

Bill No. CS for CS for SB 1974

Barcode 103766

	CHAMBER ACTION	
<u>Senate</u>		<u>House</u>

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3	Floor: 2/AD/2R	.	
4	04/25/2007 03:03 PM	.	
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11 Senator Lawson moved the following amendment:

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13 **Senate Amendment (with title amendment)**

14 On page 30, between lines 7 and 8,

15
16 insert:

17 Section 18. Section 282.102, Florida Statutes, is
18 amended to read:

19 282.102 ~~Creation of the State Technology Office;~~
20 Powers and duties.--~~There is created a State Technology Office~~
21 ~~within the Department of Management Services. The office shall~~
22 ~~be a separate budget entity, and shall be headed by a Chief~~
23 ~~Information Officer who is appointed by the Governor and is in~~
24 ~~the Senior Management Service. The Chief Information Officer~~
25 ~~shall be an agency head for all purposes. The Department of~~
26 Management Services shall ~~provide administrative support and~~
27 ~~service to the office to the extent requested by the Chief~~
28 ~~Information Officer. The office may adopt policies and~~
29 ~~procedures regarding personnel, procurement, and transactions~~
30 ~~for State Technology Office personnel. The office shall have~~
31 the following powers, duties, and functions:

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1 (1) To publish electronically the portfolio of
 2 services available from the department office, including
 3 pricing information; the policies and procedures of the state
 4 communications network office governing usage of available
 5 services; and a forecast of the priorities and initiatives for
 6 the state communications system for the ensuing 2 years.

7 ~~(2) To adopt rules implementing policies and~~
 8 ~~procedures providing best practices to be followed by agencies~~
 9 ~~in acquiring, using, upgrading, modifying, replacing, or~~
 10 ~~disposing of information technology.~~

11 ~~(3) To perform, in consultation with an agency, the~~
 12 ~~enterprise resource planning and management for the agency.~~

13 ~~(4) To advise and render aid to state agencies and~~
 14 ~~political subdivisions of the state as to systems or methods~~
 15 ~~to be used for organizing and meeting information technology~~
 16 ~~requirements efficiently and effectively.~~

17 ~~(5) To integrate the information technology systems~~
 18 ~~and services of state agencies.~~

19 (2)(6) To adopt technical standards for the state
 20 communications network information technology system which
 21 will ensure ~~assure~~ the interconnection of computer networks
 22 and information systems of agencies.

23 ~~(7) To assume management responsibility for any~~
 24 ~~integrated information technology system or service when~~
 25 ~~determined by the office to be economically efficient or~~
 26 ~~performance-effective.~~

27 (3)(8) To enter into agreements related to information
 28 technology with state agencies and political subdivisions of
 29 the state.

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

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1 ~~(4)(10)~~ To purchase from or contract with information
2 technology providers for information technology, including
3 private line services.

4 ~~(5)(11)~~ To apply for, receive, and hold, ~~and to assist~~
5 ~~agencies in applying for, receiving, or holding,~~ such
6 authorizations, patents, copyrights, trademarks, service
7 marks, licenses, and allocations or channels and frequencies
8 to carry out the purposes of this part.

9 ~~(6)(12)~~ To purchase, lease, or otherwise acquire and
10 to hold, sell, transfer, license, or otherwise dispose of
11 real, personal, and intellectual property, including, but not
12 limited to, patents, trademarks, copyrights, and service
13 marks.

14 ~~(7)(13)~~ To cooperate with any federal, state, or local
15 emergency management agency in providing for emergency
16 communications services.

17 ~~(8)(14)~~ ~~To delegate, as necessary, to state agencies~~
18 ~~the authority to purchase, lease, or otherwise acquire and to~~
19 ~~use information technology or, as necessary, To control and~~
20 approve the purchase, lease, or acquisition and the use of ~~all~~
21 ~~information technology, including, but not limited to,~~
22 communications services provided as part of any other total
23 system to be used by the state or any of its agencies.

24 ~~(15)~~ ~~To acquire ownership, possession, custody, and~~
25 ~~control of existing communications equipment and facilities,~~
26 ~~including all right, title, interest, and equity therein, as~~
27 ~~necessary, to carry out the purposes of this part. However,~~
28 ~~the provisions of this subsection shall in no way affect the~~
29 ~~rights, title, interest, or equity in any such equipment or~~
30 ~~facilities owned by, or leased to, the state or any state~~
31 ~~agency by any telecommunications company.~~

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1 ~~(9)(16)~~ To adopt rules pursuant to ss. 120.536(1) and
2 120.54 relating to communications ~~information technology~~ and
3 to administer the provisions of this part.

4 ~~(17)~~ ~~To provide a means whereby political subdivisions~~
5 ~~of the state may use state information technology systems upon~~
6 ~~such terms and under such conditions as the office may~~
7 ~~establish.~~

8 ~~(10)(18)~~ To apply for and accept federal funds for any
9 of the purposes of this part as well as gifts and donations
10 from individuals, foundations, and private organizations.

11 ~~(11)(19)~~ To monitor issues relating to communications
12 facilities and services before the Florida Public Service
13 Commission and, when necessary, prepare position papers,
14 prepare testimony, appear as a witness, and retain witnesses
15 on behalf of state agencies in proceedings before the
16 commission.

17 ~~(12)(20)~~ Unless delegated to the agencies by the
18 department ~~Chief Information Officer~~, to manage and control,
19 but not intercept or interpret, communications within the
20 SUNCOM Network by:

21 (a) Establishing technical standards to physically
22 interface with the SUNCOM Network.

23 (b) Specifying how communications are transmitted
24 within the SUNCOM Network.

25 (c) Controlling the routing of communications within
26 the SUNCOM Network.

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

29 (e) Ensuring orderly and reliable communications
30 services in accordance with the service level agreements
31 executed with state agencies.

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1 ~~(13)(21)~~ To plan, design, and conduct experiments for
 2 communications ~~information technology~~ services, equipment, and
 3 technologies, and to implement enhancements in the state
 4 communications network ~~information technology system~~ when in
 5 the public interest and cost-effective. Funding for such
 6 experiments shall be derived from SUNCOM Network service
 7 revenues and shall not exceed 2 percent of the annual budget
 8 for the SUNCOM Network for any fiscal year or as provided in
 9 the General Appropriations Act. New services offered as a
 10 result of this subsection shall not affect existing rates for
 11 facilities or services.

12 ~~(14)(22)~~ To enter into contracts or agreements, with
 13 or without competitive bidding or procurement, to make
 14 available, on a fair, reasonable, and nondiscriminatory basis,
 15 property and other structures under departmental ~~office~~
 16 control for the placement of new facilities by any wireless
 17 provider of mobile service as defined in 47 U.S.C. s. 153(n)
 18 or s. 332(d) and any telecommunications company as defined in
 19 s. 364.02 when it is determined to be practical and feasible
 20 to make such property or other structures available. The
 21 department ~~office~~ may, without adopting a rule, charge a just,
 22 reasonable, and nondiscriminatory fee for the placement of the
 23 facilities, payable annually, based on the fair market value
 24 of space used by comparable communications facilities in the
 25 state. The department ~~office~~ and a wireless provider or
 26 telecommunications company may negotiate the reduction or
 27 elimination of a fee in consideration of services provided to
 28 the department ~~office~~ by the wireless provider or
 29 telecommunications company. All such fees collected by the
 30 department ~~office~~ shall be deposited directly into the Law
 31 Enforcement Radio Operating Trust Fund, and may be used by the

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1 ~~department office~~ to construct, maintain, or support the
2 system.

3 ~~(23) To provide an integrated electronic system for~~
4 ~~deploying government products, services, and information to~~
5 ~~individuals and businesses.~~

6 ~~(a) The integrated electronic system shall reflect~~
7 ~~cost-effective deployment strategies in keeping with industry~~
8 ~~standards and practices, including protections and security of~~
9 ~~private information as well as maintenance of public records.~~

10 ~~(b) The office shall provide a method for assessing~~
11 ~~fiscal accountability for the integrated electronic system and~~
12 ~~shall establish the organizational structure required to~~
13 ~~implement this system.~~

14 ~~(24) To provide administrative support to the Agency~~
15 ~~Chief Information Officers Council and other workgroups~~
16 ~~created by the Chief Information Officer.~~

17 ~~(25) To facilitate state information technology~~
18 ~~education and training for senior management and other agency~~
19 ~~staff.~~

20 ~~(26) To prepare, on behalf of the Executive Office of~~
21 ~~the Governor, memoranda on recommended guidelines and best~~
22 ~~practices for information resources management, when~~
23 ~~requested.~~

24 ~~(27) To prepare, publish, and disseminate the State~~
25 ~~Annual Report on Enterprise Resource Planning and Management~~
26 ~~under s. 282.310.~~

27 ~~(28) To study and make a recommendation to the~~
28 ~~Governor and Legislature on the feasibility of implementing~~
29 ~~online voting in this state.~~

30 ~~(29) To facilitate the development of a network access~~
31 ~~point in this state, as needed.~~

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1 ~~(30) To designate a State Chief Privacy Officer who~~
2 ~~shall be responsible for the continual review of policies,~~
3 ~~laws, rules, and practices of state agencies which may affect~~
4 ~~the privacy concerns of state residents.~~

5
6 (Redesignate subsequent sections.)

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8

9 ===== T I T L E A M E N D M E N T =====

10 And the title is amended as follows:

11 On page 4, lines 24-28, delete those lines,

12

13 and insert:

14 215.95, 215.96, 282.102, 282.103, 282.107,
15 339.155, 381.90, 403.973, 408.05, 420.0003,
16 420.511, 943.08, and 1001.26, F.S., relating to
17 the Financial Management Information Board and
18 its coordination council, the State Technology
19 Office, the SUNCOM Network,

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