 than September 15 of each year a budget plan with respect to  
12 targets established by the Governor or either chair. The  
13 target budget shall require each entity to establish an order  
14 of priorities for its budget issues and may include requests  
15 for multiple options for the budget issues. The target budget  
16 may also require each entity to submit a program budget or a  
17 performance-based budget in the format prescribed by the  
18 Executive Office of the Governor or either chair; provided,  
19 however, the target budget format shall be compatible with the  
20 planning and budgeting system requirements set out in s.  
21 216.141. Such a request shall not influence the agencies' or  
22 judicial branch's independent judgment in making legislative  
23 budget requests, as required by law.

24 Section 6. Subsection (4) of section 216.163, Florida  
25 Statutes, is amended to read:

26 216.163 Governor's recommended budget; form and  
27 content; declaration of collective bargaining impasses.--

28 (4) The Executive Office of the Governor shall review  
29 the evaluation report required by s. 216.031(10) and the  
30 findings of the Office of Program Policy Analysis and  
31 Government Accountability, to the extent they are available,

1 request any reports or additional analyses as necessary, and  
2 submit a recommendation, ~~pursuant to paragraph (2)(g)~~ which  
3 may include a recommendation regarding incentives or  
4 disincentives for agency performance. Incentives or  
5 disincentives may apply to all or part of a state agency.  
6 (a) Incentives may include, but are not limited to:  
7 1. Additional flexibility in budget management, such  
8 as, but not limited to, the use of lump sums, special  
9 categories, or performance-based program appropriation;  
10 consolidation of budget entities or program components;  
11 consolidation of appropriation categories; and increased  
12 agency transfer authority between appropriation categories or  
13 budget entities.  
14 2. Additional flexibility in salary rate and position  
15 management.  
16 3. Retention of up to 50 percent of all unexpended and  
17 unencumbered balances of appropriations as of June 30, or  
18 undisbursed balances as of December 31, excluding special  
19 categories and grants and aids, which may be used for  
20 nonrecurring purposes including, but not limited to, lump-sum  
21 bonuses, employee training, or productivity enhancements,  
22 including technology and other improvements.  
23 4. Additional funds to be used for, but not limited  
24 to, lump-sum bonuses, employee training, or productivity  
25 enhancements, including technology and other improvements.  
26 5. Additional funds provided pursuant to law to be  
27 released to an agency quarterly or incrementally contingent  
28 upon the accomplishment of units of output or outcome  
29 specified in the General Appropriations Act.  
30 (b) Disincentives may include, but are not limited to:  
31

1           1. Mandatory quarterly reports to the Executive Office  
2 of the Governor and the Legislature on the agency's progress  
3 in meeting performance standards.

4           2. Mandatory quarterly appearances before the  
5 Legislature, the Governor, or the Governor and Cabinet to  
6 report on the agency's progress in meeting performance  
7 standards.

8           3. Elimination or restructuring of the program, which  
9 may include, but not be limited to transfer of the program or  
10 outsourcing all or a portion of the program.

11           4. Reduction of total positions for a program.

12           5. Restriction on or reduction of the spending  
13 authority provided in s. 216.292(3)(c)~~s. 216.292(2)(c)~~.

14           6. Reduction of managerial salaries.

15           Section 7. Section 216.167, Florida Statutes, is  
16 amended to read:

17           216.167 Governor's recommendations.--The Governor's  
18 recommendations shall include a financial schedule that  
19 provides ~~which shall provide~~:

20           (1) The Governor's estimate of the recommended  
21 recurring revenues available in the Budget Stabilization Fund,  
22 ~~in~~ the Working Capital Fund, and the General Revenue Fund.

23           (2) The Governor's estimate of the recommended  
24 nonrecurring revenues available in the Budget Stabilization  
25 Fund, ~~in~~ the Working Capital Fund, and the General Revenue  
26 Fund.

27           (3) The Governor's recommended recurring and  
28 nonrecurring appropriations from the Budget Stabilization  
29 Fund, the Working Capital Fund, and the General Revenue Fund.

30           (4) The Governor's estimates of any interfund loans or  
31 temporary obligations of the Budget Stabilization Fund, the

1 Working Capital Fund, or trust funds, which loans or  
2 obligations are needed to implement his or her recommended  
3 budget.

4 (5)(a) For any recommendation to be funded by a  
5 proposed state debt or obligation as defined in s. 216.0442,  
6 the documents set forth in s. 216.0442(2) and a 5-year  
7 estimate of the program operational costs associated with any  
8 proposed fixed capital outlay project to be funded by the  
9 proposed state debt or obligation.

10 (b) The Governor's estimates of the debt service and  
11 reserve requirements for any recommended new bond issues or  
12 reissues and his or her recommended debt service  
13 appropriations for all outstanding fixed capital outlay bond  
14 issues.

15 Section 8. Subsection (2) of section 216.178, Florida  
16 Statutes, is amended to read:

17 216.178 General Appropriations Act; format; procedure;  
18 cost statement for new debt or obligation.--

19 (2) Effective June 30, 1993, the Office of Planning  
20 and Budgeting shall develop a final budget report that  
21 reflects the net appropriations for each budget item. The  
22 report shall reflect actual expenditures for each of the 2  
23 preceding fiscal years and the estimated expenditures for the  
24 current fiscal year. In addition, the report must contain the  
25 actual revenues and cash balances for the preceding 2 fiscal  
26 years and the estimated revenues and cash balances for the  
27 current fiscal year. The report may also contain expenditure  
28 data, program objectives, and program measures for each state  
29 agency program. The report must be produced by October 15  
30 each year ~~within 90 days after the beginning of the fiscal~~  
31 ~~year~~. A copy of the report must be made available to each



1 member of the Legislature, to the head of each state agency,  
2 to the Auditor General, and to the public.

3 Section 9. Section 216.292, Florida Statutes, is  
4 amended to read:

5 216.292 Appropriations nontransferable; exceptions.--

6 (1)(a) Funds provided in the General Appropriations  
7 Act or as otherwise expressly provided by law shall be  
8 expended only for the purpose for which appropriated, except  
9 that if deemed necessary such moneys may be transferred as  
10 provided in subsections (3), and (4), and (5) when it is  
11 determined to be in the best interest of the state.

12 Appropriations for fixed capital outlay may not be expended  
13 for any other purpose, and appropriations may not be  
14 transferred between state agencies, or between a state agency  
15 and the judicial branch, unless specifically authorized by  
16 law.

17 (b) For the 1997-1998 fiscal year only, the Department  
18 of Children and Family Services and the Agency for Health Care  
19 Administration may transfer general revenue funds as necessary  
20 to comply with any provision of the General Appropriations Act  
21 that requires or specifically authorizes the transfer of  
22 general revenue funds between these two agencies. This  
23 paragraph is repealed on July 1, 1998.

24 (2) A lump sum appropriated for a performance-based  
25 program must be distributed by the Governor for state agencies  
26 or the Chief Justice for the judicial branch into the  
27 traditional expenditure categories in accordance with s.  
28 216.181(5)(b) ~~s. 216.181(4)(b)~~. At any time during the year,  
29 the agency head or Chief Justice may transfer funds between  
30 those categories with no limit on the amount of the transfer.  
31 Authorized revisions of the original approved operating

1 budget, together with related changes, if any, must be  
2 transmitted by the state agency or by the judicial branch to  
3 the Executive Office of the Governor or the Chief Justice, the  
4 chairs of the legislative appropriations committees, the  
5 Office of Program Policy Analysis and Government  
6 Accountability, and the Auditor General. Such authorized  
7 revisions shall be consistent with the intent of the approved  
8 operating budget, shall be consistent with legislative policy  
9 and intent, and shall not conflict with specific spending  
10 policies specified in the General Appropriations Act. The  
11 Executive Office of the Governor shall forward a copy of the  
12 revisions within 7 working days to the Comptroller for entry  
13 in his or her records in the manner and format prescribed by  
14 the Executive Office of the Governor in consultation with the  
15 Comptroller.~~Authorized revisions of the original approved~~  
16 ~~operating budget, together with related changes, if any, must~~  
17 ~~be transmitted by the state agency or by the judicial branch~~  
18 ~~to the Comptroller for entry in his or her records in the~~  
19 ~~manner and format prescribed by the Executive Office of the~~  
20 ~~Governor in consultation with the Comptroller. A copy of such~~  
21 ~~revisions shall be furnished, within 7 working days, to the~~  
22 ~~Executive Office of the Governor or the Chief Justice, the~~  
23 ~~chairs of the legislative appropriations committees, the~~  
24 ~~Office of Program Policy Analysis and Government~~  
25 ~~Accountability, and the Auditor General. Such authorized~~  
26 ~~revisions shall be consistent with the intent of the approved~~  
27 ~~operating budget, shall be consistent with legislative policy~~  
28 ~~and intent, and shall not conflict with specific spending~~  
29 ~~policies specified in the General Appropriations Act.~~  
30 Additionally, subsection (3) shall not apply to programs  
31

1 operating under performance-based program budgeting where a  
2 lump sum was appropriated ~~program-performance based budgets.~~

3 (3) The head of each department or the Chief Justice  
4 of the Supreme Court, whenever it is deemed necessary by  
5 reason of changed conditions, may transfer appropriations  
6 funded from identical funding sources, except appropriations  
7 for fixed capital outlay, and transfer the amounts included  
8 within the total original approved budget and releases as  
9 furnished pursuant to ss. 216.181 and 216.192, as follows:

10 (a) Between categories of appropriations within a  
11 budget entity, if no category of appropriation is increased or  
12 decreased by more than 5 percent of the original approved  
13 budget or \$25,000, whichever is greater, by all action taken  
14 under this subsection.

15 (b) Additionally, between budget entities within  
16 identical categories of appropriations, if no category of  
17 appropriation is increased or decreased by more than 5 percent  
18 of the original approved budget or \$25,000, whichever is  
19 greater, by all action taken under this subsection.

20 (c) Such authorized revisions must be consistent with  
21 the intent of the approved operating budget, must be  
22 consistent with legislative policy and intent, and must not  
23 conflict with specific spending policies specified in the  
24 General Appropriations Act.

25  
26 Such authorized revisions, together with related changes, if  
27 any, in the plan for release of appropriations, shall be  
28 transmitted by the state agency or by the judicial branch to  
29 the Comptroller for entry in the Comptroller's records in the  
30 manner and format prescribed by the Executive Office of the  
31 Governor in consultation with the Comptroller. A copy of such

1 revision shall be furnished to the Executive Office of the  
2 Governor or the Chief Justice, the chairs of the legislative  
3 committees, and the Auditor General.

4 (4) The head of each department or the Chief Justice  
5 of the Supreme Court, whenever it is deemed necessary by  
6 reason of changed conditions, may transfer funds, positions,  
7 and salary rate within and between program budget entities  
8 with performance-based program appropriations as defined in s.  
9 216.011(1)(xx). Such transfers may include appropriations from  
10 any operating category, except appropriations for fixed  
11 capital outlay. However, the total program funds, positions,  
12 and salary rate shall not be increased or decreased by more  
13 than 5 percent by all action taken under this section.  
14 Authorized revisions of the original approved operating  
15 budget, together with related changes, if any, must be  
16 transmitted by the state agency or by the judicial branch to  
17 the Executive Office of the Governor or the Chief Justice, the  
18 chairs of the legislative appropriations committees, the  
19 Office of Program Policy Analysis and Government  
20 Accountability, and the Auditor General. Such authorized  
21 revisions shall be consistent with legislative policy and  
22 intent and shall not conflict with specific spending policies  
23 specified in the General Appropriations Act. The Executive  
24 Office of the Governor shall forward a copy of the revisions  
25 within 7 working days to the Comptroller for entry in his or  
26 her records in the manner and format prescribed by the  
27 Executive Office of the Governor in consultation with the  
28 Comptroller.

29 (5)(4)(a) Transfers of appropriations for operations  
30 from the General Revenue Fund in excess of those provided in  
31 subsections ~~subsection~~ (3) and (4) but within a state agency

1 or within the judicial branch may be authorized by the  
2 commission for the executive branch and the Chief Justice for  
3 the judicial branch, pursuant to the request of the agency  
4 filed with the Executive Office of the Governor, or pursuant  
5 to the request of an entity of the judicial branch filed with  
6 the Chief Justice of the Supreme Court, if deemed necessary  
7 and in the best interest of the state and consistent with  
8 legislative policy and intent. The provisions of this  
9 paragraph are subject to the notice, review, and objection  
10 procedures set forth in s. 216.177.

11 (b) When an appropriation for a named fixed capital  
12 outlay project is found to be in excess of that needed to  
13 complete that project, at the request of the Executive Office  
14 of the Governor for state agencies or the Chief Justice of the  
15 Supreme Court for the judicial branch the excess may be  
16 transferred, with the approval of the commission or the Chief  
17 Justice, to another project for which there has been an  
18 appropriation in the same fiscal year from the same fund and  
19 within the same department where a deficiency is found to  
20 exist. Further, a fixed capital outlay project may not be  
21 initiated without a specific legislative appropriation, nor  
22 may the scope of a fixed capital outlay project be changed by  
23 the transfer of funds. The provisions of this paragraph are  
24 subject to the notice, review, and objection procedures set  
25 forth in s. 216.177.

26 (6)~~(5)~~ Upon request of a department to, and approval  
27 by, the Comptroller, funds appropriated may be transferred to  
28 accounts established for disbursement purposes upon release of  
29 such appropriation. Such transfer may only be made to the  
30 same appropriation category and the same funding source from  
31 which the funds are transferred.

1           (7)~~(6)~~ Any transfers from the Working Capital Fund to  
2 the General Revenue Fund may be approved provided such  
3 transfers were identified or contemplated by the Legislature  
4 in the original approved budget.

5           (8)~~(7)~~(a) Should any state agency or the judicial  
6 branch become more than 90 days delinquent on reimbursements  
7 due to the Unemployment Compensation Trust Fund, the  
8 Department of Labor and Employment Security shall certify to  
9 the Comptroller the amount due; and the Comptroller shall  
10 transfer the amount due to the Unemployment Compensation Trust  
11 Fund from any funds of the agency available.

12           (b) Should any state agency or the judicial branch  
13 become more than 90 days delinquent in paying the Division of  
14 Risk Management of the Department of Insurance for insurance  
15 coverage, the Department of Insurance may certify to the  
16 Comptroller the amount due; and the Comptroller shall transfer  
17 the amount due to the Division of Risk Management from any  
18 funds of the agency or the judicial branch available.

19           (9)~~(8)~~ Moneys appropriated in the General  
20 Appropriations Act for the purpose of paying for services  
21 provided by the state communications system in the Division of  
22 Communications of the Department of Management Services shall  
23 be paid by the user agencies, or the judicial branch, within  
24 45 days after the billing date. Billed amounts not paid by  
25 the user agencies, or by the judicial branch, shall be  
26 transferred by the Comptroller from the user agencies to the  
27 Communications Working Capital Trust Fund.

28           (10)~~(9)~~ The Comptroller shall report all such  
29 transfers and the reasons for such transfers to the  
30 legislative appropriations committees.

31

1            (11)~~(10)~~ Where any reorganization has been authorized  
2 by the Legislature and the necessary adjustments of  
3 appropriations and positions have not been provided in the  
4 General Appropriations Act, the Administration Commission may  
5 approve, consistent with legislative policy and intent, the  
6 necessary transfers to accomplish the purposes of such  
7 reorganization within state agencies. The Chief Justice of  
8 the Supreme Court may approve such transfers for the judicial  
9 branch.

10            Section 10. Section 240.285, Florida Statutes, is  
11 amended to read:

12            240.285 Transfer of funds.--Notwithstanding the  
13 limitations of s. 216.292(3)(a)~~s. 216.292(2)(a)~~, the State  
14 University System is authorized to transfer up to 15 percent  
15 from salaries to other personal services; however, such  
16 actions shall be shown in the legislative budget request which  
17 includes actual expenditures for the preceding fiscal year.

18            Section 11. Section 337.023, Florida Statutes, is  
19 amended to read:

20            337.023 Sale of building; acceptance of replacement  
21 building.--Notwithstanding the provisions of s. 216.292(5)(b)  
22 ~~s. 216.292(4)(b)~~, if the department sells a building, the  
23 department may accept the construction of a replacement  
24 building, in response to a request for proposals, totally or  
25 partially in lieu of cash, and may do so without a specific  
26 legislative appropriation. Such action is subject to the  
27 approval of the Executive Office of the Governor, and is  
28 subject to the notice, review, and objection procedures under  
29 s. 216.177. The replacement building shall be consistent with  
30 the current and projected needs of the department as agreed  
31

1 upon by the department and the Department of Management  
2 Services.

3 Section 12. Subsection (2) of section 186.022, Florida  
4 Statutes, is amended to read:

5 186.022 State agency strategic plans; preparation,  
6 form, and review.--

7 (2) Each agency strategic plan must be in a form and  
8 manner prescribed in written instructions prepared by the  
9 Executive Office of the Governor after consultation with the  
10 President of the Senate and the Speaker of the House of  
11 Representatives. Each agency strategic plan must identify the  
12 specific legislative authority necessary to implement the  
13 provisions of the plan. An agency may only implement those  
14 portions of its strategic plan that are consistent with  
15 existing statutory or constitutional authority and for which  
16 funding, if needed, is available consistent with the  
17 provisions of chapter 216. An agency's budget request  
18 prescribed in s. 216.023(1) shall identify the financial  
19 resources necessary to further the provisions of the agency's  
20 strategic plan. Performance measures, as defined in s. 216.011  
21 and proposed by the agency pursuant to s. 216.0166(1), must be  
22 consistent with the objectives in the draft agency strategic  
23 plan and shall represent 1-year implementation efforts  
24 necessary to meet the 5-year agency strategic plan objectives.  
25 State agency strategic plans shall be amended by the agency,  
26 as necessary, to ensure consistency with the legislative  
27 actions prior to the effective date of the agency strategic  
28 plan.

29 Section 13. Subsection (8) of section 121.051, Florida  
30 Statutes, is amended to read:

31 121.051 Participation in the system.--



1           (8) DIVISION OF REHABILITATION AND LIQUIDATION  
2 EMPLOYEES MEMBERSHIP.--Effective July 1, 1994, the regular  
3 receivership employees of the Division of Rehabilitation and  
4 Liquidation who are assigned to established positions and are  
5 subject to established rules and regulations regarding  
6 discipline, pay, classification, and time and attendance are  
7 hereby declared to be state employees within the meaning of  
8 this chapter and shall be compulsory members in compliance  
9 with this chapter, the provisions of s. 216.011(1)(z)2.~~s.~~  
10 ~~216.011(1)(x)2.~~, notwithstanding. Employment performed before  
11 July 1, 1994, as such a receivership employee may be claimed  
12 as creditable retirement service upon payment by the employee  
13 or employer of contributions required in s. 121.081(1), as  
14 applicable for the period claimed.

15           Section 14. Section 215.32, Florida Statutes, is  
16 amended to read:

17           215.32 State funds; segregation.--

18           (1) All moneys received by the state shall be  
19 deposited in the State Treasury unless specifically provided  
20 otherwise by law and shall be deposited in and accounted for  
21 by the Treasurer and the Department of Banking and Finance  
22 within the following funds, which funds are hereby created and  
23 established:

24           (a) General Revenue Fund.

25           (b) Trust funds.

26           (c) Working Capital Fund.

27           (d) Budget Stabilization Fund.

28           (2) The source and use of each of these funds shall be  
29 as follows:

30           (a) The General Revenue Fund shall consist of all  
31 moneys received by the state from every source whatsoever,

1 except as provided in paragraphs (b) and (c). Such moneys  
2 shall be expended pursuant to General Revenue Fund  
3 appropriations acts or transferred as provided in paragraph  
4 (c). Annually, at least 5 percent of the estimated increase  
5 in General Revenue Fund receipts for the upcoming fiscal year  
6 over the current year General Revenue Fund effective  
7 appropriations shall be appropriated for state-level capital  
8 outlay, including infrastructure improvement and general  
9 renovation, maintenance, and repairs.

10 (b)1. The trust funds shall consist of moneys received  
11 by the state which under law or under trust agreement are  
12 segregated for a purpose authorized by law. The state agency  
13 or branch of state government receiving or collecting such  
14 moneys shall be responsible for their proper expenditure as  
15 provided by law. Upon the request of the state agency or  
16 branch of state government responsible for the administration  
17 of the trust fund, the Comptroller may establish accounts  
18 within the trust fund at a level considered ~~deemed~~ necessary  
19 for proper accountability. Once an account is established  
20 within a trust fund, the Comptroller may ~~shall~~ authorize  
21 payment from that account only upon determining that there is  
22 sufficient cash and releases at the level of the account.

23 2. In order to maintain a minimum number of trust  
24 funds in the State Treasury, each state agency or the judicial  
25 branch may consolidate, if permitted under the terms and  
26 conditions of their receipt, the trust funds administered by  
27 it; provided, however, the agency or judicial branch employs  
28 effectively a uniform system of accounts sufficient to  
29 preserve the integrity of such trust funds; and provided,  
30 further, that consolidation of trust funds is approved by the  
31 Administration Commission or the Chief Justice.

1           3. All such moneys are hereby appropriated to be  
2 expended in accordance with the law or trust agreement under  
3 which they were received, subject always to the provisions of  
4 chapter 216 relating to the appropriation of funds and to the  
5 applicable laws relating to the deposit or expenditure of  
6 moneys in the State Treasury.

7           4.a. Notwithstanding any provision of law restricting  
8 the use of trust funds to specific purposes, unappropriated  
9 cash balances from selected trust funds may be authorized by  
10 the Legislature for transfer to the Budget Stabilization Fund  
11 and the Working Capital Fund in the General Appropriations  
12 Act.

13           b. ~~The provisions of~~ This subparagraph does shall not  
14 apply to trust funds required by federal programs or mandates;  
15 trust funds established for bond covenants, indentures, or  
16 resolutions whose revenues are legally pledged by the state or  
17 public body to meet debt service or other financial  
18 requirements of any debt obligations of the state or any  
19 public body; the State Transportation Trust Fund; the trust  
20 fund containing the net annual proceeds from the Florida  
21 Education Lotteries; the Florida Retirement Trust Fund; trust  
22 funds under the management of the Board of Regents, where such  
23 trust funds are for auxiliary enterprises, self-insurance, and  
24 contracts, grants, and donations, as those terms are defined  
25 by general law; trust funds that serve as clearing funds or  
26 accounts for the Comptroller or state agencies; trust funds  
27 that account for assets held by the state in a trustee  
28 capacity as an agent or fiduciary for individuals, private  
29 organizations, or other governmental units; and other trust  
30 funds authorized by the State Constitution.

31

1           (c)1. The Budget Stabilization Fund shall consist of  
2 amounts equal to at least 5 percent of net revenue collections  
3 for the General Revenue Fund during the last completed fiscal  
4 year. The Budget Stabilization Fund's principal balance shall  
5 not exceed an amount equal to 10 percent of the last completed  
6 fiscal year's net revenue collections for the General Revenue  
7 Fund. As used in this paragraph, the term "last completed  
8 fiscal year" means the most recently completed fiscal year  
9 prior to the regular legislative session at which the  
10 Legislature considers the General Appropriations Act for the  
11 year in which the transfer to the Budget Stabilization Fund  
12 must be made under this paragraph.

13           2. By September 15 of each year, the Governor shall  
14 authorize the Comptroller to transfer, and the Comptroller  
15 shall transfer pursuant to appropriations made by law, to the  
16 Budget Stabilization Fund the amount of money needed for the  
17 balance of that fund to equal the amount specified in  
18 subparagraph 1., less any amounts expended and not restored.  
19 The moneys needed for this transfer may be appropriated by the  
20 Legislature from any funds.

21           3. Unless otherwise provided in this subparagraph, an  
22 expenditure from the Budget Stabilization Fund must be  
23 restored pursuant to a restoration schedule that provides for  
24 making five equal annual transfers from the General Revenue  
25 Fund, beginning in the fiscal year following that in which the  
26 expenditure was made. For any Budget Stabilization Fund  
27 expenditure, the Legislature may establish by law a different  
28 restoration schedule and such change may be made at any time  
29 during the restoration period. Moneys are hereby appropriated  
30 for transfers pursuant to this subparagraph.

31

1           4. The Budget Stabilization Fund and the Working  
2 Capital Fund may be used as revolving funds for transfers as  
3 provided in s. 18.125; however, any interest earned must be  
4 deposited in the General Revenue Fund.

5           (d) The Working Capital Fund shall consist of moneys  
6 in the General Revenue Fund which are in excess of the amount  
7 needed to meet General Revenue Fund appropriations for the  
8 current fiscal year. Each year, no later than the publishing  
9 date of the annual financial statements for the state by the  
10 Comptroller under s. 216.102, funds shall be transferred  
11 between the Working Capital Fund and the General Revenue Fund  
12 to establish the balance of the Working Capital Fund for that  
13 fiscal year at the amount determined pursuant to this  
14 paragraph.

15           ~~1. The amount of moneys in the General Revenue Fund~~  
16 ~~shall be determined at the beginning of the fiscal year based~~  
17 ~~on the Revenue Estimating Conference's estimate of funds~~  
18 ~~available. This amount shall be adjusted upon determination~~  
19 ~~of the previous year's appropriations which remain unspent~~  
20 ~~after certifications are completed pursuant to s. 216.301.~~

21           ~~2. The Working Capital Fund shall consist of an~~  
22 ~~amount, not more than 10 percent of the amount of net revenue~~  
23 ~~of the General Revenue Fund for the preceding fiscal year,~~  
24 ~~which accrues from moneys in the General Revenue Fund which~~  
25 ~~are in excess of the amount needed to meet the General Revenue~~  
26 ~~Fund appropriations acts. The Legislature shall have as a goal~~  
27 ~~that the Working Capital Fund for fiscal year 1994-1995 have~~  
28 ~~not less than 2 percent of the amount of net revenue of the~~  
29 ~~General Revenue Fund for the preceding fiscal year, that the~~  
30 ~~Working Capital Fund for fiscal year 1995-1996 have not less~~  
31 ~~than 3 percent of the amount of net revenue of the General~~

1 ~~Revenue Fund for the preceding fiscal year, that the Working~~  
2 ~~Capital Fund for fiscal year 1996-1997 have not less than 4~~  
3 ~~percent of the amount of net revenue of the General Revenue~~  
4 ~~Fund for the preceding fiscal year, and that the Working~~  
5 ~~Capital Fund for fiscal year 1997-1998 and each fiscal year~~  
6 ~~thereafter have not less than 5 percent of the amount of net~~  
7 ~~revenue of the General Revenue Fund for the preceding fiscal~~  
8 ~~year. By September 15 of each year, the Executive Office of~~  
9 ~~the Governor shall transfer the excess funds that are in the~~  
10 ~~General Revenue Fund to the Working Capital Fund. Whenever the~~  
11 ~~Governor determines that revenue collections in the General~~  
12 ~~Revenue Fund will be insufficient to meet General Revenue Fund~~  
13 ~~appropriations, he or she shall certify the amount of the~~  
14 ~~deficit and transfer up to the amount specified in the General~~  
15 ~~Appropriations Act from the Working Capital Fund to the~~  
16 ~~General Revenue Fund pursuant to s. 216.221. When not required~~  
17 ~~to meet General Revenue Fund appropriations, such moneys shall~~  
18 ~~be used as a revolving fund for transfers as provided by s.~~  
19 ~~215.18; and when the Comptroller determines that such moneys~~  
20 ~~are not needed for either type of transfer, they may be~~  
21 ~~temporarily invested as provided in s. 18.125.~~

22 ~~3. The provisions of subparagraph 1. notwithstanding,~~  
23 ~~the Comptroller shall pay from the Working Capital Fund such~~  
24 ~~claims as are authorized pursuant to s. 265.55.~~

25 Section 15. Subsections (2), (5), and (7) of section  
26 216.221, Florida Statutes, are amended to read:

27 216.221 Appropriations as maximum appropriations;  
28 adjustment of budgets to avoid or eliminate deficits.--

29 (2) The Legislature shall annually provide direction  
30 in the General Appropriations Act regarding use of the Budget

31

1 Stabilization Fund and the Working Capital Fund to offset  
2 General Revenue Fund deficits.

3 (5)(a) If, in the opinion of the Governor, after  
4 consultation with the Revenue Estimating Conference, a deficit  
5 will occur in the General Revenue Fund, he or she shall so  
6 certify to the commission and to the Chief Justice of the  
7 Supreme Court. No more than 30 days after certifying that a  
8 deficit will occur in the General Revenue Fund, the Governor  
9 shall develop for the executive branch, and the Chief Justice  
10 of the Supreme Court shall develop for the judicial branch,  
11 and provide to the commission and to the Legislature plans of  
12 action to eliminate the deficit.

13 (b) In developing a plan of action to prevent deficits  
14 in accordance with subsection (7), the Governor and Chief  
15 Justice shall, to the extent possible, preserve legislative  
16 policy and intent, and, absent any specific direction to the  
17 contrary in the General Appropriations Act, the Governor and  
18 Chief Justice shall comply with the following guidelines for  
19 reductions in the approved operating budgets of the executive  
20 branch and the judicial branch:

21 1. Entire statewide programs previously established by  
22 the Legislature should not be eliminated.

23 2. Education budgets should not be reduced more than  
24 provided for in s. 215.16(2).

25 3. The use of nonrecurring funds to solve recurring  
26 deficits should be minimized.

27 4. Newly created programs that are not fully  
28 implemented and programs with critical audits should receive  
29 first consideration for reductions.

30 5. No agencies or branches of government receiving  
31 appropriations should be exempt from reductions.

- 1           6. When reductions in positions are required, the  
2 focus should be initially on vacant positions.
- 3           7. Any reductions applied to all agencies and branches  
4 should be uniformly applied.
- 5           8. Reductions that would cause substantial losses of  
6 federal funds should be minimized.
- 7           9. To the greatest extent possible, across-the-board,  
8 prorated reductions should be considered.
- 9           10. Reductions to statewide programs should occur only  
10 after review of programs that provide only local benefits.
- 11           11. Reductions in administrative and support functions  
12 should be considered before reductions in direct-support  
13 services.
- 14           12. Maximum reductions should be considered in budgets  
15 for expenses including travel and in budgets for equipment  
16 replacement, outside consultants, and contracts.
- 17           13. Reductions in salaries for elected state officials  
18 should be considered.
- 19           14. Reductions that adversely affect the public  
20 health, safety, and welfare should be minimized.
- 21           15. The Budget Stabilization Fund ~~Working Capital Fund~~  
22 should not be reduced to a level that would impair the  
23 financial stability of this state.
- 24           16. Reductions in programs that are traditionally  
25 funded by the private sector and that may be assumed by  
26 private enterprise should be considered.
- 27           17. Reductions in programs that are duplicated among  
28 state agencies or branches of government should be considered.
- 29           (7) Deficits in the General Revenue Fund that do not  
30 meet the amounts specified by subsection (6) shall be resolved  
31 by the commission for the executive branch and the Chief



1 Justice of the Supreme Court for the judicial branch. The  
2 commission and Chief Justice shall implement any directions  
3 provided in the General Appropriations Act related to  
4 eliminating deficits and to reducing ~~reduce~~ agency and  
5 judicial branch budgets, including the use of those  
6 legislative appropriations voluntarily placed in reserve. In  
7 addition, the commission shall implement any directions in the  
8 General Appropriations Act relating to the resolution of ~~use~~  
9 ~~of the Working Capital Fund in~~ deficit situations. When  
10 reducing state agency or judicial branch budgets, the  
11 commission or the Chief Justice, respectively, shall use the  
12 guidelines prescribed in subsection (5). The Executive Office  
13 of the Governor for the commission, and the Chief Justice for  
14 the judicial branch, shall implement the deficit reduction  
15 plans through amendments to the approved operating budgets in  
16 accordance with s. 216.181.

17 Section 16. Subsections (1) and (2) of section 252.37,  
18 Florida Statutes, are amended to read:

19 252.37 Financing.--

20 (1) ~~It is the intent of~~ The Legislature intends and  
21 declares it declared to be the policy of the state that funds  
22 ~~to be prepared for and~~ meet emergencies shall always be  
23 available.

24 (2) It is the legislative intent that the first  
25 recourse ~~shall~~ be made to funds regularly appropriated to  
26 state and local agencies. If the Governor finds that the  
27 demands placed upon these funds in coping with a particular  
28 disaster are unreasonably great, she or he may make funds  
29 available by transferring and expending moneys appropriated  
30 for other purposes or by transferring and expending moneys ~~or~~  
31

1 out of any unappropriated surplus funds or from the Budget  
2 Stabilization Fund or the Working Capital Fund.

3 Section 17. Paragraph (b) of subsection (2) of section  
4 20.055, Florida Statutes, is amended to read:

5 20.055 Agency inspectors general.--

6 (2) The Office of Inspector General is hereby  
7 established in each state agency to provide a central point  
8 for coordination of and responsibility for activities that  
9 promote accountability, integrity, and efficiency in  
10 government. It shall be the duty and responsibility of each  
11 inspector general, with respect to the state agency in which  
12 the office is established, to:

13 (b) Assess the reliability and validity of the  
14 information provided by the state agency on performance  
15 measures and standards, and make recommendations for  
16 improvement, if necessary, prior to submission of those  
17 measures and standards to the Executive Office of the Governor  
18 pursuant to s. 216.0166(1).

19 Section 18. Subsection (3) of section 212.081, Florida  
20 Statutes, sections 186.009 and 186.031, Florida Statutes, and  
21 subsection (5) of section 186.021, Florida Statutes, are  
22 repealed.

23 Section 19. Subsection (1) of section 186.021, Florida  
24 Statutes, is amended to read:

25 186.021 State agency strategic plans.--

26 (1) A state agency strategic plan shall be a statement  
27 of the priority directions an agency will take to carry out  
28 its mission within the context of the state comprehensive plan  
29 and any other statutory mandates and authorizations given to  
30 the agency. Each state agency strategic plan must identify  
31 infrastructure needs, capital improvement needs, and

1 information resources management projects or initiatives that  
2 involve more than one agency, that have an outcome that  
3 impacts another agency, or that exceed \$500,000 in total cost  
4 over a 1-year period, except for those projects that are a  
5 continuation of hardware or software maintenance or software  
6 licensing agreements, or that are for desktop replacement that  
7 is similar to the technology currently in use. Each agency  
8 strategic plan shall specify those objectives against which  
9 will be judged the agency's achievement of its goals and the  
10 goals of the state comprehensive plan. The state agency  
11 strategic plan shall be consistent with and shall further the  
12 goals of the state comprehensive plan.

13 Section 20. Subsection (4) of section 216.181, Florida  
14 Statutes, is amended to read:

15 216.181 Approved budgets for operations and fixed  
16 capital outlay.--

17 (4) All amendments to the original approved operating  
18 budgets, regardless of funding source, are subject to the  
19 notice and review procedures set forth in s. 216.177 and must  
20 be approved by the Governor and Administration Commission as  
21 provided in this chapter for the executive branch and the  
22 Chief Justice for the judicial branch if the amendment is for  
23 an information resources management project or initiative that  
24 involves more than one agency, has an outcome that impacts  
25 another agency, or exceeds \$500,000 in total cost over a  
26 1-year period, except for those projects that are a  
27 continuation of hardware or software maintenance or software  
28 licensing agreements, or that are for desktop replacement that  
29 is similar to the technology currently in use.

30 Section 21. Subsection (9) of section 186.022, Florida  
31 Statutes, is amended to read:

1           186.022 State agency strategic plans; preparation,  
2 form, and review.--

3           (8) Each agency shall submit by September 1 of each  
4 year an annual performance report to the Executive Office of  
5 the Governor, with copies to the President of the Senate, the  
6 Speaker of the House of Representatives, and the Auditor  
7 General. The purpose of this report is to evaluate the  
8 attainment of the agency objectives in the agency strategic  
9 plan.

10           (9) By March 1 of each year, the Geographic  
11 Information Board, the Financial Management Information Board,  
12 the Criminal and Juvenile Justice Information Systems Council,  
13 and the Health Information Systems Council shall each develop  
14 a strategic plan following the general statutory requirements  
15 that are applicable to agencies pursuant to s. 186.021(1),  
16 (2), and (3). The strategic plan shall be subject to the  
17 requirements, and the review and approval processes, set forth  
18 in subsections (2) through (8)~~(7)~~, with the following  
19 exceptions:

20           (a) The Executive Office of the Governor, after  
21 consultation with the President of the Senate and the Speaker  
22 of the House of Representatives, may prescribe a specific  
23 format and content for the strategic plans of coordinating  
24 boards and councils.

25           (b) The time periods for review and return of any  
26 required strategic plan revisions, incorporation of such  
27 revisions by the boards or councils, and resolution of  
28 disputes shall be established by the Executive Office of the  
29 Governor, after consultation with the President of the Senate  
30 and the Speaker of the House of Representatives.

31

1           Section 22. Subsection (1) of section 282.3063,  
2 Florida Statutes, is amended to read:

3           282.3063 Agency Annual Information Resources  
4 Management Report.--

5           (1) By September 1 ~~November 1~~ of each year, and for  
6 the State University System within 90 days after completion of  
7 the expenditure analysis developed pursuant to s. 240.271(4),  
8 each Chief Information Officer shall prepare and submit to the  
9 State Technology Office an Agency Annual Information Resources  
10 Management Report. Following consultation with the State  
11 Technology Council and the Chief Information Officers Council,  
12 the Executive Office of the Governor and the fiscal committees  
13 of the Legislature shall jointly develop and issue  
14 instructions for the format and contents of the report.

15           Section 23. Subsections (1) and (2) of section  
16 282.310, Florida Statutes, are amended to read:

17           282.310 State Annual Report on Information Resources  
18 Management.--

19           (1) By January 15 ~~March 1~~ of each year, the State  
20 Technology Office shall develop a State Annual Report on  
21 Information Resources Management.

22           (2) The State Annual Report on Information Resources  
23 Management shall contain, at a minimum, the following:

24           (a) The state vision for information resources  
25 management.

26           (b) A forecast of the state information resources  
27 management priorities and initiatives for the ensuing 2 years.

28           (c) A summary of major statewide policies recommended  
29 by the State Technology Council for information resources  
30 management.

31

1 (d) A summary of memoranda issued by the Executive  
2 Office of the Governor.

3 (e) An assessment of the overall progress on state  
4 information resources management initiatives and priorities  
5 for the past fiscal year.

6 (f) A summary of major statewide issues related to  
7 improving information resources management by the state.

8 (g) An inventory list, by major categories, of state  
9 information technology resources.

10 (h) A summary of the total expenditures for  
11 information resources management by each state agency.

12 (i) A summary of the opportunities for government  
13 agencies or entities to share information resources management  
14 projects or initiatives with other governmental or private  
15 sector entities.

16 (j) A list of the information resources management  
17 issues that have been identified as statewide or critical  
18 issues for which the State Technology Council could provide  
19 leadership or assistance.

20  
21 The state annual report shall also include information  
22 resources management information from the annual reports  
23 prepared by the Board of Regents for the State University  
24 System, from the State Board of Community Colleges for the  
25 State Community College System, from the Supreme Court for the  
26 judicial branch, and from the Justice Administrative  
27 Commission on behalf of the ~~each~~ state attorneys ~~attorney~~ and  
28 public defenders ~~defender~~. Expenditure information shall be  
29 taken from each agency's annual report as well as the annual  
30 reports of the Board of Regents, the State Board of Community  
31

1 Colleges, the Supreme Court, and the Justice Administrative  
2 Commission ~~the state attorneys, and the public defenders.~~

3 Section 24. Subsection (3) of section 282.3091,  
4 Florida Statutes, is amended tor read:

5 282.3091 State Technology Council; creation.--

6 (3) The council shall be composed of nine members as  
7 follows:

8 (a) The director of the Governor's Office of Planning  
9 and Budgeting, who shall serve as chair of the council.

10 (b) The Comptroller.

11 (c) The Commissioner of Education.

12 (d) The Secretary of State.

13 (e) The secretary of the Department of Management  
14 Services.

15 (f) Two state agency heads appointed by the Governor.

16 (g) Two private sector representatives, one appointed  
17 by the Speaker of the House of Representatives and one  
18 appointed by the President of the Senate, who are not current  
19 members of the Legislature. Private sector representatives  
20 shall, at a minimum, have a general knowledge of or experience  
21 in managing information technology resources. However,  
22 representatives of information technology resource vendors or  
23 any of their subsidiaries that sell products or services to  
24 the state shall not be appointed to serve as a private sector  
25 representative.

26

27 Members may appoint designees to serve on their behalf;  
28 however, such designees must be in a position that reports  
29 directly to the member.

30 Section 25. Section 282.322, Florida Statutes, is  
31 amended to read:

1           282.322 Special monitoring process for designated  
2 information resources management projects.--For each  
3 information resources management project which is designated  
4 for special monitoring in the General Appropriations Act, with  
5 a proviso requiring a contract with a project monitor, the  
6 Technology Review Workgroup established pursuant to s.  
7 216.0446, in consultation with each affected agency, shall be  
8 responsible for contracting with the project monitor. Upon  
9 contract award, funds equal to the contract amount shall be  
10 transferred to the Technology Review Workgroup upon request  
11 and subsequent approval of a budget amendment pursuant to s.  
12 216.292. With the concurrence of the Legislative Auditing  
13 Committee, the office of the Auditor General shall be the  
14 project monitor for other projects designated for special  
15 monitoring. However, nothing in this section precludes the  
16 Auditor General from conducting such monitoring on any project  
17 designated for special monitoring. In addition to monitoring  
18 and reporting on significant communications between a  
19 contracting agency and the appropriate federal authorities,  
20 the project monitoring process shall consist of evaluating  
21 each major stage of the designated project to determine  
22 whether the deliverables have been satisfied and to assess the  
23 level of risks associated with proceeding to the next stage of  
24 the project. The major stages of each designated project shall  
25 be determined based on the agency's information systems  
26 development methodology. At the end of each quarter and within  
27 20 days after an agency has completed a major stage of its  
28 designated project, the project monitor shall issue a written  
29 report, including the findings and recommendations for  
30 correcting deficiencies, to the agency head, for review and  
31 comment. Within 20 days after receipt of the project monitor's



1 report, the agency head shall submit a written statement of  
2 explanation or rebuttal concerning the findings and  
3 recommendations of the project monitor, including any  
4 corrective action to be taken by the agency. The project  
5 monitor shall include the agency's statement in its final  
6 report which shall be forwarded, within 7 days after receipt  
7 of the agency's statement, to the agency head, the inspector  
8 general's office of the agency, the Executive Office of the  
9 Governor, the appropriations committees of the Legislature,  
10 the Joint Legislative Auditing Committee, the Technology  
11 Review Workgroup, ~~and~~ the Legislative Information Technology  
12 Resource Committee, and the Office of Program Policy Analysis  
13 and Government Accountability. The Auditor General shall also  
14 receive a copy of the project monitor's report for those  
15 projects in which the Auditor General is not the project  
16 monitor.

17 Section 26. Subsections (3), (5), (7), and (8) of  
18 section 282.404, Florida Statutes, are amended to read:

19 282.404 Geographic information board; definition;  
20 membership; creation; duties; advisory council; membership;  
21 duties.--

22 (3) The board consists of the Director of Planning and  
23 Budgeting within the Executive Office of the Governor, the  
24 executive director of the Game and Fresh Water Fish  
25 Commission, the executive director of the Department of  
26 Revenue, and the State Cadastral Surveyor, as defined in s.  
27 177.503, or their designees, and the heads of the following  
28 agencies, or their designees: the Department of Agriculture  
29 and Consumer Services, the Department of Community Affairs,  
30 the Department of Environmental Protection, the Department of  
31 Transportation, and the Board of Professional Surveyors and

1 Mappers. The Governor shall appoint to the board one member  
2 each to represent the counties, municipalities, regional  
3 planning councils, water management districts, and county  
4 property appraisers. The Governor shall initially appoint two  
5 members to serve 2-year terms and three members to serve  
6 4-year terms. Thereafter, the terms of all appointed members  
7 must be 4 years and the terms must be staggered. Members may  
8 be appointed to successive terms and incumbent members may  
9 continue to serve the board until a new appointment is made.  
10 ~~The chair of the Geographic Information Advisory Council shall~~  
11 ~~serve without voting rights as an ex officio member on the~~  
12 ~~board.~~

13 (5) The board shall:

14 (a) Promote the sharing of geographic information  
15 ~~between the public sector and the private sector;~~

16 (b) Conduct ~~a~~ periodic assessments ~~assessment~~ of  
17 geographic information and geographic information systems in  
18 this state to identify ~~geographic~~ information management  
19 activities and available resources ~~in this state;~~

20 (c) Increase efficiency and reduce costs ~~redundancy~~ of  
21 data acquisition by promoting the coordination of geographic  
22 information activities, including, but not limited to,  
23 development and maintenance of a data directory in which  
24 geographic information is cataloged ~~data collection;~~

25 (d) Promote consistency of data elements by  
26 establishing standard data definitions and formats;

27 (e) Promote the adoption and use of standards that  
28 have broad application to the public and private sectors;

29 ~~(f) Develop criteria, policies, and procedures for the~~  
30 ~~prescribed and preplanned electronic transmission of~~  
31 ~~geographic information, including, but not limited to,~~

1 ~~transmissions between a local planning agency, as defined in~~  
2 ~~s. 163.3164, and the state land planning agency;~~

3 ~~(f)(g)~~ By March 1 of each year, develop and approve a  
4 strategic plan pursuant to the requirements set forth in s.  
5 186.022(9). Copies of the plan shall be transmitted  
6 electronically or in writing to the Executive Office of the  
7 Governor, the Speaker of the House of Representatives, the  
8 President of the Senate, and the members of the Geographic  
9 Information Advisory Council as provided in subsection (7);

10 ~~(h)~~ ~~Promote the use and coordination of geographic~~  
11 ~~information from sources such as universities, government~~  
12 ~~organizations, nonprofit organizations, and the private~~  
13 ~~sector;~~

14 ~~(i)~~ ~~Promote the development and maintenance of a data~~  
15 ~~directory in which geographic information is cataloged;~~

16 ~~(g)(j)~~ Serve as liaison between local, regional, and  
17 this state government and the Federal Government to promote  
18 the sharing of geographic information;

19 ~~(h)(k)~~ Establish technical advisory committees to  
20 assist the board; and

21 (i) Serve as the coordinator for census activities and  
22 facilitate the availability and usability of the data  
23 collected by the United States Census Bureau.

24 ~~(l)~~ ~~Promote regional coordination of geographic~~  
25 ~~information.~~

26 (7) The Geographic Information Advisory Council  
27 consists of one member each from the Office of Planning and  
28 Budgeting within the Executive Office of the Governor, the  
29 Game and Fresh Water Fish Commission, the Department of  
30 Revenue, the Department of Agriculture and Consumer Services,  
31 the Department of Community Affairs, the Department of

1 Environmental Protection, the Department of Transportation,  
2 the State Cadastral Surveyor, ~~the State Geologist~~, the Board  
3 of Professional Surveyors and Mappers, counties,  
4 municipalities, regional planning councils, water management  
5 districts, and property appraisers, as appointed by the  
6 corresponding member of the board, and the State Geologist.  
7 The Governor shall appoint to the council one member each, as  
8 recommended by the respective organization, to represent ~~the~~  
9 ~~Department of Commerce~~, the Department of Children and Family  
10 Services, the Department of Health, the Florida Survey and  
11 Mapping Society, Florida Region of the American Society of  
12 Photogrammetry and Remote Sensing, Florida Association of  
13 Cadastral Mappers, the ~~The~~ Florida Association of Professional  
14 Geologists, Florida Engineering Society, Florida Chapter of  
15 the Urban and Regional Information Systems Association, the  
16 forestry industry, the State University System survey and  
17 mapping academic research programs, and State University  
18 System geographic information systems academic research  
19 programs; and two members representing utilities, one from a  
20 regional utility, and one from a local or municipal utility.  
21 These persons must have technical expertise in geographic  
22 information issues. The Governor shall initially appoint six  
23 members to serve 2-year terms and six members to serve 4-year  
24 terms. Thereafter, the terms of all appointed members must be  
25 4 years and must be staggered. Members may be appointed to  
26 successive terms and incumbent members may continue to serve  
27 the council until a successor is appointed. Representatives of  
28 the Federal Government may serve as ex officio members without  
29 voting rights.

30 (8) A majority of the membership constitutes a quorum  
31 for the conduct of business and shall elect the chair of the

1 advisory council biennially. The council shall meet at least  
2 twice a year, and the chair may call meetings as often as  
3 necessary to transact business or as directed by the board.  
4 The chair, or his or her designee, shall attend all board  
5 meetings on behalf of the council. Administrative and clerical  
6 support shall be provided by the Department of Management  
7 Services.

8 Section 27. Subsection (2) of section 215.96, Florida  
9 Statutes, is amended to read:

10 215.96 Coordinating council and design and  
11 coordination staff.--

12 (2) The coordinating council shall consist of the  
13 Comptroller; the Treasurer; the secretary of the Department of  
14 Management Services; and the Director of Planning and  
15 Budgeting, Executive Office of the Governor, or their  
16 designees. The Comptroller, or his or her designee, shall be  
17 chair of the coordinating council, and the design and  
18 coordination staff shall provide administrative and clerical  
19 support to the council and the board. The design and  
20 coordination staff shall maintain the minutes of each meeting  
21 and shall make such minutes available to any interested  
22 person. The Auditor General, the State Courts Administrator,  
23 an executive officer of the Florida Association of State  
24 Agency Administrative Services Directors, and an executive  
25 officer of the Florida Association of State Budget Officers,  
26 or their designees, shall serve without voting rights as ex  
27 officio members on the coordinating council. The chair may  
28 call meetings of the coordinating council as often as  
29 necessary to transact business; however, the coordinating  
30 council shall meet at least once a year. Action of the  
31 coordinating council shall be by motion, duly made, seconded

1 and passed by a majority of the coordinating council voting in  
2 the affirmative for approval of items that are to be  
3 recommended for approval to the Financial Management  
4 Information Board.

5           Section 28. This act shall take effect upon becoming a  
6 law.

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