



HB 1237

2003

1 A bill to be entitled

2 An act relating to the State Technology Office; amending
3 s. 282.0041, F.S.; defining "enterprise," "enterprise cost
4 recovery," "enterprise program management office,"
5 "enterprise technology services desk," "portal," "service
6 level agreements," and "State Chief Information Officer";
7 amending s. 282.005, F.S.; conforming references; amending
8 s. 282.102, F.S.; revising powers and duties of the State
9 Technology Office; revising title of the head of that
10 office; providing for service level agreements, an
11 enterprise technology services desk, a centralized
12 enterprise portal, and enterprise information technology
13 systems and tools and services; amending s. 282.106, F.S.,
14 relating to use of SUNCOM Network by libraries; requiring
15 library to pay certain costs at specified rates; amending
16 ss. 282.1095 and 282.111, F.S.; conforming references;
17 amending s. 282.20, F.S.; renaming the Technology Resource
18 Center as the Shared Resource Center; providing for
19 oversight and management by said office; amending s.
20 282.3055, F.S.; conforming references; amending s.
21 282.315, F.S.; providing that the Agency Chief Information
22 Officers Council shall be chaired by the State Chief
23 Information Officer; revising duties of agency chief
24 information officers; amending s. 282.322, F.S.;
25 redesignating the Enterprise Project Management Office of
26 the State Technology Office as the Enterprise Program
27 Management Office; revising duties of that office;
28 amending s. 11.45, F.S.; deleting a requirement that the
29 Auditor General conduct annual audits of the Wireless
30 Emergency Telephone System Fund; amending ss. 110.205,



HB 1237

2003

31 216.235, 216.292, and 395.1031, F.S.; conforming
32 references; amending ss. 401.013, 401.015, 401.018,
33 401.021, 401.024, 401.027, and 401.245, F.S., relating to
34 intention and purpose of the Legislature, statewide
35 regional emergency medical telecommunication system,
36 system coordination, system director, system approval,
37 federal assistance, and the Emergency Medical Services
38 Advisory Council; deleting reference to the Department of
39 Management Services; providing reference to the State
40 Technology Office; deleting reference to the secretary of
41 that department; providing reference to the State Chief
42 Information Officer; providing an effective date.

43
44 Be It Enacted by the Legislature of the State of Florida:

45
46 Section 1. Subsections (5), (6), (7), (8), (9), (10),
47 (11), and (12) of section 282.0041, Florida Statutes, are
48 amended to read:

49 282.0041 Definitions.--For the purposes of this part, the
50 term:

51 (5) "Enterprise" means an organization in total, including
52 all subordinate entities, encompassing governmental bodies as
53 well as nonprofit organizations eligible for services as defined
54 in chapter 282.

55 (6) "Enterprise cost recovery" means the practice of
56 recovering the costs associated with providing information
57 technology and telecommunications services.

58 (7) "Enterprise program management office" means the
59 office responsible for management or oversight of major
60 information technology projects.



HB 1237

2003

61 ~~(8)(5)~~ "Enterprise resources management infrastructure"
62 means the hardware, software, networks, data, human resources,
63 policies, standards, facilities, maintenance, and related
64 materials and services that are required to support the business
65 processes of an agency or state enterprise.

66 ~~(9)(6)~~ "Enterprise resource planning and management" means
67 the planning, budgeting, acquiring, developing, organizing,
68 directing, training, control, and related services associated
69 with government information technology. The term encompasses
70 information and related resources, as well as the controls
71 associated with their acquisition, development, dissemination,
72 and use.

73 (10) "Enterprise technology services desk" means a
74 solution that provides information technology services support
75 to all entities within an enterprise, and for facilitating
76 enterprise data security monitoring and alerts, reporting,
77 network and performance monitoring, asset management, change
78 management, and technology systems capacity and configuration
79 management resulting in effective sharing of resources and
80 information across the enterprise.

81 ~~(11)(7)~~ "Information technology" means equipment,
82 hardware, software, firmware, programs, systems, networks,
83 infrastructure, media, and related material used to
84 automatically, electronically, and wirelessly collect, receive,
85 access, transmit, display, store, record, retrieve, analyze,
86 evaluate, process, classify, manipulate, manage, assimilate,
87 control, communicate, exchange, convert, converge, interface,
88 switch, or disseminate information of any kind or form.

89 (12) "Portal" means a single point of entry to state
90 information and services on the Internet.



HB 1237

2003

91 ~~(13)(8)~~ "Project" means an undertaking directed at the
92 accomplishment of a strategic objective relating to enterprise
93 resources management or a specific appropriated program.

94 (14) "Service level agreements" means a baseline of
95 expectations and the roles and responsibilities for information
96 technology services in accordance with s. 282.005(5). This
97 agreement sets service provider and recipient expectations,
98 describes the products or services to be delivered, identifies
99 contacts for end-user problems, and specifies the metrics by
100 which the effectiveness of service activities, functions, and
101 processes will be measured, examined, changed, and controlled.

102 ~~(15)(9)~~ "State Annual Report on Enterprise Resource
103 Planning and Management" means the report prepared by the State
104 Technology Office as defined in s. 282.102.

105 (16) "State Chief Information Officer" means the
106 individual identified in s. 282.102 who is appointed by the
107 Governor, is in the Senior Management Service, is an agency head
108 for all purposes, and is responsible for carrying out the
109 powers, duties, and functions as defined in s. 282.102.

110 ~~(17)(10)~~ "Standards" means the use of current, open,
111 nonproprietary, or non-vendor-specific technologies.

112 ~~(18)(11)~~ "State Technology Office" or "office" means the
113 office created in s. 282.102.

114 ~~(19)(12)~~ "Total cost" means all costs associated with
115 information technology projects or initiatives, including, but
116 not limited to, value of hardware, software, service,
117 maintenance, incremental personnel, and facilities. Total cost
118 of a loan or gift of information technology resources to an
119 agency includes the fair market value of the resources, except
120 that the total cost of loans or gifts of information technology



HB 1237

2003

121 to state universities to be used in instruction or research does
 122 not include fair market value.

123 Section 2. Subsection (4) of section 282.005, Florida
 124 Statutes, is amended to read:

125 282.005 Legislative findings and intent.--The Legislature
 126 finds that:

127 (4) The cost-effective deployment of information
 128 technology by state agencies can best be managed by a State
 129 Chief Information Officer.

130 Section 3. Section 282.102, Florida Statutes, is amended
 131 to read:

132 282.102 Creation of the State Technology Office; powers
 133 and duties.--There is created a State Technology Office within
 134 the Department of Management Services. The office shall be a
 135 separate budget entity, and shall be headed by a State Chief
 136 Information Officer who is appointed by the Governor and is in
 137 the Senior Management Service. The State Chief Information
 138 Officer shall be an agency head for all purposes. The Department
 139 of Management Services shall provide administrative support and
 140 service to the office to the extent requested by the State Chief
 141 Information Officer. The office may adopt policies and
 142 procedures regarding personnel, procurement, and transactions
 143 for State Technology Office personnel. The office shall have the
 144 following powers, duties, and functions:

145 (1) To publish electronically the portfolio of services
 146 available from the office, including pricing information; the
 147 policies and procedures of the office governing usage of
 148 available services; and a forecast of the priorities and
 149 initiatives for the state communications system for the ensuing
 150 2 years.



HB 1237

2003

151 (2) To adopt rules implementing policies and procedures
152 providing best practices to be followed by agencies in
153 acquiring, using, upgrading, modifying, replacing, or disposing
154 of information technology.

155 (3) To perform, in consultation with an agency, the
156 enterprise resource planning and management for the agency.

157 (4) To advise ~~and render aid to~~ state agencies and
158 political subdivisions of the state as to systems or methods to
159 be used for organizing and meeting information technology
160 requirements efficiently and effectively.

161 (5) To integrate the information technology systems and
162 services of state agencies.

163 (6) To adopt technical standards for the state information
164 technology system which will assure the interconnection of
165 computer networks and information systems of agencies.

166 (7) To assume management responsibility for any integrated
167 information technology system or service when determined by the
168 office to be economically efficient or performance-effective.

169 (8) To enter into service level agreements related to
170 information technology with state agencies and political
171 subdivisions of the state.

172 (9) To use and acquire, with agency concurrence,
173 information technology now owned or operated by any agency.

174 (10) To purchase from or contract with information
175 technology providers for information technology, including
176 private line services.

177 (11) To apply for, receive, and hold, and to assist
178 agencies in applying for, receiving, or holding, such
179 authorizations, patents, copyrights, trademarks, service marks,



HB 1237

2003

180 licenses, and allocations or channels and frequencies to carry
181 out the purposes of this part.

182 (12) To purchase, lease, or otherwise acquire and to hold,
183 sell, transfer, license, or otherwise dispose of real, personal,
184 and intellectual property, including, but not limited to,
185 patents, trademarks, copyrights, and service marks.

186 (13) To cooperate with any federal, state, or local
187 emergency management agency in providing for emergency
188 communications services.

189 (14) To delegate, as necessary, to state agencies the
190 authority to purchase, lease, or otherwise acquire and to use
191 information technology or, as necessary, to control and approve
192 the purchase, lease, or acquisition and the use of all
193 information technology, including, but not limited to,
194 communications services provided as part of any other total
195 system to be used by the state or any of its agencies.

196 (15) To acquire ownership, possession, custody, and
197 control of existing communications equipment and facilities,
198 including all right, title, interest, and equity therein, as
199 necessary, to carry out the purposes of this part. However, the
200 provisions of this subsection shall in no way affect the rights,
201 title, interest, or equity in any such equipment or facilities
202 owned by, or leased to, the state or any state agency by any
203 telecommunications company.

204 (16) To adopt rules pursuant to ss. 120.536(1) and 120.54
205 relating to information technology and to administer the
206 provisions of this part.

207 (17) To provide a means whereby political subdivisions of
208 the state may use state information technology systems upon such
209 terms and under such conditions as the office may establish.



HB 1237

2003

210 (18) To apply for and accept federal funds for any of the
211 purposes of this part as well as gifts and donations from
212 individuals, foundations, and private organizations.

213 (19) To monitor issues relating to communications
214 facilities and services before the Florida Public Service
215 Commission and, when necessary, prepare position papers, prepare
216 testimony, appear as a witness, and retain witnesses on behalf
217 of state agencies in proceedings before the commission.

218 (20) Unless delegated to the agencies by the State Chief
219 Information Officer, to manage and control, but not intercept or
220 interpret, communications within the SUNCOM Network by:

221 (a) Establishing technical standards to physically
222 interface with the SUNCOM Network.

223 (b) Specifying how communications are transmitted within
224 the SUNCOM Network.

225 (c) Controlling the routing of communications within the
226 SUNCOM Network.

227 (d) Establishing standards, policies, and procedures for
228 access to the SUNCOM Network.

229 (e) Ensuring orderly and reliable communications services
230 in accordance with the service level agreements executed with
231 state agencies.

232 (21) To plan, design, and conduct experiments for
233 information technology services, equipment, and technologies,
234 and to implement enhancements in the state information
235 technology system when in the public interest and cost-
236 effective. Funding for such experiments shall be derived from
237 SUNCOM Network service revenues and shall not exceed 2 percent
238 of the annual budget for the SUNCOM Network for any fiscal year
239 or as provided in the General Appropriations Act. New services



HB 1237

2003

240 offered as a result of this subsection shall not affect existing
241 rates for facilities or services.

242 (22) To enter into contracts or agreements, with or
243 without competitive bidding or procurement, to make available,
244 on a fair, reasonable, and nondiscriminatory basis, property and
245 other structures under office control for the placement of new
246 facilities by any wireless provider of mobile service as defined
247 in 47 U.S.C. s. 153(n) or s. 332(d) and any telecommunications
248 company as defined in s. 364.02 when it is determined to be
249 practical and feasible to make such property or other structures
250 available. The office may, without adopting a rule, charge a
251 just, reasonable, and nondiscriminatory fee for the placement of
252 the facilities, payable annually, based on the fair market value
253 of space used by comparable communications facilities in the
254 state. The office and a wireless provider or telecommunications
255 company may negotiate the reduction or elimination of a fee in
256 consideration of services provided to the office by the wireless
257 provider or telecommunications company. All such fees collected
258 by the office shall be deposited directly into the Law
259 Enforcement Radio Operating Trust Fund, and may be used by the
260 office to construct, maintain, or support the system.

261 (23) To provide an integrated electronic system for
262 deploying government products, services, and information to
263 individuals and businesses.

264 (a) The integrated electronic system shall reflect cost-
265 effective deployment strategies in keeping with industry
266 standards and practices, including protections and security of
267 private information as well as maintenance of public records.

268 (b) The office shall provide a method for assessing fiscal
269 accountability for the integrated electronic system and shall



HB 1237

2003

270 establish the organizational structure required to implement
271 this system.

272 (24) To provide administrative support to the Agency Chief
273 Information Officers Council and other workgroups created by the
274 State Chief Information Officer.

275 (25) To facilitate state information technology education
276 and training for senior management and other agency staff.

277 (26) To prepare, on behalf of the Executive Office of the
278 Governor, memoranda on recommended guidelines and best practices
279 for information resources management, when requested.

280 (27) To prepare, publish, and disseminate the State Annual
281 Report on Enterprise Resource Planning and Management under s.
282 282.310.

283 (28) To deploy an enterprise technology services desk to
284 facilitate management of information technology systems, and
285 provide enterprise-wide reporting, asset management, capacity
286 management, configuration management, monitoring of networks and
287 security, disaster recovery support, and emergency alerts and
288 messaging ~~study and make a recommendation to the Governor and~~
289 ~~Legislature on the feasibility of implementing online voting in~~
290 ~~this state.~~

291 (29) To facilitate the development of a network access
292 point in this state, as needed.

293 (30) To designate a State Chief Privacy Officer who shall
294 be responsible for the continual review of policies, laws,
295 rules, and practices of state agencies which may affect the
296 privacy concerns of state residents.

297 (31) To develop and operate a centralized enterprise
298 portal, which will serve as the single point of entry for access
299 to state services, websites, and information. The enterprise



HB 1237

2003

300 portal will promulgate or sponsor enterprise tools and services
 301 for use by all agencies to ensure compliance with standards,
 302 including content management and site compliance.

303 (32) To establish enterprise information technology
 304 systems, tools, and services that meet established standards.

305 (33) To develop and own or sponsor any system, tool, or
 306 service to be promulgated at an enterprise level.

307 Section 4. Section 282.106, Florida Statutes, is amended
 308 to read:

309 282.106 Use of SUNCOM Network by libraries.--The State
 310 Technology Office may provide SUNCOM Network services to any
 311 library in the state, including libraries in public schools,
 312 community colleges, state universities, and nonprofit private
 313 postsecondary educational institutions, and libraries owned and
 314 operated by municipalities and political subdivisions. A library
 315 shall pay installation costs and recurring costs according to
 316 the office's published rates for SUNCOM Network services.

317 Section 5. Paragraph (a) of subsection (2) of section
 318 282.1095, Florida Statutes, is amended to read:

319 282.1095 State agency law enforcement radio system.--

320 (2)(a) The Joint Task Force on State Agency Law
 321 Enforcement Communications shall consist of eight members, as
 322 follows:

323 1. A representative of the Division of Alcoholic Beverages
 324 and Tobacco of the Department of Business and Professional
 325 Regulation who shall be appointed by the secretary of the
 326 department.

327 2. A representative of the Division of Florida Highway
 328 Patrol of the Department of Highway Safety and Motor Vehicles



HB 1237

2003

329 who shall be appointed by the executive director of the
330 department.

331 3. A representative of the Department of Law Enforcement
332 who shall be appointed by the executive director of the
333 department.

334 4. A representative of the Fish and Wildlife Conservation
335 Commission who shall be appointed by the executive director of
336 the commission.

337 5. A representative of the Division of Law Enforcement of
338 the Department of Environmental Protection who shall be
339 appointed by the secretary of the department.

340 6. A representative of the Department of Corrections who
341 shall be appointed by the secretary of the department.

342 7. A representative of the Division of State Fire Marshal
343 of the Department of Financial Services ~~Insurance~~ who shall be
344 appointed by the Chief Financial Officer ~~State Fire Marshal~~.

345 8. A representative of the Department of Transportation
346 who shall be appointed by the secretary of the department.

347 Section 6. Subsection (4) of section 282.111, Florida
348 Statutes, is amended to read:

349 282.111 Statewide system of regional law enforcement
350 communications.--

351 (4) The State Chief Information Officer ~~of the State~~
352 ~~Technology Office~~ or his or her designee is designated as the
353 director of the statewide system of regional law enforcement
354 communications and, for the purpose of carrying out the
355 provisions of this section, is authorized to coordinate the
356 activities of the system with other interested state agencies
357 and local law enforcement agencies.



HB 1237

2003

358 Section 7. Section 282.20, Florida Statutes, is amended to
359 read:

360 282.20 Shared Technology Resource Center.--

361 (1)(a) The State Technology Office shall oversee operation
362 and management of ~~operate and manage~~ the Shared Technology
363 Resource Center.

364 (b) For the purposes of this section, the term:

365 1. "Information-system utility" means a full-service
366 information-processing facility offering hardware, software,
367 operations, integration, networking, and consulting services.

368 2. "Customer" means a state agency or other entity which
369 is authorized to utilize the SUNCOM Network pursuant to this
370 part.

371 (2) The Shared Technology Resource Center shall:

372 (a) Serve the office and other customers as an
373 information-system utility.

374 (b) Cooperate with customers to offer, develop, and
375 support a wide range of services and applications needed by
376 users of the Shared Technology Resource Center.

377 (c) Cooperate with the Florida Legal Resource Center of
378 the Department of Legal Affairs and other state agencies to
379 develop and provide access to repositories of legal information
380 throughout the state.

381 (d) Cooperate with the office to facilitate
382 interdepartmental networking and integration of network services
383 for its customers.

384 (e) Assist customers in testing and evaluating new and
385 emerging technologies that could be used to meet the needs of
386 the state.



HB 1237

2003

387 (3) The office may contract with customers to provide any
388 combination of services necessary for agencies to fulfill their
389 responsibilities and to serve their users.

390 (4) The Shared ~~Technology~~ Resource Center may plan,
391 design, establish pilot projects for, and conduct experiments
392 with information technology resources, and may implement
393 enhancements in services when such implementation is cost-
394 effective. Funding for experiments and pilot projects shall be
395 derived from service revenues and may not exceed 5 percent of
396 the service revenues for the Shared ~~Technology~~ Resource Center
397 for any single fiscal year. Any experiment, pilot project, plan,
398 or design must be approved by the State Chief Information
399 Officer.

400 (5) Notwithstanding the provisions of s. 216.272, the
401 Shared ~~Technology~~ Resource Center may spend funds in the reserve
402 account of the Technology Enterprise Operating Trust Fund for
403 enhancements to center operations or for information technology
404 resources. Any expenditure of reserve account funds must be
405 approved by the State Chief Information Officer. Any funds
406 remaining in the reserve account at the end of the fiscal year
407 may be carried forward and spent as approved by the State Chief
408 Information Officer, provided that such approval conforms to any
409 applicable provisions of chapter 216.

410 Section 8. Paragraph (a) of subsection (1) of section
411 282.3055, Florida Statutes, is amended to read:

412 282.3055 Agency Chief Information Office ~~Officer~~;
413 appointment; duties.--

414 (1)(a) To assist the State Technology Officer in carrying
415 out the enterprise resource planning and management
416 responsibilities, the State Chief Information Officer may



HB 1237

2003

417 appoint or contract for an Agency Chief Information Officer.

418 This position may be full time or part time.

419 Section 9. Paragraph (c) of subsection (1) of section
420 282.315, Florida Statutes, is amended to read:

421 282.315 Agency Chief Information Officers Council;
422 creation.--The Legislature finds that enhancing communication,
423 consensus building, coordination, and facilitation of statewide
424 enterprise resource planning and management issues is essential
425 to improving state management of such resources.

426 (1) There is created an Agency Chief Information Officers
427 Council, chaired by the State Chief Information Officer or a
428 designee, to:

429 (c) Identify efficiency opportunities among state
430 agencies. Each agency chief information officer shall focus on
431 procuring IT resources that can be used across the enterprise.

432 Section 10. Section 282.322, Florida Statutes, is amended
433 to read:

434 282.322 Special monitoring process for designated
435 information resources management projects.--

436 (1) For each information resources management project
437 which is designated for special monitoring in the General
438 Appropriations Act, with a proviso requiring a contract with a
439 project monitor, the Technology Review Workgroup established
440 pursuant to s. 216.0446, in consultation with each affected
441 agency, shall be responsible for contracting with the project
442 monitor. Upon contract award, funds equal to the contract amount
443 shall be transferred to the Technology Review Workgroup upon
444 request and subsequent approval of a budget amendment pursuant
445 to s. 216.292. With the concurrence of the Legislative Auditing
446 Committee, the office of the Auditor General shall be the



HB 1237

2003

447 project monitor for other projects designated for special
448 monitoring. However, nothing in this section precludes the
449 Auditor General from conducting such monitoring on any project
450 designated for special monitoring. In addition to monitoring and
451 reporting on significant communications between a contracting
452 agency and the appropriate federal authorities, the project
453 monitoring process shall consist of evaluating each major stage
454 of the designated project to determine whether the deliverables
455 have been satisfied and to assess the level of risks associated
456 with proceeding to the next stage of the project. The major
457 stages of each designated project shall be determined based on
458 the agency's information systems development methodology. Within
459 20 days after an agency has completed a major stage of its
460 designated project or at least 90 days, the project monitor
461 shall issue a written report, including the findings and
462 recommendations for correcting deficiencies, to the agency head,
463 for review and comment. Within 20 days after receipt of the
464 project monitor's report, the agency head shall submit a written
465 statement of explanation or rebuttal concerning the findings and
466 recommendations of the project monitor, including any corrective
467 action to be taken by the agency. The project monitor shall
468 include the agency's statement in its final report, which shall
469 be forwarded, within 7 days after receipt of the agency's
470 statement, to the agency head, the inspector general's office of
471 the agency, the Executive Office of the Governor, the
472 appropriations committees of the Legislature, the Joint
473 Legislative Auditing Committee, the Technology Review Workgroup,
474 the President of the Senate, the Speaker of the House of
475 Representatives, and the Office of Program Policy Analysis and
476 Government Accountability. The Auditor General shall also



HB 1237

2003

477 receive a copy of the project monitor's report for those
 478 projects in which the Auditor General is not the project
 479 monitor.

480 (2) The Enterprise Program ~~Project~~ Management Office of
 481 the State Technology Office shall report any information
 482 technology projects the office identifies as high-risk to the
 483 Executive Office of the Governor, the President of the Senate,
 484 the Speaker of the House of Representatives, and the chairs of
 485 the appropriations committees. Within the limits of current
 486 appropriations, the Enterprise Program ~~Project~~ Management Office
 487 shall monitor and report on such high-risk information
 488 technology projects, and assess the levels of risks associated
 489 with proceeding to the next stage of the project.

490 (3) The Enterprise Program Management Office shall plan,
 491 design, develop, and implement key enterprise projects as
 492 determined by the State Chief Information Officer and shall be
 493 involved in the planning stages of agency information technology
 494 projects to ensure a comprehensive approach to technology
 495 solutions. The Enterprise Program Management Office shall
 496 develop enterprise integration guidelines and promulgate project
 497 management standards.

498 Section 11. Paragraphs (e) through (k) of subsection (2)
 499 of section 11.45, Florida Statutes, are amended to read:

500 11.45 Definitions; duties; authorities; reports; rules.--

501 (2) DUTIES.--The Auditor General shall:

502 ~~(e) Annually conduct an audit of the Wireless Emergency~~
 503 ~~Telephone System Fund as described in s. 365.173.~~

504 (e)(f) At least every 2 years, conduct operational audits
 505 of the accounts and records of state agencies and universities.
 506 In connection with these audits, the Auditor General shall give



HB 1237

2003

507 appropriate consideration to reports issued by state agencies'
508 inspectors general or universities' inspectors general and the
509 resolution of findings therein.

510 (f)~~(g)~~ At least every 2 years, conduct a performance audit
511 of the local government financial reporting system, which, for
512 the purpose of this chapter, means any statutory provisions
513 related to local government financial reporting. The purpose of
514 such an audit is to determine the accuracy, efficiency, and
515 effectiveness of the reporting system in achieving its goals and
516 to make recommendations to the local governments, the Governor,
517 and the Legislature as to how the reporting system can be
518 improved and how program costs can be reduced. The local
519 government financial reporting system should provide for the
520 timely, accurate, uniform, and cost-effective accumulation of
521 financial and other information that can be used by the members
522 of the Legislature and other appropriate officials to accomplish
523 the following goals:

- 524 1. Enhance citizen participation in local government;
- 525 2. Improve the financial condition of local governments;
- 526 3. Provide essential government services in an efficient
527 and effective manner; and
- 528 4. Improve decisionmaking on the part of the Legislature,
529 state agencies, and local government officials on matters
530 relating to local government.

531 (g)~~(h)~~ Once every 3 years, conduct performance audits of
532 the Department of Revenue's administration of the ad valorem tax
533 laws as described in s. 195.096.

534 (h)~~(i)~~ Once every 3 years, conduct financial audits of the
535 accounts and records of all district school boards in counties



HB 1237

2003

536 with populations of 125,000 or more, according to the most
537 recent federal decennial statewide census.

538 ~~(i)~~(j) Once every 3 years, review a sample of each state
539 agency's internal audit reports to determine compliance with
540 current Standards for the Professional Practice of Internal
541 Auditing or, if appropriate, government auditing standards.

542 ~~(j)~~(k) Conduct audits of local governmental entities when
543 determined to be necessary by the Auditor General, when directed
544 by the Legislative Auditing Committee, or when otherwise
545 required by law. No later than 18 months after the release of
546 the audit report, the Auditor General shall perform such
547 appropriate followup procedures as he or she deems necessary to
548 determine the audited entity's progress in addressing the
549 findings and recommendations contained within the Auditor
550 General's previous report. The Auditor General shall provide a
551 copy of his or her determination to each member of the audited
552 entity's governing body and to the Legislative Auditing
553 Committee.

554

555 The Auditor General shall perform his or her duties
556 independently but under the general policies established by the
557 Legislative Auditing Committee. This subsection does not limit
558 the Auditor General's discretionary authority to conduct other
559 audits or engagements of governmental entities as authorized in
560 subsection (3).

561 Section 12. Paragraph (e) of subsection (2) of section
562 110.205, Florida Statutes, is amended to read:

563 110.205 Career service; exemptions.--

564 (2) EXEMPT POSITIONS.--The exempt positions that are not
565 covered by this part include the following:



HB 1237

2003

566 (e) The State Chief Information Officer, deputy chief
 567 information officers, chief technology officers, and deputy
 568 chief technology officers in the State Technology Office. Unless
 569 otherwise fixed by law, the State Technology Office shall set
 570 the salary and benefits of these positions in accordance with
 571 the rules of the Senior Management Service.

572 Section 13. Paragraph (c) of subsection (4) of section
 573 216.235, Florida Statutes, is amended to read:

574 216.235 Innovation Investment Program.--

575 (4) There is hereby created the State Innovation
 576 Committee, which shall have final approval authority as to which
 577 innovative investment projects submitted under this section
 578 shall be funded. Such committee shall be comprised of seven
 579 members. Appointed members shall serve terms of 1 year and may
 580 be reappointed. The committee shall include:

581 (c) The State Chief Information Officer in the State
 582 Technology Office.

583 Section 14. Subsection (9) of section 216.292, Florida
 584 Statutes, is amended to read:

585 216.292 Appropriations nontransferable; exceptions.--

586 (9) Moneys appropriated in the General Appropriations Act
 587 for the purpose of paying for services provided by the State
 588 Technology Office ~~state communications system in the Department~~
 589 ~~of Management Services~~ shall be paid by the user agencies, or
 590 the judicial branch, within 45 days after the billing date.
 591 Billed amounts not paid by the user agencies, or by the judicial
 592 branch, shall be transferred by the Department of Financial
 593 Services ~~Comptroller~~ from the user agencies to the
 594 Communications Working Capital Trust Fund.



HB 1237

2003

595 Section 15. Section 395.1031, Florida Statutes, is amended
 596 to read:

597 395.1031 Emergency medical services; communication.--Each
 598 licensed hospital with an emergency department must be capable
 599 of communicating by two-way radio with all ground-based basic
 600 life support service vehicles and advanced life support service
 601 vehicles that operate within the hospital's service area under a
 602 state permit and with all rotorcraft air ambulances that operate
 603 under a state permit. The hospital's radio system must be
 604 capable of interfacing with municipal mutual aid channels
 605 designated by the State Technology Office ~~Department of~~
 606 ~~Management Services~~ and the Federal Communications Commission.

607 Section 16. Section 401.013, Florida Statutes, is amended
 608 to read:

609 401.013 Legislative intent.--It is the intention and
 610 purpose of the Legislature that a statewide system of regional
 611 emergency medical telecommunications be developed whereby
 612 maximum use of existing radio channels is achieved in order to
 613 more effectively and rapidly provide emergency medical service
 614 to the general population. To this end, all emergency medical
 615 service entities within the state are directed to provide the
 616 State Technology Office ~~Department of Management Services~~ with
 617 any information that office ~~the department~~ requests for the
 618 purpose of implementing the provisions of s. 401.015, and such
 619 entities shall comply with the resultant provisions established
 620 pursuant to this part.

621 Section 17. Section 401.015, Florida Statutes, is amended
 622 to read:

623 401.015 Statewide regional emergency medical
 624 telecommunication system.--The State Technology Office



HB 1237

2003

625 ~~Department of Management Services~~ is authorized and directed to
626 develop a statewide system of regional emergency medical
627 telecommunications. For the purpose of this part, the term
628 "telecommunications" means those voice, data, and signaling
629 transmissions and receptions between emergency medical service
630 components, including, but not limited to: ambulances; rescue
631 vehicles; hospitals or other related emergency receiving
632 facilities; emergency communications centers; physicians and
633 emergency medical personnel; paging facilities; law enforcement
634 and fire protection agencies; and poison control, suicide, and
635 emergency management agencies. In formulating such a system, the
636 department shall divide the state into appropriate regions and
637 shall develop a program which includes, but is not limited to,
638 the following provisions:

639 (1) A requirements provision, which shall state the
640 telecommunications requirements for each emergency medical
641 entity comprising the region.

642 (2) An interfacility communications provision, which shall
643 depict the telecommunications interfaces between the various
644 medical service entities which operate within the region and
645 state.

646 (3) An organizational layout provision, which shall
647 include each emergency medical entity and the number of radio
648 operating units (base, mobile, handheld, etc.) per entity.

649 (4) A frequency allocation and use provision, which shall
650 include on an entity basis each assigned and planned radio
651 channel and the type of operation (simplex, duplex, half duplex,
652 etc.) on each channel.



HB 1237

2003

653 (5) An operational provision, which shall include
 654 dispatching, logging, and operating procedures pertaining to
 655 telecommunications on an entity basis and regional basis.

656 (6) An emergency medical service telephone provision,
 657 which shall include the telephone and the numbering plan
 658 throughout the region for both the public and interface
 659 requirements.

660 Section 18. Section 401.018, Florida Statutes, is amended
 661 to read:

662 401.018 System coordination.--

663 (1) The statewide system of regional emergency medical
 664 telecommunications shall be developed by the State Technology
 665 Office ~~Department of Management Services~~, which office
 666 ~~department~~ shall be responsible for the implementation and
 667 coordination of such system into the state telecommunications
 668 plan. The office ~~department~~ shall adopt any necessary rules and
 669 regulations for implementing and coordinating such a system.

670 (2) The State Technology Office ~~Department of Management~~
 671 ~~Services~~ shall be designated as the state frequency coordinator
 672 for the special emergency radio service.

673 Section 19. Section 401.021, Florida Statutes, is amended
 674 to read:

675 401.021 System director.--The State Chief Information
 676 Officer ~~Secretary of Management Services~~ or his or her designee
 677 is designated as the director of the statewide
 678 telecommunications system of the regional emergency medical
 679 service and, for the purpose of carrying out the provisions of
 680 this part, is authorized to coordinate the activities of the
 681 telecommunications system with other interested state, county,
 682 local, and private agencies.



HB 1237

2003

683 Section 20. Section 401.024, Florida Statutes, is amended
684 to read:

685 401.024 System approval.--From July 1, 1973, no emergency
686 medical telecommunications system shall be established or
687 present systems expanded without prior approval of the State
688 Technology Office ~~Department of Management Services~~.

689 Section 21. Section 401.027, Florida Statutes, is amended
690 to read:

691 401.027 Federal assistance.--The State Chief Information
692 Officer ~~Secretary of Management Services~~ or his or her designee
693 is authorized to apply for and accept federal funding assistance
694 in the development and implementation of a statewide emergency
695 medical telecommunications system.

696 Section 22. Paragraph (b) of subsection (2) of section
697 401.245, Florida Statutes, is amended to read:

698 401.245 Emergency Medical Services Advisory Council.--
699 (2)

700 (b) Representation on the Emergency Medical Services
701 Advisory Council shall include: two licensed physicians who are
702 "medical directors" as defined in s. 401.23(15) or whose medical
703 practice is closely related to emergency medical services; two
704 emergency medical service administrators, one of whom is
705 employed by a fire service; two certified paramedics, one of
706 whom is employed by a fire service; two certified emergency
707 medical technicians, one of whom is employed by a fire service;
708 one emergency medical services educator; one emergency nurse;
709 one hospital administrator; one representative of air ambulance
710 services; one representative of a commercial ambulance operator;
711 and two laypersons who are in no way connected with emergency
712 medical services, one of whom is a representative of the



HB 1237

2003

713 elderly. Ex officio members of the advisory council from state
714 agencies shall include, but shall not be limited to,
715 representatives from the Department of Education, the State
716 Technology Office ~~Department of Management Services~~, the
717 Department of Insurance, the Department of Highway Safety and
718 Motor Vehicles, the Department of Transportation, and the
719 Department of Community Affairs.

720 Section 23. This act shall take effect July 1, 2003.