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Committee on Governmental Oversight and Accountability

AGENCY SUNSET REVIEW OF THE DIVISIONS OF HISTORICAL RESOURCES, LIBRARY AND INFORMATION SERVICES, CULTURAL AFFAIRS, AND ADMINISTRATION OF THE DEPARTMENT OF STATE

Statement of the Issue

Under the Florida Government Accountability Act, most state agencies are subject to a “sunset” review process to determine whether they should be retained, modified, or abolished. During the 2010 Regular Session, the Legislature will review the Departments of Children and Families, Community Affairs, Management Services, and State. The Senate Governmental Oversight and Accountability Committee is the primary sunset review committee for the Divisions of Historical Resources, Library and Information Services, Cultural Affairs, and Administration of the Department of State (department), with assistance from the Senate Transportation and Economic Development Appropriations Committee. The Division of Corporations and the Division of Elections are reviewed by the Commerce Committee and the Ethics and Elections Committee, respectively.

The objective of this Issue Brief is to provide background information to assist in the preliminary examination of the identified divisions. This research may be useful in guiding the discussion during the 2009 Legislative Session and in identifying areas for further research.

It is anticipated that a related Interim Project in 2009 will provide additional information, findings related to the divisions’ effectiveness and efficiency, and recommendations on the necessity of continuing the duties and responsibilities assigned to them.

Discussion

BACKGROUND

Sections 11.901-920, F.S., are known as the Florida Government Accountability Act. Under this act, most state agencies and their respective advisory committees are subject to a “sunset” review process to determine whether the agency should be retained, modified, or abolished. Reviews are accomplished in three steps. First, an agency under review must produce a report providing specific information, as enumerated in s. 11.906, F.S., related to:

- Agency performance measures;
- The agency complaint process;
- Public participation in making agency rules and decisions;
- Compliance with state purchasing goals and programs for specified businesses;
- Compliance with statutory objectives for each program and activity;
- Program overlap or duplication with other agencies;
- Less restrictive or alternative methods of service delivery;
- Agency actions to correct deficiencies and implement recommendations of legislative and federal audit entities;
- The process by which an agency actively measures quality and efficiency of services it provides to the public;
- Compliance with public records and public meetings requirements;
- Alternative program delivery options, such as privatization, outsourcing, or insourcing;
- Agency recommendations to improve program operations, reduce costs, or reduce duplication;

- The effect of federal intervention or loss of federal funds if the agency, program, or activity is abolished;
- Agency advisory committees;
- Agency programs or functions that are performed without specific statutory authority; and
- Other information requested by the Legislature.

Upon receipt of the agency information, the Joint Legislative Sunset Committee and the House and Senate committees assigned to act as sunset review committees¹ must review the information submitted and may request studies by the Office of Program Policy Analysis and Government Accountability (OPPAGA). Based on the agency submissions, the OPPAGA studies and public input, the Joint Legislative Sunset Committee and the legislative sunset review committees will:

- Make recommendations on the abolition, continuation, or reorganization of each state agency and its advisory committees and on the need for the performance of the functions of the agency and its advisory committees; and
- Make recommendations on the consolidation, transfer, or reorganization of programs within state agencies not under review when the programs duplicate functions performed in agencies under review.

In addition, the House and Senate sunset review committees must propose legislation necessary to carry out the committees' recommendations.

An agency that is subject to review is scheduled to be abolished on June 30 following the date of review as specified in s. 11.905, F.S., provided the Legislature finds that all state laws the agency had responsibility to implement or enforce have been repealed, revised, or reassigned to another remaining agency and that adequate provision has been made to transfer certain duties and obligations to a successor agency. If an agency is not abolished, continued, or reorganized, the agency shall continue to be subject to annual sunset review by the Legislature.

The review process for the Departments of Children and Families, Community Affairs, Management Services, and State began in July, 2008, when the departments submitted their respective statutorily mandated agency reports.

The Senate Governmental Oversight and Accountability Committee is the primary sunset review committee for the Divisions of Historical Resources, Library and Information Services, Cultural Affairs, and Administration of the Department of State (department), with assistance from the Senate Transportation and Economic Development Appropriations Committee. The Division of Corporations and the Division of Elections will be reviewed by the Commerce Committee and the Ethics and Elections Committee, respectively.

EVALUATION METHOD

Based upon statutory directives and a review of previous sunset reports, Senate staff has developed the following guidelines to be used in a preliminary review of the agencies, their programs, and their advisory committees. These guidelines include the following questions²:

- What is the mission of the agency?
- Why is the agency performing this mission?
- How are the programs of the agency funded?
- What duplication of programs exists within the agency or by other agencies or governments?
- What initiatives has the agency undertaken to increase program efficiency?
- Are there management tools in place to appropriately measure program performance?

¹ Senate Committees include: Children, Families, and Elder Affairs; Commerce; Community Affairs; Ethics and Elections, and Governmental Operations, together with their respective Appropriations Committee.

² Additional guidelines for consideration in a subsequent report include the following questions: What would be the impact to health, safety and welfare should the programs be eliminated or modified; can these agency programs be provided more efficiently; and would there be an adverse effect on the agency if the advisory body were abolished?

Guidelines for Agency Advisory Committees include:

- Was the agency advisory committee created to resolve a problem or provide a service? If so, has the problem been solved or the service provided?
- Is the advisory body representative of the public and stakeholders impacted by their actions?

This Issue Brief will address the issues identified in the guidelines and provide an overview of the agency and its programs.

AGENCY MISSION/PROGRAM DESCRIPTIONS

Section 20.10, F.S., creates the Department of State (department). The head of the Department of State is the Secretary of State, who is appointed by the Governor, subject to confirmation by the Senate. The Secretary of State is the chief election officer of the state,³ Florida's Chief Cultural Officer,⁴ and is the custodian of state records.⁵ A number of constitutional powers and duties are assigned to the custodian of state records:

- Article II, s. 8(l) of the State Constitution, requires filing an annual financial disclosure with the custodian of state records.
- Article III, s. 8(b) of the State Constitution, provides for the filing of vetoes with the custodian of state records.
- Article III, s. 16(b) and (f) of the State Constitution, provides for the filing of judicial apportionment orders.
- Article IV, s. 3 of the State Constitution, authorizes the filing of a certificate regarding incapacity to serve as Governor to be filed with the custodian of state records.
- Article IV, s. 7(a) of the State Constitution, provides for filing the Governor's orders of suspension of officers to be filed with the custodian of state records.
- Article IV, s. 8 of the State Constitution, permits the governor to suspend collection of fines and forfeitures, grant reprieves not exceeding 60 days and, with approval of two cabinet members, grant full or conditional pardons, restore civil rights, commute punishment, and remit fines and forfeitures; an executive order related to these functions must be filed with the custodian of state records.
- Article V, s. 10(b) of the State Constitution, provides for the filing of judicial merit selection and retention petitions with the custodian of state records.
- Article VIII, s. 1(i) of the State Constitution, requires county ordinances to be filed with the custodian of state records.
- Article XI, s. 2 of the State Constitution, provides that Constitutional Revision Commission must file its proposals with the custodian of state records.
- Article XI, s. 3 of the State Constitution, provides that constitutional revision and amendment initiatives must be filed with the custodian of state records.
- Article XI, s. 4 of the State Constitution, provides that the people may call a constitutional convention by filing with the custodian of state records a petition, containing a declaration that a constitutional convention is desired, signed by a number of electors in each of one half of the congressional districts of the state, and of the state as a whole, equal to fifteen percent of the votes cast in each such district respectively and in the state as a whole in the last preceding election of presidential electors. Further, that convention will file with the custodian of state records any revision of the constitution proposed by it.
- Article XI, s. 6(e) of the State Constitution, provides for the filing of taxation and budget reform commission proposals with the custodian of state records.

³ Section 97.012, F.S.

⁴ Section 15.18, F.S.

⁵ The Secretary of State is the custodian of records for the Department of State, but the Secretary has also been designated to fulfill the duties of the custodian of state records under the State Constitution.

The mission of the Department of State is:

To enhance the quality of life for every Floridian and its communities by preserving and promoting Florida's rich historical and cultural heritage; by supporting our local libraries and providing access to information through our state library and archives; by ensuring fair and accurate elections; and by ensuring the integrity of Florida's business community by recording entity creations and certain financial transactions.⁶

The department is divided into six divisions:

- The Division of Administration;
- The Division of Corporations
- The Division of Cultural Affairs;
- The Division of Elections;
- The Division of Historical Resources; and
- The Division of Library and Information Services.

OFFICE OF THE SECRETARY AND THE DIVISION OF ADMINISTRATION

The Office of the Secretary provides department-wide support services, including the General Counsel, Inspector General, internal auditing, communications, and legislative affairs. The Division of Administrative Services (the "division") is a support services program designed to serve the entire department. The division includes a:

- Bureau of Planning, Budget & Financial Services;
- Bureau of Bureau of Departmental Services;
- Bureau of Departmental Operations and Technological Support; and
- Bureau of Departmental Applications

The division is responsible for planning and budgeting, financial management, human resources, purchasing, IT operations and applications, property management, physical plant operations, mail services, graphics, and telephone services.

Office of the Secretary and Division of Administration Funding

The division is funded by the General Revenue Fund and the Grants and Donations Trust Fund. Funding from the General Revenue Fund has increased by 5.8% over the last 5 fiscal years, from \$3,695,680 in FY 2004/05 to \$3,911,894 in FY 2008/09. Funding from the Grants and Donations Trust Fund was not provided in FY 2004/05, but \$85,214 was provided in FY 2005/06 and \$91,068 in FY 2008/09.

⁶ Department of State Sunset Review Agency Report to the Legislature, July 2008. Page I-7.

Department of State, Office of the Secretary and Division of Administration						
Funding: FYs 2004 to 2008 ⁷						
Executive Direction & Support Services ⁸						
Funds	FY 2004/05	FY 2005/06	FY 2006/07	FY 2007/08	FY 2008/09	% of Change
General Revenue Fund	\$3,695,680	\$4,096,120	\$4,239,208	\$4,262,179	\$3,911,894	5.85%
Grants and Donations Trust Fund ⁹	-	\$85,214	\$92,132	\$92,419	\$91,068	not measured
Totals	\$3,695,680	\$4,181,334	\$4,331,340	\$4,354,598	\$4,002,962	8.31%
Positions (FTEs)	52	57	57	54	49	-5.77%

Office of the Secretary and Division of Administration Advisory Committees

There are no advisory committees for these units.

EFFICIENCY INITIATIVES

The last formal comprehensive internal organizations structural review was undertaken by the department in 2003. During the 2003 regular legislative session, House Bill 1687¹⁰ and CS/CS/SB 186 and 2528¹¹ were proposed to merge the Department of State and the Department of Community Affairs into a new agency. The initiative failed to pass. The 2003 Legislature directed the Department of State in the appropriations bill to assess how the agency could achieve efficiencies in management and operation, improve service delivery to the public, and ensure compliance with state and federal law. The evaluation consisted of two courses of action: (1) an internal evaluation conducted by staff, and (2) an external evaluation provided by constituent groups. The final report, entitled *Florida Department of State, Creating Opportunities for Quality Communities*, was issued December 15, 2003. The report contained five recommendations, including: reorganizing the department; promoting inclusive visioning and planning; streamlining the grant process; pursuing the merger with the Department of Community Affairs; and promoting diversified funding sources for cultural, historical, libraries, and arts programs.

Following the retirement of the Director of Administrative Services on January 01, 2006, the division was altered to create two Program Offices. The Bureau of Departmental Services and the Bureau of Planning, Budget and Financial Services became program offices and the former Bureau Chiefs reclassified as Program Directors. In addition, the Department had an Office of Support Services reporting to the Assistant Secretary. Support Services handled many of the accounts payable, allotment balance tracking, budget preparation, and purchasing activities. The work product of Support Services was sent to Financial Management and Purchasing where the input was made to FLAIR (the State’s accounting system) and approvals of the work in My Florida Marketplace (the State’s purchasing system) was conducted. This resulted in decreased accountability and no single place where oversight of these Administrative Activities occurred except at the Assistant Secretary level.

⁷ Source: Provided on August 11, 2008, by the Senate Transportation and Economic Development Appropriations Committee, as taken from the LAS/PBS appropriation ledger and the position and rate ledger applicable to each fiscal year.

⁸ Source: Provided on August 13, 2008, by the Senate Transportation and Economic Development Appropriations Committee, as taken from the LAS/PBS appropriation ledger and the position and rate ledger applicable to each fiscal year.

⁹ Funding from the Grants and Donations Trust Fund is for a share of the department's legal staff that is paid from the Help America Vote Act (federal grant).

¹⁰ House Bill 1687 by Representative Zapata. The bill passed the House 111-3 and died in Senate Comprehensive Planning Committee.

¹¹ Senate Bill 2528 by Senator Webster was combined with Senate Bill 186 by Governmental Oversight and Productivity Committee, Comprehensive Planning Committee and Senators Geller and Webster. The bill died in the Rules and Calendar Committee.

In 2007, an informal structural review of the department was undertaken. As a result, the Division of Administrative Services was reconstituted as a support services program designed to serve the entire department.¹² The Support Services Office was divided and members placed in both Financial Management and Purchasing. The Purchasing Office handles all My Florida Marketplace activity and completely separates financial activity from purchasing activity. Further, Program Directors were reclassified back to Bureau Chiefs and a Budget Manager position was created. In addition, the Central Computing Facility of the department, comprised of three bureaus, was placed under the supervision of the Division of Administrative Services as recommended by OPPAGA.¹³ Further, during budget reductions in 2008, the Bureau of Web Applications and the Printing and Duplicating Unit were abolished, resulting in the elimination of nine positions.

Another means of increasing efficiency is through the provision of information on the Internet. Many of the services and data of the Office of the Secretary and the Division of Administration are available on the Internet, including:

- Information about the Secretary of State.
- Description and contact information for administrative services.
- Flag loans and purchases.
- Communications contact information including press releases.
- General Counsel contact information and final orders by division.
- Inspector General office mission, goals, and responsibilities.
- Filing a complaint or information on phone hotlines.
- Legislative affairs description and contact information.

THE DIVISION OF CULTURAL AFFAIRS

The economic impact of the arts and culture on the state is significant. According to the report, *The Economic Impact of Florida's Arts and Cultural Industry*,¹⁴ the statewide economic impact of arts and culture from 1997 to 2004 grew from \$1.7 billion annually to \$2.9 billion annually and now supports 28,000 full-time equivalent jobs. Further, it is reported that cultural tourism is one of the fastest growing segments of the tourism industry, with cultural tourists spending \$4.5 billion during this period, adding \$9.3 billion to the state's gross regional product and creating 103,713 full-time equivalent jobs with a payroll of \$2.6 billion.

Sections 265.281-265.286, F.S., are known as the "Florida Fine Arts Act of 1980 (the "act")." The stated purpose of the act is to recognize

. . . the vast cultural resources available in the state for the development, promotion, and enjoyment of the fine arts. It is the intent of the Legislature . . . to provide for maximum efficiency in providing state support for, and gaining national and international recognition of, the efforts, works, and performances of Florida artists and art agencies. Furthermore, it is the intent of the Legislature to foster, through the programs created hereunder, the development of a receptive climate for the fine arts; to enrich culturally and benefit the citizens of this state in their daily lives; to make Florida visits and vacations all the more appealing to the world; and to attract to Florida residency additional outstanding creators in the fields of fine arts through appropriate programs of publicity, education, coordination, grants, and activities, such as sponsorship of art lectures and exhibitions and central compilation and dissemination of information on the progress of the fine arts in Florida.¹⁵

The act designates the Secretary of State as the chief cultural officer of the state, and designates the Division of Cultural Affairs (the "division") as the state arts administrative agency. The division is headed by a director who

¹² Department of State Sunset Review Agency Report to the Legislature, July 2008. Page 1-14.

¹³ *Justification Review: Corporations Program Operates Well; Its Fee System Needs Streamlining*, OPPAGA Report 2000-10, September 2000.

¹⁴ A report of the Florida Cultural Alliance by Dr. William Stronge of Florida Atlantic University (January, 2004).

¹⁵ Section 265.282, F.S.

serves at the pleasure of the Secretary. The division has direct administrative authority and responsibility for all programs authorized by the act.¹⁶ Among the authority delegated to the division is the power to:

- Accept and administer state and federal funds provided for the fine arts, the grants, and any program authorized by this act.
- Enter into contracts with any person, firm, performing arts company, educational institution, arts organization, corporation, or governmental agency as may be necessary or advisable to carry out its functions under this act.
- Seek, and help assure, a uniformity of artwork within state buildings and review all art content of existing public buildings or buildings of state ownership for the purpose of making recommendations to the Department of Management Services as to matters of installation, relocation, restoration, removal, or any other disposition of such works of art.
- On request, or at its own initiative, consult with and advise other individuals, groups, organizations, or state agencies and officials, particularly the Governor and the Cabinet, concerning the acquisition by gift or purchase of fine art works, the appropriate use and display of state-owned art treasures for maximum public benefit, and the suitability of any structures or fixtures, including framing, primarily intended for ornamental or decorative purposes in public buildings.
- Accept on behalf of the state donations of money, property, art objects, and antiquities. Such donations of money and any cash income which may be received by the division or which were previously received by the Florida Fine Arts Council from the disposal of any donations of property, art objects, or antiquities shall be deposited into a separate trust fund and are hereby appropriated to the use of the division for the purposes of this act.
- Sponsor performances and exhibits; promote and encourage the study and appreciation of fine arts; and collect, publish, and print pamphlets, papers, newsletters, and other materials relating to fine arts programs available throughout the state.
- Conduct and support cultural programs and cultural exchanges in conjunction with the appropriate state agencies, including the acceptance of funding, technical assistance, and other forms of support for such purposes.

The division guides and facilitates cultural development and services for Florida's citizens and visitors through public/private partnerships. Through these many services, the division impacts all of Florida's 67 counties by providing access to over 35,000 cultural events. In fiscal year 2006-2007, 29 million people participated in grant-supported programs, including over 7.7 million school-aged children.¹⁷

The division receives over 1,000 grant applications annually. Two OPPAGA reviews recommended that grants processes at the department be streamlined and coordinated.¹⁸ As a result of these reviews, the grant applications process was significantly upgraded in July 2006, with the introduction of the Online Arts Services and Information System or "OASIS." Applications now may be submitted by artists and organizations online through OASIS.¹⁹

¹⁶ Section 265.284, F.S.

¹⁷ Final Report to the National Endowment for the Arts, State Partnership Agreement # 06-6100-2021.

¹⁸ See, *Department of State Improves Administration of Cultural and Historical Problems*, OPPAGA Report No. 04-57, August 2004 and *Two Department of State Divisions Would Benefit Through Coordination and Grant Streamlining*, OPPAGA Report No. 02-68, December 2002.

¹⁹ The OASIS initiative was a response to a recommendation by OPPAGA in fiscal year 2002.

GRANT PROGRAMS			
Program	Statutory Mandate	Description	Process
Arts in Education Grant Program (AIE)	Sections 265.286(1)-(3)& 265.2861(1)(b), F.S.	The AIE program supports learning and artistic development of teachers and students from pre-K through grade 12, supports activities that promote the arts as an integral part of education and lifelong learning for visitors and residents, including older adults, and encourages initiatives and proposals that help applicants work as partners to carry out comprehensive community programs and school reform through the arts. Funding is available for Artist Residency, Arts Education Partnerships and Rural Development (for REDI & Underserved Communities only).	A grant review panel appointed by the Secretary of State and chaired by a member of the Florida Arts Council reviews and ranks the applications in a public meeting.
Challenge Grant Program	Section 265.286(4), F.S.	Offers applicants the opportunity to launch cultural projects that are unique and innovative, and represent a departure from the ordinary programming of the organization. Organizations must demonstrate local, regional, and statewide impact by providing information on audience/subscriber demographics, attendance, outreach programs and other activities.	A grant review panel, appointed by the Secretary of State and chaired by a member of the Florida Arts Council, reviews and ranks the applications in a public meeting. The ranked listing of applications is annually forwarded to the Legislature for funding consideration. ²⁰
Cultural Facilities Grant Program	Section 265.701, F.S.	Coordinates and guides the state's support and funding of renovation, construction, or acquisition of cultural facilities.	Cultural Facilities applications are accepted and reviewed by staff for basic eligibility requirements. Applications are reviewed by the Florida Arts Council in a public meeting where applications are scored and ranked. A list, ranked by score, is provided to the Legislature for funding consideration.
Cultural Institutions Grant Program	Sections 265.2861(2), 265.2862, and 265.289, F.S.	Provides funding to supplement the financial and general program support of cultural organizations that have displayed a sustained commitment to cultural excellence, and to recognize their superior cultural contributions that have regional or statewide impact. Also provides funding for state theatre contract organizations.	A grant review panel appointed by the Secretary of State and chaired by a member of the Florida Arts Council reviews and ranks the applications in a public meeting.
Local Arts Agencies Grants Program	Sections 265.2861(1)(d)& 265.32, F.S.	The purpose of the Local Arts Agencies Program is to assist in the development of local arts agencies, and to strengthen and stabilize their statewide network to further local and statewide cultural goals and objectives. A local arts agency (LAA) is defined as an umbrella agency that serves its county or counties arts and cultural constituencies. One or more county commissions must officially recognize an entity as the local arts agency, commission, alliance, or division of a county or city government. This includes county arts councils established pursuant to section 265.32, F.S.	A grant review panel appointed by the Secretary of State and chaired by a member of the Florida Arts Council reviews and ranks the applications in a public meeting.
Regional Cultural Facilities Grant Program	Section 265.702, F.S.	The purpose of the Regional Cultural Facilities Program (RCF) is to coordinate and guide the State of	Regional Cultural Facilities applications are accepted and reviewed by Division staff for basic

²⁰ <http://www.florida-arts.org/grants/challenge/index.htm>

		Florida's support and funding of renovation, construction, or acquisition of regional cultural facilities.	eligibility requirements. Applications are then reviewed by the Florida Arts Council in a public meeting where the members of the Council score and rank applications. A list, ranked by score, is provided to the Legislature for funding consideration.
Science Museum Grant Program	Section 265.608, F.S.	Provides support to public or private nonprofit institutions operating for the primary purpose of sponsoring, producing, and exhibiting programs for the observation and study of various types of natural science and science technology.	A grant review panel appointed by the Secretary of State and chaired by a member of the Florida Arts Council reviews and ranks the applications in a public meeting.
State Touring Grant Program	Section 265.284(5)(a),F.S.	Primarily funds performances and residencies in small or rural counties in schools and small venues bringing art to children and adults in communities with little access to professional performances. The State Touring Program also promotes Florida's finest touring companies in statewide venues outside their resident service area.	State Touring Program applications are accepted and ranked by Division staff giving priority to under-populated counties. A ranked list of applications is provided to the Florida Arts Council who reviews the ranked listing and makes funding recommendations for the program to the Secretary of State. The Secretary approves the grant awards.
Statewide Arts Grants/Artist Enhancement Program	Sections 265.286 & 265.2861(1), F.S.	Assists practicing, professional, and emerging Florida artists by providing support for professional development and educational opportunities to advance their careers.	A grant review panel appointed by the Secretary of State and chaired by a member of the Florida Arts Council reviews and ranks the applications in a public meeting.
Statewide Arts Grants Program/Cultural Support Grants	Sections 265.286(1)-(3) & 265.2861(1)(a), F.S.	Provides grants for projects and general program support for the varied art disciplines such as theater, literature, music, visual arts, dance, etc.; museums (no history museums); individual artists (see Artist Enhancement grants & Individual Artist Fellowships); Quarterly Assistance; and Underserved Arts Community Assistance Program.	A grant review panel appointed by the Secretary of State and chaired by a member of the Florida Arts Council reviews and ranks the applications in a public meeting.
Statewide Arts Grants/Underserved Arts Communities Assistance Program	Sections 265.286 & 265.2861, F.S.	The Underserved Arts Communities Assistance Program (UACAP) fosters the development of underserved arts organizations by providing access to grants for salary assistance, organizational development, and consultancies. Salary assistance grants are also available to consulting organizations that specifically target underserved organizations and provide evidence of service to such organizations in their particular plan. The UACAP program is only open to arts organizations which meet basic eligibility criteria and the underserved definition.	A grant review panel appointed by the Secretary of State and chaired by a member of the Florida Arts Council reviews and ranks the applications in a public meeting.
Statewide Arts Grants/Quarterly Assistance Program	Sections 265.286(1) & 265.2861(1)(a), F.S.	The Quarterly Assistance Program has four main goals in funding: • to act as an introductory grant program for new organizations or organizations with no prior Division grant experience; • to capture "sudden opportunities" for projects of arts organizations (that is, opportunities that were not anticipated or known in time for other grant program application deadlines); • to promote professional development for arts organizations within the Consultant, In-Service Training, or Staff Exchange	A grant review panel appointed by the Secretary of State and chaired by a member of the Florida Arts Council reviews and ranks the applications in a public meeting.

		categories; and • to provide a place for small Division-initiated projects or to provide organizations with a larger funding request for special projects that are broader in scope than what is offered by the mini-grant. Quarterly Assistance funding is not intended to supplement general program support.	
Youth & Children’s Museum Grant Program	Section 265.609, F.S.	Provides program or exhibit support to public or private non-profit youth and children’s museums for multidisciplinary and participatory programs.	A grant review panel appointed by the Secretary of State and chaired by a member of the Florida Arts Council reviews and ranks the applications in a public meeting.

Section 255.043, F.S., provides for the Art in State Buildings program. Artwork acquired through this program is displayed for viewing public areas in the interior, on the grounds, or the exterior of state buildings. Under the program, each appropriation for the original construction of a state building which provides public access must include an amount of up to 0.5 percent of the total appropriation for the construction of the building, not to exceed \$100,000, to be used for the acquisition of works of art. These works must be displayed in public areas in the interior or on the grounds or exterior of the building and not in private offices or areas with limited public access. The Department of Management Services (DMS) or other state agencies receiving appropriations for original constructions must notify the Florida Arts Council and the user agency of any construction project which is eligible. The DMS or other state agency determines the amount to be made available for the art, and reports these amounts to the Florida Arts Council. Payments are made from funds appropriated for fixed capital outlay. The division is responsible for enacting rules to implement the program and it provides assistance to other agencies, but the division does not approve artwork selections.²¹

Additionally, the division is responsible for maintaining the Department of State Art Collection displayed throughout the Florida Capitol. It also manages the Capitol Complex Exhibition Program in the Cabinet Meeting Room, the Governor’s Office Gallery, and the Capitol Gallery on the 22nd Floor, the Capitol Rotunda, as well as the Arts Learning and Heritage Galleries, both located in the R.A. Gray Building. Additional programs include the Art in State Buildings program discussed *supra*, the Florida Artists Hall of Fame,²² and the Florida Arts Recognition program.

The division reports it has no regulatory responsibilities.

Division of Cultural Affairs Funding

The Division of Cultural Affairs receives General Revenue funding, as well as funding from the Fine Arts Trust Fund, the Grants and Donations Trust Fund, and the Operating Trust Fund. During the last 5 years, funds from General Revenue have increased by 73.87%, from \$910,408 in FY 2004/05 to \$1,582,915 in FY 2008/09. Funding from the Fine Arts Trust Fund has increased during the same period by 7.29%, from \$506,011 in FY 2004/05 to \$542,887 in FY 2008/09. Funding from the Grants and Donations Trust Fund in FY 2008/09 for \$1,252,023 is related to the reorganization of the Divisions of Cultural Affairs and Historical Resources; thereby, requiring a

²¹ According to the Department of State, from the origin of the section through the 2008 session, there have been 1,448 works purchased or commissioned for a total cost of \$11,519,577. The smallest reported amount paid for a work was \$75.00 and the highest was \$125,000. The mean average paid for all works is \$7,955. In 2005, \$406,725 was spent for works; in 2006, \$294,069 was spent for works; and in 2007, \$701,389 was spent for works.

²² Section 265.2865, F.S., provides for the Florida Artists Hall of Fame. The stated purpose of the Hall of Fame is to recognize and honor those persons, living or dead, who have made significant contributions to the arts in this state, either as performing artists, or practicing artists in individual disciplines. The Florida Arts Council accepts nominations annually for persons to be recommended as members of the Florida Artists Hall of Fame. The council recommends to the Secretary of State persons to be named as members of the Hall of Fame. Authorized recommendations include persons who were born in Florida or adopted Florida as their home state and base of operation and who have made a significant contribution to the enhancement of the arts in this state. The secretary names no more than four members each year. Each person who is selected as a member has a plaque placed in the Florida Artists Hall of Fame which designates the member's particular discipline or contribution and sets forth vital information relating to the member.

transfer of resources between divisions. In addition, the funding increase in General Revenue is predominately related to the reorganization and corresponding redistribution of resources.

Department of State, Division of Cultural Affairs						
Funding: FYs 2004 to 2008 ²³						
Funds	FY 2004/05	FY 2005/06	FY 2006/07	FY 2007/08	FY 2008/09 ²⁴	% of Change
General Revenue Fund	\$910,408	\$862,174	\$894,820	\$967,230	\$1,582,915	73.87%
Fine Arts Trust Fund	\$506,011	\$513,544	\$535,250	\$546,434	\$542,887	7.29%
Grants and Donations Trust Fund	-	-	-	-	\$1,252,023	not measured
Totals	\$1,416,419	\$1,375,718	\$1,430,070	\$1,513,664	\$3,377,825	138.48%
Positions (FTEs)	19	19	19	19	44	131.58%
Cultural Support and Development Grants and Aid:						
General Revenue Fund	\$9,113,154	\$12,340,398	\$17,848,534	\$12,418,461	\$6,500,000	-28.67%
Fine Arts Trust Fund	\$200,279	\$223,279	\$297,200	\$297,200	\$297,200	48.39%
Totals	\$9,313,433	\$12,563,677	\$18,145,734	\$12,715,661	\$6,797,200	-27.02%
Capital Project Grants and Aid:						
General Revenue	\$5,169,346	\$12,238,950	\$17,703,228	\$1,650,000	-	-100.00%
Grants and Donations Trust Fund	-	\$4,000,000	\$4,000,000	-	-	not measured
Totals	\$5,169,346	\$16,238,950	\$21,703,228	\$1,650,000	-	-100.00%
Summary - Totals by Fund:						
General Revenue Fund	\$15,192,908	\$25,441,522	\$36,446,582	\$15,035,691	\$8,082,915	-46.80%
Fine Arts Trust Fund	\$706,290	\$736,823	\$832,450	\$843,634	\$840,087	18.94%
Grants and Donations Trust Fund	-	\$4,000,000	\$4,000,000	-	\$1,252,023	not measured
Totals	\$15,899,198	\$30,178,345	\$41,279,032	\$15,879,325	\$10,175,025	-36.00%

The division accepts and administers federal funds to meet the goals and initiatives of the National Endowment for the Arts (NEA) and the Federal Government. These Federal funds are deposited into the Florida Fine Arts Trust Fund and used for disbursement of NEA state partnership agreement activities. The Florida Fine Arts Trust Fund consists of moneys appropriated by the Legislature and moneys contributed to the fund from any other source. The fund is administered by the department for the purposes set forth by law.²⁵

Additionally, the Division of Cultural Affairs is responsible for promoting, maintaining, and operating historical museums, including, but not limited to, mobile museums, junior museums, and the Museum of Florida History in

²³ Source: This information was provided on August 11, 2008, by the Senate Transportation and Economic Development Appropriations Committee, as taken from the LAS/PBS appropriation ledger and the position and rate ledger applicable to each fiscal year.

²⁴The reorganization effective July 1, 2008, transferred funding between Historical Resources and Cultural Resources; as a result, the FY 2008/09 funding is significantly changed.

²⁵ Section 265.284(4), F.S.

the state capital.²⁶ These duties were formerly assigned to the Division of Historical Resources but were transferred in 2008.²⁷ The Museum of Florida History in Tallahassee collects, preserves, exhibits, and interprets evidence of past and present cultures in Florida, and promotes knowledge and appreciation of this heritage.

Division of Cultural Affairs Advisory Committees

The Florida Arts Council

Section 265.285(1), F.S., establishes the Florida Arts Council (the “council”). The council consists of 15 members appointed by the Governor, Speaker of the House, and Senate President and it convenes quarterly at meeting locations around the state.²⁸ The council advises the secretary on all matters pertaining to arts and grants awards.²⁹ The council is established to meet state requirements for federal funding from the National Endowment for the Arts.³⁰ As such, the duties of the council are ongoing. Total costs for the council for FY 2006-2007 were \$22,299, which came from the Fine Arts Trust Fund.³¹

Grants Review Panels

Numerous grants review panels are appointed by the Secretary of State for legislatively created grant programs. Authority for these panels is outlined in a number of statutory sections.³² These panels consist of five to seven members each and are assigned according to their expertise.³³ Total costs for grants review panels for FY 2006-2007 were \$16,705.50 and were paid from the Fine Arts Trust Fund and General Revenue.³⁴

Citizens for Florida Arts, Inc.

The division also has a citizen support organization, Citizens for Florida Arts, Inc.³⁵ The organization provides financial support for strategic plan convening sessions for the division, the Florida Artists hall of Fame Awards ceremony, Florida Heritage Month activities, Florida Arts Council and grant review panel meetings, and Poetry Out Loud State Competition. No costs were incurred by the state for the citizen support organization in FY 2006-2007.³⁶

Friends of the Museums of Florida History, Inc.

The Friends of the Museums of Florida History, Inc., is a citizen support organization created to enhance and perpetuate programs of the Museum of Florida History and the Knott House Museum. The board of the entity consists of up to 25 members appointed by the Secretary of State. No costs were incurred by the state for the support organization for FY 2006-2007.³⁷

EFFICIENCY INITIATIVES

The Division of Cultural Affairs corrected some deficiencies noted by OPPAGA,³⁸ implemented OPPAGA recommendations and instituted other efficiency initiatives. Specifically, the division launched the Online Arts Services and Information System (OASIS), an electronic grants management system, in July 2006. The division reduced the number of grant review panels for Individual Artist Fellowships by accepting applications for different arts disciplines in alternating years and by moving to multi-year funding in other grant programs. Beginning in 2007, the division also changed the format of grant review panels from in-person to teleconference, thereby greatly

²⁶ Sections 265.704(4) and 265.707, F.S.

²⁷ Chapter 2008-199, L.O.F.

²⁸ Seven members are appointed by the Governor, four by the Senate President and four by the Speaker of the House of Representatives.

²⁹ <http://www.florida-arts.org/about/aboutfloridaartscouncil.htm>

³⁰ Department of State Sunset Review Agency Report to the Legislature, July 2008. Pages II-23, II-39.

³¹ *Ibid* at II-24.

³² Sections 265.285, 265.608, 265.609, 265.701 and 265.702, F.S.

³³ Department of State Sunset Review Agency Report to the Legislature, July 2008. Pages 11-24.

³⁴ *Ibid* at Page II-26.

³⁵ Section 265.703, F.S.

³⁶ Department of State Sunset Review Agency Report to the Legislature, July 2008. Page II-26.

³⁷ *Ibid* at Page II-33.

³⁸ *See, Department of State Improves Administration of Cultural and Historical Programs*, OPPAGA Report No. 04-57, August 2004.

reducing panel travel costs. Currently, department divisions are working to develop a central mechanism to search grant data to assist in complying with the Florida Single Audit Act and provide prompt and inclusive information to the public, the Legislature, and other entities.³⁹

Additionally, the department has increased coordination between its cultural and historical programs and developed a strategic plan to redefine the role of arts by gaining a broader base of partnerships in the state.⁴⁰

The division has also formalized its data collection procedures and trained staff how to verify performance data. The division also prepared a CD with instructions on grants management and reporting procedures that were distributed to all local art agencies and individual grantees.⁴¹

Another means of increasing efficiency is through the provision of information on the Internet. Many of the services and data of the Division of Cultural Affairs are available on the Internet. Among these are:

- Cultural grant eligibility information, applications, and management.
- Florida Arts Council and grant review panel meeting information.
- Organization and individual artist grant awards.
- Interactive map of Cultural Facilities in Florida.
- Florida Artists Hall of Fame and Arts Recognition Awards Programs.
- State Art Collection and Florida public art programs.
- Cultural resource information and research.

THE DIVISION OF HISTORICAL RESOURCES

A study by the University of Florida entitled, *Economic Impacts of Historic Preservation in Florida*,⁴² estimated the total impact of historic preservation in Florida as \$4.2 billion a year. The impacts encompasses job creation,⁴³ income generated, increased gross state product, and increased state and local taxes.⁴⁴ Nearly 43 million tourists visit the state's more than 170,000 historic sites, historical museums, and archaeological sites, and these heritage tourists annually spend in excess of \$3.7 billion in Florida.

The mission of the Division of Historical Resources (the "division") is to identify, evaluate, preserve, and interpret the historic resources of the state, as well as to manage and protect state-owned archaeological sites on land and underwater, representing 12,000 years of human occupation. The division's goals are to promote and encourage the knowledge and appreciation of Florida history and historical resources; and identify, interpret, and promote Florida's cultural heritage and folklife resources throughout the state. The division is responsible for organizing programs related to the identification, evaluation, protection, preservation, and interpretation of historical and archaeological properties and sites.

The National Historic Preservation Act of 1966, as amended, provides for the designation and appointment by the Governor of each state of a State Historic Preservation Officer to administer the state historic preservation program and to serve as the liaison with the national historic preservation program conducted by the National Park Service, U.S. Department of Interior. The Director of the Division of Historical Resources serves as Florida's State Historic Preservation Officer (SHPO).⁴⁵

³⁹ Department of State Sunset Review Agency Report to the Legislature, July 2008. Page V-187.

⁴⁰ *Ibid* at Page V-188.

⁴¹ *Ibid*.

⁴² Prepared for the Department of State, Division of Historical Resources by the Center for Governmental Responsibility, University of Florida College of Law and the Center for Urban Policy Research, Rutgers, 2002.

⁴³ The report estimated 123,000 jobs are created from historic preservation activities in the sectors of manufacturing, retail trade, services and construction, adding \$2.7 billion to statewide income.

⁴⁴ According to the report, more than \$583 million in state and local taxes are annually generated from spending on historic preservation activities; Department of State Sunset Review Agency Report to the Legislature, July 2008. Page 1-11.

⁴⁵ Sections 267.031(5)(h) & 267.031(8), F.S.

Additionally, the division director serves as a voting member of the State lands Acquisition and Restoration Council,⁴⁶ the Florida Greenways and Trails Council,⁴⁷ The Grove Advisory Council,⁴⁸ and is the Secretary of State's designee on the Governor's Mansion Commission.⁴⁹ Additionally, the division director serves as an ex-officio member of the VISIT FLORIDA board and the Florida Trust for Historic Preservation Board of Trustees.

The division consists of two bureaus: Historic Preservation and Archaeological Research. The Bureau of Historic Preservation conducts a variety of federally and state mandated programs to preserve the state's historic sites and properties that reflect the diversity of our past. The Bureau of Archaeological Research carries out activities to identify, preserve, and interpret for the public the archaeological remains of Florida's cultures.

Duties of the division include reviews of development projects to ensure they comply with state and federal laws mandating consideration of a development project's impact on historic and archaeological properties. Further, the division reviews compliance of development projects with historic preservation aspects of local government comprehensive plans and state agency land management plans.⁵⁰

Other programs within the purview of the division include: the Florida Public Archaeology Network;⁵¹ the Florida Master Site File;⁵² the National Register of Historic Places program;⁵³ the Historic Preservation Tax Credit program;⁵⁴ the Certified Local Governments program;⁵⁵ the Florida Main Street Program;⁵⁶ The Great Floridian program;⁵⁷ the Florida Folklife program;⁵⁸ the State Historical Markers program;⁵⁹ the publications program;⁶⁰ the Public Lands Archaeology program;⁶¹ the Underwater Archaeology program;⁶² the Archaeological Education and Research program;⁶³ the Conservation and Collections program;⁶⁴ and the Florida Heritage program.⁶⁵

Additionally, the division is responsible for the Mission San Luis.⁶⁶ This mission is an active archaeological site that originally served as the western capital of the Spanish Mission system in Florida from 1656 to 1704. It was acquired by the state in 1983 and leased to the division through the Department of Environmental Protection's Division of State Lands.

⁴⁶ Section 259.035(1)(b), F.S.

⁴⁷ Section 260.0142(1)(d)6., F.S.

⁴⁸ Section 267.075(3)(a)3., F.S.

⁴⁹ Section 272.18, F.S.

⁵⁰ See, ss.163.3177(6) & 163.3178(2)(b), 373.414(1)(a)6, 380.05(2)(b), 380.06, 380.061(3)(a)1c, 380.061(6)(a), 403.501-.539, 403.850-.885, 403.9401-.9425, 403.973, F.S. Also, Section 106 of the National Historic Preservation Act of 1966, as amended, Section 101 of the National Environmental Protection Act of 1969, as amended, Title 36, Code of Federal Regulations, Part 800: Protection of Historic Properties.

⁵¹ Section 267.145, F.S. This program is administered by the University of West Florida through a Memorandum of Agreement with the division.

⁵² Sections 267.031(5)(n) & 267.135, F.S.; see, also, Section 101 of the National Historic Preservation Act of 1966, as amended.

⁵³ Sections 267.031(5) & 267.0612, F.S.

⁵⁴ Sections 267.031, 159.27(21), 193.503 & 193.505; 196.1961 F.S. See, also, Section 170(h) of the National Tax Reform Act of 1986; Title 36, CFR, part 67.

⁵⁵ Section 267.031, F.S. See, also, Section 101 of the National Historic Preservation Act of 1966, as amended, and Title 36, CFR, Part 61.

⁵⁶ Sections 267.031 and 163.2523, F.S.

⁵⁷ Section 267.0731, F.S.

⁵⁸ Sections 267.16 & 267.161, F.S.

⁵⁹ Sections 267.074, 267.0743 & 479.16(9), F.S.

⁶⁰ Sections 267.031(5)(f) & 267.081, F.S. See, also, Section 101 of the National Historic Preservation Act of 1966, as amended.

⁶¹ Sections 267.031, 267.115, 267.12, 267.13 & 267.14, F.S.

⁶² Sections 267.031(5)(o) & 267.115, F.S.

⁶³ Sections 267.031(5)(f), (g), (i), (m); 267.12, & 267.13, F.S.

⁶⁴ Sections 267.031(5), 267.071 & 267.115, F.S.

⁶⁵ Section 267.071, F.S.

⁶⁶ Section 267.071, F.S., and ch. 259, F.S.

The division administers a small number of grant programs.

GRANT PROGRAMS			
Program	Statutory Mandate	Description	Process
Historic Preservation Grants Program	Section 267.0617, F.S., and Section 103 of the National Historic Preservation Act of 1966, as amended	The Historic Preservation Grants Program awards basic matching grant assistance for the restoration of historic structures, archaeological excavations, recording of historic markers, certified local governments, and historic preservation education projects. Eligible applicants include local governments, not-for-profit organizations, and state agencies. Funding is subject to appropriation by the Legislature.	Grant review panels appointed by the secretary and chaired by a member of the Florida Historical Commission review and rank each application in a public meeting.
Historical Museum Grants Program	Section 267.0619, F.S.	The Historical Museum Grants Program awards grants to assist historical institutions with program expenses and with the development of exhibits relating to Florida history. The mission of an applicant museum must relate directly to the history of Florida.	Grant review panels appointed by the Secretary of State review and rank each application in a public meeting.
Special Category Historic Preservation Grants Program	Sections 267.0612 & 267.0617, F.S.	The Special Category Historic Preservation Grants Program funds major historic building restoration, archaeological excavations, and museum exhibit projects on the human occupation of Florida. In very rare instances, special category grant funding is available to assist in the acquisition of significant archaeological and historic sites.	The Special Category Grants Program awards matching grants. Typical grant awards have ranged from \$50,000 to \$350,000. Each application is reviewed and ranked by the Florida Historical Commission in a public meeting.

The division reports that it has no regulatory responsibilities.⁶⁷

Division of Historical Resources Funding

The Division of Historical Resources receives General Revenue funding, as well as funding from the Grants and Donations Trust Fund and the Operating Trust Fund. During the last 5 years, funds from General Revenue have declined 45.14%, from \$4,304,036 in FY 2004/05 to \$2,361,306 in FY 2008/09. Funding from the Grants and Donations Trust Fund, however, were increased during the same period by 6.87%, from \$4,254,411 in FY 2004/05 to \$4,546,642 in FY 2008/09. Funding from the Operating Trust Fund also increased during the same period, by 0.38%, from \$1,360,054 in FY 2004/05 to \$1,365,163 in FY 2008/09. The funding decrease in General Revenue is predominately related to the 2008 reorganization of the divisions of Historical Resources and Cultural Affairs which required a corresponding redistribution of resources. The reorganization also required a significant transfer Grants and Donations Trust Fund resources between divisions. In addition, in FY 2006/07, a significant portion of the recurring operational costs of the division were transferred from the General Revenue Fund to the Grants and Donations Trust Fund.

⁶⁷ Department of State Sunset Review Agency Report to the Legislature, July 2008. Page IV-110; however, it should be noted that the Division has duties related to the issuance of permits for exploration and salvage of archaeological sites which is a regulatory duty, as well as compliance review of developments with federal and state historic and archaeological requirements. Enforcement, however, is usually by another agency, such as law enforcement.

Department of State, Division of Historical Resources						
Funding: FYs 2004 to 2008 ⁶⁸						
Funds	FY 2004/05	FY 2005/06	FY 2006/07	FY 2007/08	FY 2008/09 ⁶⁹	% of Change
General Revenue Fund	\$4,304,036	\$ 4,401,884	\$4,547,376	\$3,198,100	\$2,361,306	-45.14%
Grants and Donations Trust Fund	\$4,254,441	\$4,404,744	\$4,530,081	\$5,812,682	\$4,546,642	6.87%
Operating Trust Fund	\$1,360,054	\$1,368,058	\$1,373,245	\$1,391,708	\$1,365,163	0.38%
Totals	\$9,918,531	\$8,806,628	\$9,077,457	\$9,010,782	\$6,907,948	-30.35%
Positions (FTEs)	88	88	88	86	57	-35.23%
Historic Project Grants:						
General Revenue Fund	\$13,237,373	\$16,250,000	\$17,835,585	\$7,226,776	\$600,000	-95.47%
Grants and Donations Trust Fund	-	-	-	\$1,000,000	-	not measured
Operating Trust Fund	\$85,870	\$85,870	\$85,870	\$85,870	\$112,450	30.95%
Totals	\$13,323,243	\$16,335,870	17,921,455	\$8,312,646	\$712,450	-94.65%
Fixed Capital Outlay - State Properties:						
Grants and Donations Trust Fund	-	\$2,381,100	\$8,209,344	-	\$2,200,000	not measured
Summary - Totals by Fund:						
General Revenue Fund	\$17,541,409	\$20,651,884	\$22,382,961	\$10,424,876	\$2,961,306	-83.12%
Grants and Donations Trust Fund	\$4,254,441	\$6,785,844	\$12,739,425	\$6,812,682	\$6,746,642	58.58%
Operating Trust Fund	\$1,445,924	\$1,453,928	\$1,459,115	\$1,477,578	\$1,477,613	2.19%
Totals	\$23,241,774	\$28,891,656	\$36,581,501	\$18,715,136	\$11,185,561	-51.87%

EFFICIENCY INITIATIVES

The Division of Historical Resources corrected deficiencies noted by OPPAGA reviews,⁷⁰ implemented OPPAGA recommendations, and instituted other efficiency initiatives. Specifically, the division added a link for the Florida Resource Directory to the Florida Main Street Program Web site to assist local government access to current and comprehensive information about state programs and resources. Additionally, the division implemented its first online historic preservation grant application system in 2007. Further, coordination between cultural and historical programs in the department has improved. Formalized data collection procedures have also been instituted, including explicit instructions for reporting performance measures to help provide more consistency in what is being measured and reported.⁷¹

⁶⁸ Source: Provided on August 11, 2008, by the Senate Transportation and Economic Development Appropriations Committee, as taken from the LAS/PBS appropriation ledger and the position and rate ledger applicable to each fiscal year.

⁶⁹ The reorganization effective July 1, 2008, transferred funding between Historical Resources and Cultural Affairs; as a result, the FY 2008/09 funding is significantly changed.

⁷⁰ See, *Locals Find State Urban Revitalization Programs Useful; More centralized Program Information Would be Helpful*, OPPAGA Report No. 05-32, May 2005; *Department of State Improves Administration of Cultural and Historical Programs*, OPPAGA Report No. 04-57, August 2004.

⁷¹ Department of State Sunset Review Agency Report to the Legislature, July 2008.

Another means of increasing efficiency is through the provision of information on the Internet. Many of the services and data of the Division of Historical Resources are available on the Internet. Among these are:

- Florida Facts and Florida Kids Web site for information about state history and symbols.
- Florida Historical Commission meeting information.
- Florida Heritage Tourism information and publications.
- Application information for historic preservation grants.
- Application and marker management for the Florida Historical Markers Program.
- Florida Master Site File electronic documents and data.
- Florida Main Street Program information and online quarterly report submissions.
- Educational resources and training materials for the division's bureaus.
- Information about exhibits, collections and sites, including Audio/Video resources in the Museum of Florida History.
- Rules and regulations, and standards and guidelines applicable to federal, state, and local reviews conducted by the Compliance and Review section.
- Florida history information, including historical reports, historic places, and statistical information.
- Florida Folklife Council and Folklife Program information resources.
- National Register of Historic Places information, documents, and forms.
- Archaeological projects including the Miami Circle and underwater preserves and shipwrecks.
- Great Floridians Program.

Division of Historical Resources Advisory Committees

The Florida Historical Commission

The Florida Historical Commission (the "commission") is established in law⁷² to assist and advise the Division of Historical Resources in carrying out the purposes, duties, and responsibilities of the division, including the review of Special Category Historic Preservation Grant applications, the review of nominations to the National Register of Historic Places, the naming of state buildings and other facilities, and the review of offensive and derogatory place names. The commission consists of eleven members appointed by the Governor, the President of the Senate, and the Speaker of the House of Representatives and meets quarterly around the state.⁷³ Five members of the Florida Historical Commission sit as Florida's National Register Review Board, which is required by the National Historic preservation Act of 1966, as amended.⁷⁴ The functions of the commission are ongoing and are integral part of the review processes described above. Cost incurred for FY 2006-2007 for the Commission were \$23,105 and were paid from General Revenue.⁷⁵

The Florida Folklife Council

The Florida Folklife Council is responsible for advising the division and the State Folklorist.⁷⁶ It is comprised of seven members appointed by the Secretary of State. Duties of the council include advising and assisting the division and the state folklorist regarding folk arts and folklife programs; encouraging statewide public interest and participation in folk arts and folklore; developing and promoting Florida folk artists, performers, festivals, folklife projects, and folk resources; recommending projects for the identification, collection, and preservation of Florida folklore, folk arts, traditions, cultural heritage, skills, and customs and making them available throughout the state; and assisting the State Folklorist in developing proposals and grant applications to fund Florida folklife programs.⁷⁷ Costs for FY 2006-2007 for the council and the ad hoc advisory committee were \$9,064.⁷⁸

The Folklife Apprenticeship Ad Hoc Advisory Committee

⁷² Sections 267.0612, 267.0617, 267.062 and 267.0625, F.S.

⁷³ Seven members are appointed by the Governor, two are appointed by the Senate President and two by the Speaker of the House of Representatives.

⁷⁴ Department of State Sunset Review Agency Report to the Legislature, July 2008. Page II-39.

⁷⁵ *Ibid* at II-28.

⁷⁶ Section 267.161, F.S.

⁷⁷ Department of State Sunset Review Agency Report to the Legislature, July 2008, Page II-28.

⁷⁸ *Ibid* at page II-29.

The Folklife Apprenticeship Ad Hoc Advisory Committee⁷⁹ has five members appointed by the Secretary of State. The committee helps to preserve and promote Florida's cultural heritage by providing an opportunity for master folk artists to share their technical skills and cultural knowledge with apprentices who will carry forward these traditions. Committee recommendations are reported to, and approved by, the Florida Folklife Council.⁸⁰ Costs for FY 2006-2007 for the council and the ad hoc advisory committee were \$9,064.⁸¹

The Grove Advisory Council

The Grove Advisory Council was created to advise the division on the operation, maintenance, preservation, and protection of the historic 1825 Call/Collins House, commonly known as "The Grove" and the grounds, cemetery, structures, and furnishings.⁸² Eight members are appointed to the council, five by the Secretary of State. Additionally, the Secretary of the Department of Management Services or his or her designee, the Director of the Division of Historical Resources, and one member who is a direct descendant of Mary Call Darby Collins. No costs were incurred by the State for the council for FY 2006-2007.⁸³

State Historical Marker Council

The State Historical Marker Council provides assistance, advice, and recommendations to the division in evaluating proposals for Florida Historical Markers, as well as identifying goals for the marker program.⁸⁴ The council is composed of three members, all appointed by the Secretary of State. No cost was incurred by the State for the council for FY 2006-2007.⁸⁵

Grant Review Panels

The division administers the Historic Preservation and Historical Museum Grants Programs.⁸⁶ Both programs undergo review by four panels of five members each. Members are appointed by the Secretary of State. Panels review grant applications and submit recommended lists of grant awards to the Secretary of State for final approval.⁸⁷ Total costs for the Historic Preservation Grant Review panels for FY 2006-2007 were \$6,554 and were paid from General Revenue. Total costs for the Historical Museum Grant Review panels for FY 2006-2007 were \$5,807 and were paid from General Revenue.

The Great Floridians Ad Hoc Selection Committee

The Great Floridians Ad Hoc Selection Committee nominates at least two persons annually to the Secretary of State for designation as a "Great Floridian." The committee is comprised of seven members. One member each is appointed by the Secretary of State, the Governor, the Speaker of the House, the Senate President, and the three members of the Florida Cabinet.⁸⁸ Total costs for FY 2006-2007 for the committee were \$342 and paid from General Revenue.

The Florida State Historical Records Advisory Board

The Florida State Historical Records Advisory Board is required through the National Historical Publications and Records Commission's statutory authority.⁸⁹

The Friends of Mission San Luis, Inc.

⁷⁹ Rule 1P-1.009, F.A.C.

⁸⁰ Department of State Sunset Review Agency Report to the Legislature, July 2008, Page II-28.

⁸¹ *Ibid* at page II-29.

⁸² Section 267.075, F.S.; See also, Department of State Sunset Review Agency Report to the Legislature, July 2008. Page II-29.

⁸³ Department of State Sunset Review Agency Report to the Legislature, July 2008. Page II-29.

⁸⁴ Section 267.0743, F.S.

⁸⁵ Department of State Sunset Review Agency Report to the Legislature, July 2008. Page II-30.

⁸⁶ Section 267.0617 and 267.0619, F.S. Ch. 2008-199, L.O.F., transferred the Historical Museum Grant Review Program to the Division of Cultural Affairs.

⁸⁷ Department of State Sunset Review Agency Report to the Legislature, July 2008. Page II-30.

⁸⁸ *Ibid* at II-31.

⁸⁹ *Ibid*. See, also, 44 U.S.C. ch. 2.

The Friends of Mission San Luis, Inc., is a citizen support organization.⁹⁰ This entity support and enhances programs and activities at Mission San Luis, the 17th century western capital of Spanish Florida. The support organization supports projects and events at the Mission and operates the Mission gift shop. The Board of Directors is comprised of up to twenty-five members appointed by the Secretary of State. No costs were incurred by the state for the support organization for FY 2006-2007.⁹¹

THE DIVISION OF LIBRARY AND INFORMATION SERVICES

The Division of Library and Information Services (the “division”) provides library, records management, and archival services at the state and local level. The division has four functional areas:

- Information Resource Management;
- Information Access Services;
- Development; and
- Information Systems.

The division provides direct library services to state government; develops statewide library services; and provides archival and records management services, technical assistance, education, financial aid, and cooperative services. The division is comprised of the Director’s Office, Information Resource Management, Information Access Services, Development, and Information Systems.

The Director of the Division of Library and Information Services serves as the State Librarian. The Office of the State Librarian is responsible for planning, organizing, developing, directing, coordinating, and evaluating programs and supports the Secretary of State’s duties as custodian of the state’s laws and records.⁹²

Information Resource Management - Under this program, the division plans, develops, implements, monitors, and evaluates all activities and services relating to the identification, collection, storage, preservation, cataloging, and overall collections management of the published and unpublished documentary history of Florida, whether in paper, microform, electronic, or other format.

The Records Appraisal and Analysis Section conducts appraisals, acquisition, transfer, arrangement and description, cataloging, and preservation of public records and historical manuscripts of the State Archives. This program also establishes Records Retention Schedules, which set a minimum period of time for which various categories of public records must be maintained. These general records schedules set retentions for most records that a public agency will create. Information Resources publishes a number of these records schedules, as well as records management handbooks and forms, including *The Basics of Records Management*, to help public agencies learn about and comply with records retention and other records management requirements. Information Resources staff also works individually with public agencies to establish retention schedules for records unique to their programs. This program is responsible for the establishment of standards for the creation and disposition of public records.

The Library Cataloging and Preservation/Conservation Lab programs handle the cataloging, serial numbering, and preservation of all materials in the collections of the State Library and Archives.

Technical Services provides source document imaging and computer output microfilm (COM) services for conversion of paper and magnetic tape to microfilm and microfiche. They also provide vault storage for security microfilm and vault storage for electronic records.

Information Resources staff manage the Florida Records Storage Center, which is a state-of-the-art facility with a storage capacity of over 250,000 cubic feet and two climate-controlled vaults for secure storage of microfilm and magnetic media. The Florida Records Storage Center offers public agencies low-cost storage, same-day reference service deliveries, disposal of inactive paper records, and security microfilm and electronic records storage.

⁹⁰ Section 267.17, F.S.

⁹¹ Department of State Sunset Review Agency Report to the Legislature, July 2008. Page II-32.

⁹² Section 257.031, 257.02 F.S. & Chapters 119, 120, & 257

Information Resources staff routinely provide reference services for public agencies with paper records stored in the Records Center facility, in addition to providing public agencies with technical assistance on a variety of issues, including records inventories, filing systems, and automated recordkeeping systems.

The operation of the Florida Records Storage Center and the Technical Assistance program generate funds used to support the programs of the State Archives and records and information management programs. The fees are placed in the Records Management Trust Fund.

In its role as the Capital Post-Conviction Records Repository, Information Resources receives, maintains, and indexes copies of public records sent to the Repository by Florida law enforcement offices and agencies following notification by the prosecuting attorney to these agencies of imposition of a death sentence. Upon notification, agencies have 60 days to copy and deliver to the Repository, following Repository guidelines, all public records relating to the case. The Repository tracks receipt of records in each case from each agency, maintains an automated index listing the contents of all post-conviction public records in its custody, and, upon request, makes the records available according to standard State Archives procedures for access to public records. Records sent to the Repository under seal (those claimed as exempt from public disclosure by the originating agency) can only be opened for inspection by the trial court, in camera, ("in camera" means that only the judge reviews the order) following receipt by the Repository of an appropriate court order to ship those records to the court.

Pursuant to Section 27.7081, F.S, the Repository is also responsible for providing Capital Collateral Regional Counsel and private attorneys representing death row inmates with copies of capital post-conviction public records in its custody. The Repository will provide free scanned copies on compact disc of records relating to a particular case upon written request from counsel. Capital Collateral Regional Counsel Offices are responsible for notifying the Repository of the priority level of each request generated from their region.

Information Access Services - Information Access Services is comprised of the following programs: (1) the State Library, including the Legislative Library; (2) State Archives; and (3) Florida Administrative Code, Weekly, and Laws. Information Access Services plans, develops, implements, monitors, and evaluates all services which make the physical and virtual resources of the division available to elected officials, employees of state and local government, and the general public. It is responsible for all activities related to the direct provision of services.

The State Library has collections including more than one million items in a wide variety of formats and subjects. The Book Collection contains 312,000 volumes covering a wide range of subjects. Areas of concentration include public administration and government, social sciences, education, library and information science, and business and computer applications. Flags of all of the United Nations countries, the 50 states, and Florida's past are available for loan from the Flag Collection. Flagpoles and bases may be borrowed in Tallahassee. The Reference Collection includes directories, statistical data, almanacs, encyclopedias, and a wealth of other standard reference tools. State employees, elected officials, and other visitors to the State Library also have online access to journals and periodicals on a wide variety of topics. Because the State Library serves as the primary information resource provider for the Florida Legislature, state agencies, and Florida's libraries, the collection emphasizes Florida, public administration and government, social sciences, education, business and computer applications and library administration.

The Florida Collection is an extensive holding that represents one of the most comprehensive collections about Florida and Floridians in existence. It includes items covering Florida's past, present, and future, such as books, audio-visual materials, manuscripts, maps, periodicals, memorabilia, brochures, leaflets, and advertising and promotional pieces. The State Library's Audio-Visual Collection with public performance rights, contains thousands of films and videos, which are circulated through Florida's public libraries and to state agency employees. The State Planning Collection is arranged alphabetically by county and covers the years 1970 to the present; this collection contains local government comprehensive plans. The Florida Documents Collection is composed of over 140,000 state documents from Florida's territorial period to the present. The State Library administers the Florida State Documents Depository Program. This program meets the need of researchers and the general public around the state for access to information by and about Florida government. The program makes certain publications of state agencies readily available to the people of the state in a cost-effective and timely

manner, by placing these documents in depository libraries in all regions of the state. Documents provided to the State Library are also listed in the State Library's online catalog and entered into the Online Computer Library Center bibliographic database for worldwide access to the State Library's documents holdings.

The Federal Documents Collection comprises over 150,000 federal publications covering a wide variety of topics. As a selective federal depository library, the State Library has federal documents that relate to interests and concerns of Floridians; coverage is from 1789 to the present. Access to the Online Catalogs of the State Library allows state employees and elected officials to find the materials they need without ever leaving the office. Materials may be sent to offices via interoffice mail. Articles from any periodical can also be hand-delivered, faxed, or e-mailed upon request. Through the interlibrary loan service, state employees and elected officials also have access to items from libraries statewide. The Florida Government Information Locator Service is a virtual card catalog of government information available on the Internet and beyond. Although the focus of the Locator is information from and about Florida state government, it includes links to local and federal government resources as well. The State Library offers a large variety of Electronic Databases, which are available on-site to the citizens of Florida and/or remotely to state employees and elected officials. The State Library provides Resource Sharing, which allows Florida's libraries to provide timely access to accurate and relevant information to their users. The State Library administers the Florida Library Information Network (FLIN) and serves as the library of first resort for interlibrary loan requests from Florida libraries that do not use the Online Computer Library Center (OCLC), and the library of last resort for Florida libraries that use OCLC for interlibrary loan. Interlibrary loan requests are received electronically through OCLC and a designated First Search account, by fax, e-mail, telephone, and mail.

The "Get Answers" service available via the MyFlorida.com official state web portal is a direct link to the State Library reference staff. State Library staff answers questions from this page, and inquiries are received from residents from all areas of Florida and from other states. Approximately 79 percent of the reference questions answered by staff are received electronically. Questions received via this "Get Answers" site are not limited to state government information. Questions are received from residents all over the state of Florida, as well as from people in other states and other countries. State Library Staff also update the database of frequently asked questions available to those who use the portal. The State Library also participates in the statewide *Ask a Librarian* live chat reference service, which is hosted by the State Library and Archives of Florida and the Tampa Bay Library Consortium.

While in the Capitol, members of the Florida Legislature, legislative staff, state employees, and the general public have access to the unique resources of the Legislative Library. The Legislative Library is a public administration and legal library. Its collection includes books and periodicals on a wide variety of topics, providing comprehensive resources for anyone interested in legislative and legal issues. Legislators and state employees can check out circulating materials, and the library can order materials for research or special projects upon request. The Legislative Library also microfilms all versions of the legislative bills that are introduced in each session. This project is unique to the State Library and Archives and provides a valuable archival history.

The Legislative Library's patrons have access to extensive reference and research services using the library's printed materials, which include general reference, Florida legal, and federal legal materials; Florida legislative studies and reports; statistical abstracts; and encyclopedias and dictionaries. Assistance from staff members is available in person or by telephone. Legislators and legislative staff can also obtain information year round by using the library's e-mail reference service and online resources such as Westlaw and LexisNexis.

The State Archives of Florida collects, preserves, and makes available the historically significant records of the state, as well as private manuscripts, local government records, photographs, and other materials that complement the official state records. The State Archives possesses a wide variety of unique resources to aid in personal, professional, or educational research. The collection includes records from all three branches of Florida's government and historically significant records such as Florida's constitutions, the state's Ordinance of Secession, and a 15th century map of St. Augustine.

The State Government Records collection has over 30,000 cubic feet of records documenting the activities of Florida's Territorial and State Government from 1821 to the present. Selected for retention in the Archives because

of their enduring historical research value, these materials provide a record of the functions and activities of the various agencies of state government's executive, legislative, and judicial branches. State records in the Archives include gubernatorial records, legislative committee bill files, Supreme Court case files, military records, records of cabinet officers and their departments, and the *Florida Folklife Collection*.

The Local Government Records collection is a small collection of original local public records, including probate, tax, voting, and commission records of city, town, and county agencies. A large collection of microfilmed county tax, deed, marriage, probate, and some birth and naturalization records are of particular value to patrons engaged in genealogical research.

The Manuscripts (Non-Governmental Records) collection is a collection of historically significant records of private individuals and organizations that have shaped and influenced the state. These materials trace the cultural, economic, military, religious, and social development of Florida from an isolated 16th century Spanish outpost to one of the fastest growing states in the nation. Manuscript collections include correspondence, diaries, journals, maps, photographs, and the organizational papers of business, fraternal, professional, religious, and social organizations.

The State Archives' Florida Photographic Collection contains over 890,000 still photographs and approximately 11,000 films and videotapes. The images range from copies of mid-15th century maps to current photographs. Together, these images form the most complete portrait of Florida available. To assist persons interested in researching their family history, the Archives maintain an extensive collection of genealogical reference materials. The Genealogical Collection consists of a 10,000-volume library of sourcebooks, including family, state, county, and local histories; immigration lists; church, cemetery, and military records; genealogy journals and reference books; and a wide variety of other published sources. A large selection of microfilmed federal census records and city directories supplement the printed records. The Archives also provides free on-site access to a variety of online genealogical resources.

The State Archives of Florida maintains Legislative Committee Records that may be helpful when conducting research into the history and intent of Florida laws. Additionally, the collection includes the Acts of the Legislature and related legal records.

The State Archives of Florida maintains a large collection of Military Service and Pension Records relating to Florida's role in the military history of the United States. Of particular interest to genealogists and historians are military records that provide information on individuals who served in the armed forces during our country's various wars. The State Archives of Florida has service records and pension records for many other states on microfilm.

The Archives' Florida Folklife Collection includes approximately 150 cubic feet of paper records (including field notes and administrative files) and thousands of audio and video recordings, which date from the 1930s through 2001. Created by Florida folklorists, the Folklife Collection consists of 88 individual collections that document the performances by, interviews with, and fieldwork surveys of folk musicians, artisans, storytellers, folklife interpreters, and other Florida peoples and their traditions.

One of the primary purposes of the Archives is to provide researcher access to collections. The Archives maintains a public research room where patrons may use records to conduct their research. Patrons unable to visit the Archives to conduct their own research may ask the Archives staff to conduct limited research for specific information. Researchers may contact the Archives by phone, letter, or e-mail.

The State Archives' Florida Memory Project provides researchers, teachers, and students of all ages with access to historically significant documents, photos, film clips, and audio clips. The Florida Memory Project's components include a searchable database that provides electronic access to over 148,849 photos from the *Florida Photographic Collection* (as of 5/04/08 at 12 PM); the *Online Classroom*, where students and teachers can explore Florida history using images of original documents and photographs from the state's past, as well as lesson plans that incorporate the Sunshine State Standards; *Highlights of Florida History*, an online exhibit of significant State

Archives documents; *Collections*, which provides online access to selected historical and genealogical collections, including Florida's Confederate Pension Application Files, World War I Service Cards, and early constitutions. The Florida Memory Project also provides access to digital images, recordings and films clips from the Florida Folklife Collection.

The Archives provides professional technical assistance for local government and archival and historical agencies, including workshops on the establishment and maintenance of archival and records management programs.

The State Library and the State Archives' public service areas offer on-site assistive technology in the form of specialized hardware and software to hearing and vision impaired citizens. This service addresses the needs of these individuals to have access to both government information and the Internet.

The State Archives organizes and administers the Florida International Archive and Repository for the preservation of those public records deemed relevant to international issues.

The division provides many services to state employees and the general public. Services are provided in two public service locations: State Library and Archives at the R.A. Gray Building, and the Legislative Library in the Capitol. More and more of the division's services are also offered electronically, bringing information to people around the world and here in Florida about Florida government and its people and culture.

The Florida Administrative Code, Weekly and Laws Section is responsible for filing rules promulgated by state regulatory agencies; publishing the Florida Administrative Code and the Florida Administrative Weekly; and for the recording and filing of various official records. Through the Administrative Code, Weekly, and Laws programs, Floridians have access to the rules and regulations affecting them, as well as proposed rules, notices of public meetings, bid proposals, and other items.

The *Florida Administrative Code* is a compilation of the rules and regulations of state regulatory agencies that have been filed with the Department of State. The Florida Administrative Code provides citizens direct access to adopted rules and regulations affecting all Floridians.

The *Florida Administrative Weekly* is a compilation of all proposed state agency administrative rules, public notices, and bid proposals. The Florida Administrative Weekly publication serves state, county, and local agencies which are required to provide Notices of Development of Proposed Rules; Notices of Proposed Rules; Notices of Changes, Emergency Rules, Meetings, and Bids; and other agency actions.

The Administrative Code, Weekly, and Laws section is also statutorily responsible for the recording and filing of Enrolled Bills, Executive Orders, Clemency Executive Orders, Death Warrants, County Ordinances, Municipal Charter Amendments, Municipal Annexations, Extraditions, Deeds of Cession, Education Contracts, and Facsimile Signatures. Many of these records are transferred to the State Archives for permanent retention.

Development - Development's Consulting Services program provides each of Florida's 67 counties a professional library consultant to provide information and advice on library development issues, including administration, legal and governance issues, programs, long-range planning, resource sharing, and data gathering. Development administers state and federal grants to Florida's libraries to support and improve their services. Development staff also provides libraries with assistance with grant application development, project design, and program implementation.

GRANT PROGRAMS			
Program	Statutory Mandate	Description	Process
Community Libraries in Caring Grant Program	Section 257.193, F.S.	Provides funds to assist small, rural public libraries in improving library collections and services; adult and family literacy programs; and developing economic viability.	After Legislative appropriation, staff review applications for eligibility and completeness; evaluate applicants and assign point values to application components; and rank based upon score. Top scoring applications are reviewed and approved by the director with final approval by the secretary.
Library Construction Grant Program	Section 257.191, F.S.	Provides funds to counties, municipalities, special districts, or special tax districts to remodel or expand existing public library facilities or construct new public library facilities.	Division staff review and evaluate applications using criteria outlined in the Public Library Construction Guidelines and Application. A 30-day correction period is provided for applicants to correct any application deficiencies after staff review. Eligible applications are ranked, reviewed and approved by the director and submitted to the secretary for consideration to the division's legislative budget request.
Library Cooperative Grant Program	Section 257.40-257.42, F.S.	Provides funds to assist multi county library cooperatives in meeting the educational and informational needs of Florida residents by encouraging and assuring cooperation among libraries of all types for the development of library service throughout the state.	Division staff review grant applications for eligibility and completeness. A 30-day correction period is provided for applicants to correct any application deficiencies after review. Each year the division requests funding from the Legislature for the program. The total amount available to fund the program depends upon the amount appropriated by the Legislature. If the Legislature appropriates less than the amount requested by the Division, the amount appropriated is prorated among approved grantees.
Library Services and Technology Act Grant Program	Section 257.12, F.S.	The division is designated in statute as the state library administrative agency which is authorized to accept and expend federal funds for libraries. LSTA is a federal grant program for libraries provided through the Institute of Museum and Library Services. This state-based program has a broad mandate to use technology to bring information to people in innovative and effective ways, and to assure that library service is accessible to all—especially those who have difficulty using the library.	Division staff review grant applications for eligibility and completeness. A 30-day day correction period is provided for applicants to correct any application deficiencies after review. Each year the division requests funding from the Legislature for the program. The total amount available to fund the program depends upon the amount appropriated by the Legislature. If the Legislature appropriates less than the amount requested by the Division, the amount appropriated is prorated among approved grantees.
Program Grants	Section 257.192, F.S.	The Division is authorized to accept and administer appropriations for library program grants to benefit libraries throughout the state. These appropriations typically are granted from entities such as the Bill and Melinda Gates Foundation.	The award process is dependent upon the grant program funding and its requirements.
State Aid to Libraries Grant Program	Section 257.17, 257.271, 257.172, 257.18, 257.195, 257.21, 257.22, 257.23, 257.24, 257.25, F.S.	Provides funds to local governments to establish and continue to develop free library service to all residents of Florida. The State Aid to Libraries grant program is comprised of three interrelated grants: Equalization, Multicounty, and Operating grants. Equalization grants are available to counties that qualify for Operating grants and serve counties with limited local tax resources. For a	After legislative appropriation, completed applications must be filed with the Division by October 1. Additional reports and information are due December 1. Applications are reviewed by Division staff for eligibility and completeness. A 30-day correction period is provided for applicants to correct any deficiencies after staff review. Grant amounts are calculated and distributed based on the formula outlined in the <i>Florida</i>

		<p>county to qualify, a county's adjusted taxable property value must rank in the lower 34 counties in the state; and the millage rate must be greater than or equal to the statewide average or the county's per capital income must be less than or equal to the statewide average. The match provides a match of either \$0.25 or \$.50 on the adjusted dollar of local expenditures.</p> <p>Multicounty grants are available to the administrative unit of the multicounty library that qualifies for Operating grants. The grant has two components: (1) a base grant, and (2) a match on local expenditures up to \$1 million, based on the number of counties in the multicounty library system. At least one county in the multicounty library must qualify for an Equalization grant.</p> <p>Operating Grants are available to any county or municipality that qualifies for the State Aid to Libraries grant program. These grants provide a match of up to \$0.25 on local funds expended centrally by the library during the second preceding fiscal year. The grant amount is prorated if the legislative appropriation does not fully fund all components of the grant program.</p>	<p><i>Statutes.</i> The division certifies the grant amounts to be paid to each grantee to the Chief Financial Officer by December 1, as required by s.257.22, F.S.</p>
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Development's Records Management Training program staff provides individual and group training sessions on a variety of records management topics for all Florida government agencies, and organizes specialized training sessions when requested. Year-round basic records management seminars are provided throughout the state.

The Florida Library Youth Program is a statewide program directed by the Division of Library and Information Services and funded through the Library Services and Technology Act program. It encourages all children and teens to become lifelong readers and library users. Through the Florida Library Youth Program, Development provides public librarians with staff development training workshops, program manuals, professionally designed promotional materials, and online access to resources. Each year, over 525,000 children attend Florida Library Youth Programs at a local public library.

The Sunshine State Library Leadership Institute, which is coordinated and supported by Development staff, is one of several strategies planned to develop and enhance the leadership skills of Florida's library staff. This year-long comprehensive series of sessions focuses on developing diverse leaders to serve in administrative roles at local, regional, state, and national levels, as well as reenergizing staff currently employed in the library and information management professions. As a result of the Institute, participants are better prepared to provide the highest quality library services to the citizens of Florida in an effective and innovative manner that will meet today's needs and tomorrow's challenges.

Development also provides training and technical assistance to public libraries to enhance services and programs.

Development's Adult and Family Literacy program is designed to promote literacy programs for children, teens, and their families. Development staff conducts workshops that help local libraries and their partners learn how to implement effective literacy programs. Popular workshop sessions include GED and the Internet, Health Literacy, Family Literacy, and Collection Development.

Development's Friends, Foundations, and Boards program provides assistance in the establishment and development of Friends Groups, and in the enhancement of library advisory boards through continuing education opportunities and technical assistance.

Development's Technology program provides information to assist Florida public libraries in providing electronic and Internet services to the communities they serve.

The Interstate Library Compact enables the division to legally join with other states to develop partnerships to improve library services.

Information Systems - The Florida Electronic Library is a gateway to select Internet resources that include electronic magazines, newspapers, almanacs, encyclopedias, and books, providing information on topics such as current events, business, and health issues. It offers information for all age groups, including homework help for students and resources for teachers. The Florida Electronic Library is available to anyone with a state library or public library card from one of Florida's public libraries, and can be accessed 24 hours a day from any location with Internet access. It is also available in all of Florida's public schools.

Resources available through the Florida Electronic Library include Florida on Florida, a comprehensive digital collection of Florida's history, culture, and environment made available from digital collections held by libraries, archives, museums, and historical societies throughout Florida; the Florida Memory Project, which brings information from the State Library and Archives of Florida to homes and workplaces; FloridaCat, a comprehensive online catalog of all of Florida's library holdings; and Florida's Ask a Librarian service, which provides live one-on-one online reference assistance from Florida librarians to any Florida resident.

Information Systems manages the Florida Government Electronic Rulemaking System. FLrules increases public access and participation in the rulemaking process. It provides ready and searchable access to the Florida Administrative Weekly and the Florida Administrative Code. The rulemaking process for state agencies is now more streamlined and efficient due to the updated software and application of current technology.

Florida's records management program managed by the division operates at the State Records Center on Shelfer Road in Tallahassee. It promotes the efficient, effective, and economical management of public records. Proper records management ensures that information is available when and where it is needed, in an organized and efficient manner, and in an appropriate environment.

State employees have access at no cost to many premium databases available exclusively to them at the division's website. They can also obtain personalized reference and research services via phone, fax, e-mail, or in person from the State Library and Archives. Reference and research services are also available to the general public.

The State Archives of Florida is the central repository for the archives of Florida's state government. It is mandated by law to collect, to preserve, and to make available for research the historically significant records of the state, as well as private manuscripts, local government records, photographs, and other materials that complement the official state records.

Libraries of all types in Florida have access to consulting services, training, technical assistance, and information about funding sources through the Library Development Office.

The division reports it has no regulatory responsibilities.

Division of Library and Information Services Funding

The table below shows that the division is funded by General Revenue and trust funding. General revenue funding has declined by 5.74%, from \$5,511,380 in FY 2004/05 to \$5,194,946 in FY 2008/09. Trust funded amounts, however, increased during the same period. The Library Services Trust Fund increased by 30.38% and the Records Management Trust Fund increased by 16.19% during the same period. The Library Services Trust Fund increased from \$4,360,394 in FY 2004/05 to \$5,685,029 in FY 2008/09.

Department of State, Division of Library and Information Services						
Funding: FYs 2004 to 2008 ⁹³						
Funds	FY 2004/05	FY 2005/06	FY 2006/07	FY 2007/08	FY 2008/09	% of Change
General Revenue Fund	\$5,511,380	\$5,719,071	\$5,690,534	\$5,273,493	\$5,194,946	-5.74%
Library Services Trust Fund	\$4,360,394	\$5,049,833	\$4,637,500	\$6,092,073	\$5,685,029	30.38%
Records Management Trust Fund	\$2,001,301	\$2,044,100	\$2,069,505	\$2,270,279	\$2,325,239	16.19%
Totals	\$11,873,075	\$12,813,004	\$12,397,539	\$13,635,845	\$13,205,214	11.22%
Positions (FTEs)	114	114	105.5	103.5	102	-10.53%
Grants & Aids:						
General Revenue Fund	\$33,449,235	\$33,849,237	\$34,599,233	\$33,119,195	\$28,319,200	-15.34%
Library Services Trust Fund	\$3,676,637	\$3,736,637	\$4,816,637	\$2,260,139	\$2,754,639	-25.08%
Totals	\$37,125,872	\$37,585,874	\$39,415,870	\$35,379,334	\$31,073,839	-16.30%
Capital Project Grants and Aid:						
General Revenue Fund	\$11,872,575	\$10,000,000	\$7,153,000	\$5,000,000	-	-100.00%
Library Services Trust Fund ⁹⁴	\$394,185	-	-	-	-	-100.00%
Totals	\$12,266,760	\$10,000,000	\$7,153,000	\$5,000,000	-	-100.00%
Summary - Totals by Fund:						
General Revenue Fund	\$50,833,190	\$49,568,308	\$47,442,767	\$43,392,688	\$33,514,146	-34.07%
Library Services Trust Fund	\$8,431,216	\$8,786,470	\$9,454,137	\$8,352,212	\$8,439,668	0.10%
Records Management Trust Fund ⁹⁵	\$2,001,301	\$2,044,100	\$2,069,505	\$2,270,279	\$2,325,239	16.19%
Totals	\$61,265,707	\$60,398,878	\$58,966,409	\$54,015,179	\$44,279,053	-27.73%

EFFICIENCY INITIATIVES

The Division of Library and Information Services corrected some deficiencies noted by OPPAGA reviews,⁹⁶ implemented OPPAGA recommendations, and instituted other efficiency initiatives. Specifically, the division updated Rule 1B-26.003, F.A.C., related to Electronic Recordkeeping to provide public records management guidelines for public records created or maintained in electronic form. Additionally, it has completed a substantial

⁹³Source: Provided on August 12, 2008, by the Senate Transportation and Economic Development Appropriations Committee, as taken from the LAS/PBS appropriation ledger and the position and rate ledger applicable to each fiscal year.

⁹⁴ Library Services Trust Fund - The primary source of revenue consists of federal grants. The fund is also authorized to receive other grants and gifts. Other revenues into the fund are generally minor and include lost book fees, donations, copy charges, and interest earnings.

⁹⁵Records Management Trust Fund - The primary source of revenue is fees charged to state entities for microfilming, archiving, and storage of records as required by section 257.375, Florida Statutes. The secondary source of revenue is advertising fees assessed to entities for advertising in the Florida Administrative Weekly in accordance with section 120.55, Florida Statutes. Other revenues are generally minor and include fees from charges for copies, recycling, and also royalties from outsourced vendors for the Administrative Code.

⁹⁶ See, *State Agency Electronic Records Management Could Be Improved*, OPPAGA Report No. 07-06, January 2007; *State Printing Expenditures Have Decreased, but Additional Steps Could Produce More Savings*, OPPAGA Report No. 05-53.

revision to its electronic records training materials for workshops presented to agencies throughout Florida, including the Chief Information Officers' Council. Further, the division is participating in the Florida Electronic Recording Advisory Committee's development of a new rule for real property electronic recording in Florida.⁹⁷

Another means of increasing efficiency is through the provision of information on the Internet. Many of the services and data of the Division of Library and Information Services are available on the Internet. Among these are the:

- State Library's catalog of collections.
- Florida Government Information Locator Service
- "Get Answers" service available through MyFlorida.com
- Ask a Librarian live chat reference service.
- Resources in the State Archives' collection.
- Florida memory Project including the Florida Photographic Collection, Online Classroom, and Highlights of Florida History.
- Florida Folklife Collection.
- Florida Administrative Code, Florida Administrative Weekly, and Laws of Florida.
- Florida Electronic Library gateway to select internet resources.
- Records Management technical assistance and training.
- Subscriber electronic databases for internet research.

Division of Library and Information Services Advisory Entities

The Florida Library Network Council

The Florida Library Network Council serves as an advisory body to the State Librarian and the Division of Library and Information Services. There are fourteen members on the council, all of whom are appointed by the State Librarian except for the following standing members: director of the College Center for Library Automation, the director of the Florida Center for Library Automation, and a program specialist from the Office for School Library media centers from the Department of Education. The council was created by managerial initiative over 25 years ago to address the growing need for coordinated technology planning for the state's network libraries.⁹⁸ The council advises the division on planning, guidelines, policy and priorities related to the development of statewide library network and resource sharing programs; assists the division in the evaluation of plans, proposals, and program activities that involve networking technology and library resource sharing; and communicates goals, plans, policies, and activities of the division to government officials, library stakeholders, and the public. Total costs for FY 2006-2007 for the council were \$4,355 and were paid from the Library Services and Technology Fund and from a Library Services and Technology grant.

The State Library Council

The State Library Council, which was created in s. 257.02, F.S., advises and assists the division on its programs and activities. There are nine members on the council, all of whom are appointed by the Secretary of State. Total costs for the council for FY 2006-2007 were \$8,983 and were paid from General Revenue.

The Library Services and Technology Act Advisory Council

The Library Services and Technology Act Advisory Council is established to meet state requirements for federal funding⁹⁹ from the Institute of Museum and Library Services.¹⁰⁰ The council consists of nine members appointed by the Secretary of State. The council considers the needs of all types of libraries, seeks input and views of citizens, library users, librarians, library trustees, volunteers, related associations, and agencies; advises the division on guidelines, policy, and priorities related to the administration of federal Library Services and Technology Act funds; assists the division in the evaluation of grant proposals and grant-funded activities; advises the division on the long-range plan for federal funding and priorities for use of federal funds; assists in communicating the goals,

⁹⁷ Department of State Sunset Review Agency Report to the Legislature, July 2008. Page V-203.

⁹⁸ Department of State Sunset Review Agency Report to the Legislature, July 2008. Page II-38.

⁹⁹ Section 20 U.S.C. s. 9151 of the federal Museum and Library Services Act was created in 1996.

¹⁰⁰ *Ibid* at Page II-37.

plans, policies, and activities of the division to state officials and the public. Total costs for FY 2006-2007 were \$4,010 and were paid from the Library Services and Technology Fund and a Library Services and Technology grant.

Friends of the State Library and Archives of Florida, Inc.

The Friends of the State Library and Archives of Florida, Inc., a statutorily- authorized citizen support organization,¹⁰¹ was established to provide assistance, funding, and promotional support for the library, archives, and records management programs of the division. No costs were incurred by the state for the organization in FY 2006-2007.

MANAGEMENT TOOLS

The department reports that, other than performance based budgeting measures and the I.C.A.R.E. survey program, it has not formally adopted any additional internal performance measures.¹⁰²

The department uses the performance measures and standards developed through its Long Range Program Plan (LRPP), an annually updated 5-year plan describing the functions agencies perform and how those functions will be used to achieve designated outcome.¹⁰³ The department has included the following measures in their LRPP for FY 2009/10 through FY 2013/14:

Division of Cultural Affairs:

Current measures (Approved by Legislature):

- Attendance at supported cultural events
- Number of individuals served by professional associations
- Total local financial support leveraged by state funding
- Number of children attending school-based, organized cultural events
- Number of program grants awarded
- Dollars awarded through program grants
- Percent of counties funded by the [Cultural Affairs] program
- Percentage of large counties (N=35; population greater than 75,000) funded by the [Cultural Affairs] program
- Percentage of small counties (N=32; population less than 75,000) funded by the [Cultural Affairs] program
- Number of state –supported performances and exhibits
- Number of individuals attending cultural events or served by professional associations
- Percent of Museum of Florida History visitors rating the experience as good or excellent
- Number of visitors to state historical museums
- Number of museum exhibits
- Citizens served – historic museums

Additional measures proposed by department:

- Total dollar amount requested by grant applicants

¹⁰¹ Section 257.43, F.S.

¹⁰² *Ibid* at Page II-18.

¹⁰³ Section 216.013, F.S., requires state agencies to develop long-range program plans (LRPP) to achieve state goals. These plans are policy based, priority driven, and developed through examination and justification of all agency programs. Included in the long range program plan is information regarding the department's comprehensive performance accountability system and, at a minimum, a list of performance measures and standards. The agency uses these measures and standards for internal management purposes. The performance information includes output measures showing the number of goods and services each program produces. Also included are output measures showing the effect of these goods and services in achieving desired results. The information contains how data is collected, the methodology used to measure a performance indicator, the validity and reliability of a measure, and the appropriateness of a measure.

To delete or amend these measures and standards, agencies must obtain approval from the Office of the Governor and the Legislature, as set forth in s. 216.177, F.S.

The LRPP is available at <http://www.dos.state.fl.us/lrpp/pdf/lrpp.pdf>

- Number of individuals served by state supported cultural events, activities, and grants
- Dollars awarded to grantees as a percent of dollars requested by eligible applicants
- Ratio of awarded state dollars to local matching dollars
- Percent of Legislative Districts funded by the Cultural Affairs program
- Number of state supported performances, events, exhibits, and activities

Division of Historical Resources:

Current measures (Approved by Legislature):

- Total number of properties protected or preserved
- Number of preservation services application reviewed
- Number of copies or viewings of publications, including Internet website hits
- Citizens served – historic properties
- Total number of historic and archaeological sites recorded in the Master Site File
- Number of historic and archaeological objects maintained for public use
- Citizens served – archeological research
- Total local funds leveraged by historical resources program
- Percent of customers satisfied with the quality / timeliness of technical assistance provided
- Number of grants awarded
- Number of dollars awarded through grants
- Number of attendees at produced and sponsored events
- Number of publications and multimedia products available for the general public

Additional measures proposed by department:

- Number of citizens served
- Number of web accesses

Division of Library and Information Services:

Current measures (Approved by Legislature):

- Annual increase in the use of local public library service
- Annual increase in the usage of research collections (State Library)
- Annual cost avoidance achieved by government agencies through record storage / disposition / micrographics
- Customer satisfaction with relevancy / timeliness of research response
- Customer satisfaction with Records Management technical assistance / training / Records Center services
- Customer satisfaction with accuracy and timeliness of library consultant responses
- Number of items loaned by public libraries
- Number of library customer visits
- Number of public library reference requests
- Number of public library registered borrowers
- Number of persons attending public library programs
- Number of volumes in public library collections
- Number of new users (State Library, State Archives)
- Number of reference requests handled (State Library, State Archives)
- Number of database searches conducted (State Library, State Archives)
- Number of items loaned (State Library)
- Cubic feet of obsolete public records approved for disposal
- Cubic feet of non-current records stored at the Records Center
- Number of microfilm images created, processed, and / or duplicated at the Records Center
- Number of library, archival, and records management activities conducted

Additional measures proposed by the department:

- Number of Florida Electronic Library uses Library Collection actions
- Library collection actions
- Number of archival files processed
- Archival conservation / preservation treatments
- Number of notices edited and typeset
- Number of laws received and produced
- Customer satisfaction with Library and Information Services
- Annual amount of additional archival and library materials made available for public research
- Annual increase in the usage of State Library and State Archives research collections
- Total local financial support leveraged by funding awarded
- Number of web accesses

According to the department's LRPP dated September 30, 2008, the performance standards set by the legislature were met or exceeded for most measures in FY 2007/08. However, results for numerous measures in Cultural Affairs will not be available until December 2008.

Standards were not met for the following measures in FY 2007/08:

Division of Cultural Affairs:

- Percentage of large counties (N=35; population greater than 75,000) funded by the [Cultural Affairs] program
- Percentage of small counties (N=32; population less than 75,000) funded by the [Cultural Affairs] program
- Number of visitors to the state historic museums
- Number of museum exhibits

Division of Historical Resources:

- Number of grants awarded
- Number of dollars awarded through grants

Division of Library and Information Services:

- Annual cost avoidance achieved by government agencies through record storage / disposition / micrographics
- Customer satisfaction with Records Management technical assistance / training
- Number of new users (State Library, State Archives)
- Number of reference requests handled (State Library, State Archives)
- Number of microfilm images created, processed, and / or duplicated at the Records Center

The FY 2007/08 results will not be available for the following measures until December 2008.

Division of Cultural Affairs:

- Attendance at supported cultural events
- Number of individuals served by professional associations
- Total local financial support leveraged by state funding
- Number of children attending school-based, organized cultural events
- Number of state –supported performances and exhibits
- Number of individuals attending cultural events or served by professional associations

In the LRPP, the department has recommended a number of changes to the current measures and standards. No legislative changes have been made to the department's approved measures and standards since May 2006.

In 2007, Governor Crist instructed his agencies to complete a review of customer service practices.¹⁰⁴ In May 2007, the department issued a report which outlined what it would do to ensure that the needs of its stakeholders were met.¹⁰⁵ The department provided the following overview:¹⁰⁶

The Customer Service Guiding Principles and Standards introduced five core principles that govern customer service and satisfaction at the department. The acronym describing the five principles, I.C.A.R.E., stands for: Inviting, Courtesy, Accessible, Responsive, and Efficient. These five core principles describe employee interactions with the public:

- **Inviting** – employees are open to serving customers, soliciting their feedback, making customers aware of programs and services, and establishing welcoming facilities.
- **Courtesy** - employees act in a polite, helpful, and considerate manner towards both customers and team members.
- **Accessible** - the department’s team members, program information, services, and facilities are readily available and open to our customers.
- **Responsive** - employees respond to customers in a timely and accurate manner.
- **Efficiency** - employees provide effective and convenient results.

In accordance with I.C.A.R.E., the department implemented a Web-based customer survey to solicit feedback on the areas noted above. The department’s survey Web site was launched in September 2007 and distributed via a link at the bottom of all emails sent out by department employees, as well as being attached to all department Web sites. Customers who receive emails from the department, and who are served by the department, are asked to participate in the survey. Results from the survey are separated by division, produced monthly and given to the respective divisions for assessment. The divisions analyze the survey results to identify customer service concerns and opportunities to make improvements to benefit public service.

In July 2008, the department reported its survey results. For all five categories, at least 80 percent of respondents rated department services as “Excellent.”¹⁰⁷ For the division, respondents ratings in four categories are as follows:

Department of State Customer Survey Results				
(Percent of Response, per category)				
	Excellent	Good	Fair	Poor
Telephone/Personal Interaction	77.56	17.86	2.44	2.14
Speed of Service	80.74	14.94	2.72	1.60
Convenience of Service	79.23	16.41	1.96	2.40
Quality of Service	81.28	14.39	1.81	2.52

RECOMMENDATIONS FOR FURTHER RESEARCH

The committee may wish to consider researching the following issues:

- Whether merger of the Department of State and the Department of Community Affairs would improve the efficiency and effectiveness of the programs assigned to these departments, and whether such a merger would reduce costs. Further, whether there are programs in other departments, such as the Department of Environmental Protection, that could be transferred to the merged department that could improve program efficiency and effectiveness and also reduce costs.
- Whether the electronic grant information and application processes at the Department of State could be expanded to provide a single state site for grant information for all state agencies and whether such a program would reduce state program costs and increase efficiency.

¹⁰⁴ Executive Order 07-01.

¹⁰⁵ Department of State’s Report on Agency Review of Customer Service Practices and Actions Taken to Implement Requirements of Executive Order 07-0, May 2007.

¹⁰⁶ Department of State Sunset Review Agency Report to the Legislature, July 2008. Page II-16.

¹⁰⁷ DOS Customer Satisfaction Survey Report, Department of State, July 7, 2008. On file with the committee.

- Whether admission fees and the production and sale of promotional items should be authorized to help to support state museums and other cultural or historical attractions and what changes to the Florida Statutes would be necessary to permit these practices.
- How timeframes for the completion of the development plan for the Mission San Luis could be reduced without negatively impacting archaeological research at the site and how funding levels could be increased. This review should contain information regarding how similar archaeological sites in other states (such as Jamestown Settlement in Virginia and The Alamo in Texas) are owned and operated.
- Whether the electronic system for accessing Florida Administrative Code rules provided by the department provides the most efficient and effective means for providing such electronic access.
- Whether the availability of on-line research capabilities by Legislators and staff have resulted in diminished use of the legislative library, whether user rates at the legislative library are sufficient to continue the operation of the library, and whether the use of extended or special hours at the State Library during certain times of the year (such as during legislative sessions) would be more efficient and effective.
- Whether the number of advisory entities at the Department of State, including the costs for operating these entities, could be reduced by merger of some of the entities assigned within each division.
- Whether the current or proposed measures and standards are the appropriate performance indicators for assessing program results.