

By the Committee on Governmental Reform and Oversight and
Senators Kirkpatrick, Sullivan and Forman

302-1855-98

1 A bill to be entitled
2 An act relating to information resources
3 management; amending s. 186.021, F.S.;
4 providing that certain information resources
5 management projects are not required in agency
6 strategic plans; amending s. 216.181, F.S.;
7 providing that certain information resource
8 management projects are not subject to the
9 mandatory notice and review requirements for
10 amendments to agencies' original approved
11 operating budgets; amending s. 186.022, F.S.;
12 providing that certain coordinating councils
13 and boards are required to develop annual
14 performance reports; amending s. 282.3063,
15 F.S.; modifying the date for submission of the
16 Agency Annual Information Resources Management
17 Report; amending s. 282.310, F.S.; modifying
18 the date by which the State Annual Report on
19 Information Resources Management must be
20 developed; requiring the inclusion of specified
21 information within the report; amending s.
22 282.3091, F.S.; authorizing members of the
23 State Technology Council to appoint designees
24 to serve on their behalf; amending s. 282.322,
25 F.S.; requiring the submission of quarterly
26 reports for information resource projects
27 designated for special monitoring; providing an
28 additional recipient of project monitors' final
29 reports; amending s. 282.404, F.S.; removing
30 the chair of the Geographic Information
31 Advisory Council as an ex officio member of the

1 Geographic Information Board; requiring the
2 chair to attend all meetings of the Geographic
3 Information Board on behalf of the council;
4 revising duties of the Geographic Information
5 Board; providing that the board shall serve as
6 coordinator for census activities; amending s.
7 215.96, F.S.; providing a technical correction;
8 providing an effective date.

9
10 Be It Enacted by the Legislature of the State of Florida:

11
12 Section 1. Subsection (1) of section 186.021, Florida
13 Statutes, is amended to read:

14 186.021 State agency strategic plans.--

15 (1) A state agency strategic plan shall be a statement
16 of the priority directions an agency will take to carry out
17 its mission within the context of the state comprehensive plan
18 and any other statutory mandates and authorizations given to
19 the agency. Each state agency strategic plan must identify
20 infrastructure needs, capital improvement needs, and
21 information resources management projects or initiatives that
22 involve more than one agency, that have an outcome that
23 impacts another agency, or that exceed \$500,000 in total cost
24 over a 1-year period, except for those projects that are a
25 continuation of hardware or software maintenance or software
26 licensing agreements, or that are for desktop replacement that
27 is similar to the technology currently in use. Each agency
28 strategic plan shall specify those objectives against which
29 will be judged the agency's achievement of its goals and the
30 goals of the state comprehensive plan. The state agency

31

1 strategic plan shall be consistent with and shall further the
2 goals of the state comprehensive plan.

3 Section 2. Subsection (4) of section 216.181, Florida
4 Statutes, is amended to read:

5 216.181 Approved budgets for operations and fixed
6 capital outlay.--

7 (4) All amendments to the original approved operating
8 budgets, regardless of funding source, are subject to the
9 notice and review procedures set forth in s. 216.177 and must
10 be approved by the Governor and Administration Commission as
11 provided in this chapter for the executive branch and the
12 Chief Justice for the judicial branch if the amendment is for
13 an information resources management project or initiative that
14 involves more than one agency, has an outcome that impacts
15 another agency, or exceeds \$500,000 in total cost over a
16 1-year period, except for those projects that are a
17 continuation of hardware or software maintenance or software
18 licensing agreements, or that are for desktop replacement that
19 is similar to the technology currently in use.

20 Section 3. Subsection (9) of section 186.022, Florida
21 Statutes, is amended to read:

22 186.022 State agency strategic plans; preparation,
23 form, and review.--

24 (8) Each agency shall submit by September 1 of each
25 year an annual performance report to the Executive Office of
26 the Governor, with copies to the President of the Senate, the
27 Speaker of the House of Representatives, and the Auditor
28 General. The purpose of this report is to evaluate the
29 attainment of the agency objectives in the agency strategic
30 plan.

31

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

11 (a) The Executive Office of the Governor, after
12 consultation with the President of the Senate and the Speaker
13 of the House of Representatives, may prescribe a specific
14 format and content for the strategic plans of coordinating
15 boards and councils.

16 (b) The time periods for review and return of any
17 required strategic plan revisions, incorporation of such
18 revisions by the boards or councils, and resolution of
19 disputes shall be established by the Executive Office of the
20 Governor, after consultation with the President of the Senate
21 and the Speaker of the House of Representatives.

22 Section 4. Subsection (1) of section 282.3063, Florida
23 Statutes, is amended to read:

24 282.3063 Agency Annual Information Resources
25 Management Report.--

26 (1) By September 1 ~~November 1~~ of each year, and for
27 the State University System within 90 days after completion of
28 the expenditure analysis developed pursuant to s. 240.271(4),
29 each Chief Information Officer shall prepare and submit to the
30 State Technology Office an Agency Annual Information Resources
31 Management Report. Following consultation with the State

1 Technology Council and the Chief Information Officers Council,
2 the Executive Office of the Governor and the fiscal committees
3 of the Legislature shall jointly develop and issue
4 instructions for the format and contents of the report.

5 Section 5. Subsections (1) and (2) of section 282.310,
6 Florida Statutes, are amended to read:

7 282.310 State Annual Report on Information Resources
8 Management.--

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

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

14 (a) The state vision for information resources
15 management.

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

18 (c) A summary of major statewide policies recommended
19 by the State Technology Council for information resources
20 management.

21 (d) A summary of memoranda issued by the Executive
22 Office of the Governor.

23 (e) An assessment of the overall progress on state
24 information resources management initiatives and priorities
25 for the past fiscal year.

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

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

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

1 (i) A summary of the opportunities for government
2 agencies or entities to share information resources management
3 projects or initiatives with other governmental or private
4 sector entities.

5 (j) A list of the information resources management
6 issues that have been identified as statewide or critical
7 issues for which the State Technology Council could provide
8 leadership or assistance.

9
10 The state annual report shall also include information
11 resources management information from the annual reports
12 prepared by the Board of Regents for the State University
13 System, from the State Board of Community Colleges for the
14 State Community College System, from the Supreme Court for the
15 judicial branch, and from the Justice Administrative
16 Commission on behalf of the ~~each~~ state attorneys ~~attorney~~ and
17 public defenders ~~defender~~. Expenditure information shall be
18 taken from each agency's annual report as well as the annual
19 reports of the Board of Regents, the State Board of Community
20 Colleges, the Supreme Court, and the Justice Administrative
21 Commission ~~the state attorneys, and the public defenders~~.

22 Section 6. Subsection (3) of section 282.3091, Florida
23 Statutes, is amended to read:

24 282.3091 State Technology Council; creation.--

25 (3) The council shall be composed of nine members as
26 follows:

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

29 (b) The Comptroller.

30 (c) The Commissioner of Education.

31 (d) The Secretary of State.

1 (e) The secretary of the Department of Management
2 Services.

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

4 (g) Two private sector representatives, one appointed
5 by the Speaker of the House of Representatives and one
6 appointed by the President of the Senate, who are not current
7 members of the Legislature. Private sector representatives
8 shall, at a minimum, have a general knowledge of or experience
9 in managing information technology resources. However,
10 representatives of information technology resource vendors or
11 any of their subsidiaries that sell products or services to
12 the state shall not be appointed to serve as a private sector
13 representative.

14
15 Members may appoint designees to serve on their behalf;
16 however, such designees must be in a position that reports
17 directly to the member.

18 Section 7. Section 282.322, Florida Statutes, is
19 amended to read:

20 282.322 Special monitoring process for designated
21 information resources management projects.--For each
22 information resources management project which is designated
23 for special monitoring in the General Appropriations Act, with
24 a proviso requiring a contract with a project monitor, the
25 Technology Review Workgroup established pursuant to s.
26 216.0446, in consultation with each affected agency, shall be
27 responsible for contracting with the project monitor. Upon
28 contract award, funds equal to the contract amount shall be
29 transferred to the Technology Review Workgroup upon request
30 and subsequent approval of a budget amendment pursuant to s.
31 216.292. With the concurrence of the Legislative Auditing

1 Committee, the office of the Auditor General shall be the
2 project monitor for other projects designated for special
3 monitoring. However, nothing in this section precludes the
4 Auditor General from conducting such monitoring on any project
5 designated for special monitoring. In addition to monitoring
6 and reporting on significant communications between a
7 contracting agency and the appropriate federal authorities,
8 the project monitoring process shall consist of evaluating
9 each major stage of the designated project to determine
10 whether the deliverables have been satisfied and to assess the
11 level of risks associated with proceeding to the next stage of
12 the project. The major stages of each designated project shall
13 be determined based on the agency's information systems
14 development methodology. At the end of each quarter and within
15 20 days after an agency has completed a major stage of its
16 designated project, the project monitor shall issue a written
17 report, including the findings and recommendations for
18 correcting deficiencies, to the agency head, for review and
19 comment. Within 20 days after receipt of the project monitor's
20 report, the agency head shall submit a written statement of
21 explanation or rebuttal concerning the findings and
22 recommendations of the project monitor, including any
23 corrective action to be taken by the agency. The project
24 monitor shall include the agency's statement in its final
25 report, which shall be forwarded, within 7 days after receipt
26 of the agency's statement, to the agency head, the inspector
27 general's office of the agency, the Executive Office of the
28 Governor, the appropriations committees of the Legislature,
29 the Joint Legislative Auditing Committee, the Technology
30 Review Workgroup, the President of the Senate, the Speaker of
31 the House of Representatives, and the Office of Program Policy

1 Analysis and Government Accountability ~~Legislative Information~~
2 ~~Technology Resource Committee~~. The Auditor General shall also
3 receive a copy of the project monitor's report for those
4 projects in which the Auditor General is not the project
5 monitor.

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

8 282.404 Geographic information board; definition;
9 membership; creation; duties; advisory council; membership;
10 duties.--

11 (3) The board consists of the Director of Planning and
12 Budgeting within the Executive Office of the Governor, the
13 executive director of the Game and Fresh Water Fish
14 Commission, the executive director of the Department of
15 Revenue, and the State Cadastral Surveyor, as defined in s.
16 177.503, or their designees, and the heads of the following
17 agencies, or their designees: the Department of Agriculture
18 and Consumer Services, the Department of Community Affairs,
19 the Department of Environmental Protection, the Department of
20 Transportation, and the Board of Professional Surveyors and
21 Mappers. The Governor shall appoint to the board one member
22 each to represent the counties, municipalities, regional
23 planning councils, water management districts, and county
24 property appraisers. The Governor shall initially appoint two
25 members to serve 2-year terms and three members to serve
26 4-year terms. Thereafter, the terms of all appointed members
27 must be 4 years and the terms must be staggered. Members may
28 be appointed to successive terms and incumbent members may
29 continue to serve the board until a new appointment is made.
30 ~~The chair of the Geographic Information Advisory Council shall~~

31

1 ~~serve without voting rights as an ex officio member on the~~
2 ~~board.~~

3 (5) The board shall:

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

6 (b) Conduct ~~a~~ periodic assessments ~~assessment~~ of
7 geographic information and geographic information systems in
8 this state to identify ~~geographic~~ information management
9 activities and available resources ~~in this state;~~

10 (c) Increase efficiency and reduce costs ~~redundancy~~ of
11 data acquisition by promoting the coordination of geographic
12 information activities, including, but not limited to,
13 development and maintenance of a data directory in which
14 geographic information is cataloged ~~data collection;~~

15 (d) Promote consistency of data elements by
16 establishing standard data definitions and formats;

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

19 ~~(f) Develop criteria, policies, and procedures for the~~
20 ~~prescribed and preplanned electronic transmission of~~
21 ~~geographic information, including, but not limited to,~~
22 ~~transmissions between a local planning agency, as defined in~~
23 ~~s. 163.3164, and the state land planning agency;~~

24 (f)(g) By March 1 of each year, develop and approve a
25 strategic plan pursuant to the requirements set forth in s.
26 186.022(9). Copies of the plan shall be transmitted
27 electronically or in writing to the Executive Office of the
28 Governor, the Speaker of the House of Representatives, the
29 President of the Senate, and the members of the Geographic
30 Information Advisory Council as provided in subsection (7);

31

1 ~~(h) Promote the use and coordination of geographic~~
2 ~~information from sources such as universities, government~~
3 ~~organizations, nonprofit organizations, and the private~~
4 ~~sector;~~

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

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

10 ~~(h)(k) Establish technical advisory committees to~~
11 ~~assist the board; and~~

12 (i) Serve as the coordinator for census activities and
13 facilitate the availability and usability of the data
14 collected by the United States Census Bureau.

15 ~~(l) Promote regional coordination of geographic~~
16 ~~information.~~

17 (7) The Geographic Information Advisory Council
18 consists of one member each from the Office of Planning and
19 Budgeting within the Executive Office of the Governor, the
20 Game and Fresh Water Fish Commission, the Department of
21 Revenue, the Department of Agriculture and Consumer Services,
22 the Department of Community Affairs, the Department of
23 Environmental Protection, the Department of Transportation,
24 the State Cadastral Surveyor, ~~the State Geologist~~, the Board
25 of Professional Surveyors and Mappers, counties,
26 municipalities, regional planning councils, water management
27 districts, and property appraisers, as appointed by the
28 corresponding member of the board, and the State Geologist.
29 The Governor shall appoint to the council one member each, as
30 recommended by the respective organization, to represent ~~the~~
31 ~~Department of Commerce~~, the Department of Children and Family

1 Services, the Department of Health, the Florida Survey and
2 Mapping Society, Florida Region of the American Society of
3 Photogrammetry and Remote Sensing, Florida Association of
4 Cadastral Mappers, the ~~The~~ Florida Association of Professional
5 Geologists, Florida Engineering Society, Florida Chapter of
6 the Urban and Regional Information Systems Association, the
7 forestry industry, the State University System survey and
8 mapping academic research programs, and State University
9 System geographic information systems academic research
10 programs; and two members representing utilities, one from a
11 regional utility, and one from a local or municipal utility.
12 These persons must have technical expertise in geographic
13 information issues. The Governor shall initially appoint six
14 members to serve 2-year terms and six members to serve 4-year
15 terms. Thereafter, the terms of all appointed members must be
16 4 years and must be staggered. Members may be appointed to
17 successive terms and incumbent members may continue to serve
18 the council until a successor is appointed. Representatives of
19 the Federal Government may serve as ex officio members without
20 voting rights.

21 (8) A majority of the membership constitutes a quorum
22 for the conduct of business and shall elect the chair of the
23 advisory council biennially. The council shall meet at least
24 twice a year, and the chair may call meetings as often as
25 necessary to transact business or as directed by the board.
26 The chair, or his or her designee, shall attend all board
27 meetings on behalf of the council.Administrative and clerical
28 support shall be provided by the Department of Management
29 Services.

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

1 215.96 Coordinating council and design and
2 coordination staff.--

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

27 Section 10. This act shall take effect upon becoming a
28 law.

29
30
31

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
Senate Bill 832

The committee substitute makes minor technical changes to the special monitoring process by requiring quarterly reports from project monitors and designating OPPAGA as a recipient of project monitor reports.

The Geographic Information Board's statutory duties are modified to designate them as the organization at the state level to serve as coordinator for census activities and facilitate the availability of data collected by the Census Bureau for the Census 2000 effort.