

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based only on the provisions contained in the legislation as of the latest date listed below.)

Date: March 24, 1998 Revised: _____

Subject: Information Resources Management

	<u>Analyst</u>	<u>Staff Director</u>	<u>Reference</u>	<u>Action</u>
1.	<u>Lombardi</u>	<u>Wilson</u>	<u>GO</u>	<u>Favorable/CS</u>
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

I. Summary:

The 1997 Legislature passed ch. 97-286, Laws of Florida, which set forth comprehensive changes to the State's use and management of its information technology resources. This committee substitute will provide a few necessary statutory revisions, technical in nature, to increase the overall effectiveness of the original legislation. The major provisions of the bill:

- * Exempt from inclusion in the agency strategic plan and from the mandatory review for budget amendments certain information resources management projects that are a continuation of hardware or software maintenance or software licensing agreements, or certain desktop replacement;
- * Clarify that members of the State Technology Council may appoint a designee to serve on the member's behalf;
- * Require that coordinating councils and boards, like agencies, provide annual performance reports;
- * Changes the report due dates for the agency annual information resources management performance report and the state annual report on information resources management;
- * Requires project monitors to report quarterly and adds the Office of Program Policy and Governmental Accountability (OPPAGA) as a designated recipient of project monitor reports; and
- * Modifies the statutory responsibilities of the Geographic Information Board.

This act shall take effect upon becoming law.

The bill amends the following sections of the Florida Statutes: 186.021, 216.181, 186.022, 282.3063, 282.310, 282.3091, 282.322, 282.404, and 215.96.

II. Present Situation:

The 1997 Legislature passed ch. 97-286, L.O.F., which set forth comprehensive changes to the State's use and management of its information technology resources. These changes repealed statutes that created the Information Resource Commission, the Information Technology Resource Procurement Advisory Council and the Information Resource Management Advisory Council.

The legislation also established a new governance structure for information resources management, thereby creating new organizations and processes. The legislation created (1) the State Technology Council to develop a statewide vision and to make recommendations on statewide policies for information resources management to the Executive Office of the Governor and the Legislature; (2) the State Technology Office to provide administrative support to specified organizations and to facilitate state education and training opportunities; (3) the Chief Information Officers (CIO) Council to provide a forum for enhancing communication, consensus building, coordination, and facilitation of statewide information resources management issues among the agency CIO's; and (4) the Technology Review Workgroup to provide a mechanism to review and make recommendations to the Governor's Office and the Legislature with respect to the portion of agency strategic plans that pertain to information resources management (IRM) needs and with respect to agency legislative budget requests for information resources management. This process better links the planning and budgeting processes.

After passing ch. 97-286, Laws of Florida, it was found that a few issues needed technical correction and that various provisions required minor modification to increase the overall effectiveness of the original legislation. This bill is a result of those findings.

III. Effect of Proposed Changes:

Section 1: Section 186.021(1), F.S., is amended to exempt from inclusion in the agency strategic plan certain information resources management projects that are a continuation of hardware or software maintenance or software licensing agreements, or certain desktop replacement. Information resources management projects other than those specified above would continue to be included in agency strategic plans if they: (1) involve more than one agency; (2) have an outcome that impacts another agency; or (3) exceed \$500,000 in total costs over a 1-year period.

Section 2: Section 216.181, F.S., is amended to exempt from mandatory review by the Governor and Administration Commission for the executive branch or the Chief Justice for the judicial branch, any amendments to an agency's original approved operating budget for certain

information resource management projects that are a continuation of hardware or software maintenance or software licensing agreements, or certain desktop replacement. Such amendments to the approved operating budget would continue, however, to be reviewed through the existing notice and review requirements set forth in s. 216.177, F.S. Information resources management projects other than those specified above would continue to be subject to the mandatory review requirements identified under section 1 of the bill.

Section 3: Section 186.022, F.S., is amended to require the Geographic Information Board, the Financial Management Information Board, the Criminal and Juvenile Justice Information System Council, and the Health Information System Council to prepare an annual performance report. The report will be submitted to the Executive Office of the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Auditor General no later than September 1, annually.

Section 4: Section 282.3063(1), F.S., is amended changing the due date of the Agency Annual Information Resources Management Report from November 1 to September 1, to coincide with budget review of the agencies' legislative budget requests.

Section 5: Sections 282.310(1)-(2), F.S., are amended changing the due date of the State Annual Report from March 1 to January 15 to provide additional time for the legislature to review the information prior to the legislative session; and provides that the state annual report shall include information resources management information from the Justice Administrative Commission¹ on behalf of state attorneys and public defenders.

Section 6: Section 282.3091(3), F.S., is amended to clarify that members of the State Technology Council may appoint a designee to serve on the member's behalf; however, the designee must be in a position that reports directly to the member.

Section 7: Section 282.322, F.S., is amended to require quarterly reports from project monitors and adds OPPAGA as a designated recipient of project monitor reports.

Section 8: Sections 282.404(3), (5), (7), and (8), F.S., are amended making technical corrections relating to the statutory placement of the State Geologist as a member of the Geographic Information Advisory Council; and provides that the chair of the Geographic Information Advisory Council, or his or her designee, will be required to attend all meetings of the Geographic Information Board, but the chair will not be an ex-officio member of the Board. The statutory duties of the Geographic Information Board are modified to designate them as the organization at the state level to serve as coordinator for census activities and facilitate the availability and usability of the data collected by the Census Bureau for the Census 2000 effort.

¹ Section 43.16, F.S., creates the Justice Administration Commission of the Judicial Branch of Florida. The duties of the commission include the maintenance of a central state office for administrative services and assistance when possible to and on behalf of the state attorneys and public defenders of Florida, the office of capital collateral representative of Florida, and the Judicial Qualifications Commission.

Section 9: Section 215.96(2), F.S., is amended to make technical correction in the name of the State Agency Administrative Services Director.

Section 10: Provides an effective date upon becoming law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.
