

THE FLORIDA LEGISLATURE  
*Sunset Review*  
OFFICE OF PROGRAM POLICY ANALYSIS  
& GOVERNMENT ACCOUNTABILITY



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**Florida Government  
Accountability Act  
Sunset Reviews**

The act establishes the process, criteria, and schedule for the Legislature to assess whether state agencies and advisory committees need to continue to exist.

The following agencies are on the second year schedule for Sunset Reviews to be conducted by July 1, 2009.

- Department of Children and Families
- Department of Community Affairs
- Department of Management Services
- Department of State

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## OPPAGA Reports on the Department of State - 2000-2007

### 2007

*State Agency Electronic Records Management Could Be Improved*, Report No. 07-06, January 2007. While the Department of State sets policy for managing electronic records, state agencies use a wide range of approaches to implement these policies. To improve electronic records management, we recommend that the Legislature and state agencies take the steps below.

- The Department of State should collect additional information on state agencies' current electronic records management practices and use the information to develop a statewide strategic plan.
- The Legislature could consider updating Chapter 119, *Florida Statutes*, to establish a uniform fee policy for copies of electronic public records.

### 2005

*State Printing Expenditures Have Decreased, But Additional Steps Could Produce More Savings*, Report No. 05-53, November 2005. Due to increased electronic document production and distribution, statewide printing costs have fallen by about 25% over the past decade, with agencies spending \$20.7 million to print hard copy documents in Fiscal Year 2004-05. However, existing statutory provisions should be strengthened to

better control these costs and speed the transition to electronic document distribution. The Legislature should consider establishing a statewide policy for electronic document distribution and improving existing accountability mechanisms.

### 2004

*Department of State Improves Administration of Cultural and Historical Programs*, Report No. 04-57, August 2004. The Department of State has made progress in improving the administration of its cultural and historical programs. The department has begun to streamline its grants process by eliminating several grant review panels, and continues to express interest in developing a fully electronic grants system. In addition, it has created the Office of the Deputy Secretary for Cultural and Historical Programs to bring the department closer to a collaborative vision for Florida's cultural and historical programs.

The cultural and historical programs need to continue to improve their performance measurement and planning systems, as well as the efficiency of their grants processes. In addition, the department needs to continue to take steps to ensure adequate oversight and maintenance of state-owned historic properties.

## 2002

*Two Department of State Divisions Would Benefit Through Coordination and Grants Streamlining*, Report No. 02-68, December 2002. The programs of the Divisions of Cultural Affairs and Historical Resources preserve and promote Florida cultural and historical resources. The programs are appropriately placed within the Department of State, but there would be benefits to merging the two divisions.

The department would improve cultural affairs and historical resources programs by streamlining the grants process and using a more coordinated approach when planning cultural and historical resources development. This would enhance responsiveness to local resource development needs and leverage support for economic development and tourism initiatives. Additional efforts are also needed to ensure preservation and protection of state-owned historic properties.

*Most Election Reforms Implemented; Additional Actions Could Be Considered*, Report No. 02-55, October 2002. The Division of Elections met the Legislature's requirement to have the new statewide voter database fully operational by June 1, 2002, and at a lower cost than the \$2 million appropriated for the project. The election reform efforts have not been fully implemented as the new eligibility determination procedures have not received federal approval and thus have not been implemented by county supervisors of elections. The problems experienced by some counties in the September 2002 primary election indicate that the state's role in voter and poll worker education needs to be strengthened.

In addition to improvements made in 2001 and 2002 the Legislature could consider further measures to strengthen the system.

- Voter eligibility determination could be strengthened by giving individuals who contend they have been wrongly identified as felons the opportunity to provide a fingerprint to verify their identity.
- The provisional voting process could be modified to provide individuals who feel they have been wrongly identified as ineligible to vote a final opportunity to prove their eligibility.
- U.S. Postal Service information could be used to verify change of addresses for persons who are identified as potentially being registered in more than one county.

- Consideration should be given to adopting new federal standards for voting equipment.
- Prevent simultaneous rulings on the same case by the division and the Florida Elections Commission.

Cost savings could be realized if certain changes were made to the division's operations by

- requiring electronic filing of substantially all campaign finance reports;
- using electronic media to educate and inform candidates and committees; and
- encouraging electronic filing of local ordinances by counties.

*Program Fund Accountability Still an Issue for Department of State's Licensing Program*, Report No. 02-34, June 2002. Although the Licensing Program will move from the Department of State to the Department of Agriculture and Consumer Services effective January 3, 2003, separate accounting of the revenues and expenditures of the program's licensing and concealed weapon components continues to be an issue. The Legislature should consider

- creating a second trust fund, which would allow revenues and expenditures of the two components to be accounted for separately or
- eliminating the limitations on the use of funds collected by the respective licensing functions.

During the 2003 calendar year, Licensing Program managers plan to significantly improve program services through the processing of fingerprints electronically.

*Corporations Program Revenues Continue to Be Diverted to Unnecessary Trust Funds*, Report No. 02-28, May 2002. The Corporations Program has improved its performance measurement system and implemented modifications to the state's Uniform Commercial Code Secured Transactions process. However,

- the department's data center continues to be funded by the program;
- the program's fee structure remains complex and cumbersome to use; and
- program revenue continues to be diverted to unnecessary trust funds.

## 2001

*The Library, Archives, and Information Program Has Improved Primary Functions*, Report No. 01-20, March 2001. In response to our 1999 report, the Department of State's Library, Archives, and Information Program has improved all of its primary functions.

The Bureau of Library Development has improved grantees' accountability for state grant funds by strengthening the grant review process and reinforcing grantee reporting requirements. The bureau has also used an outcome measurement manual and held numerous training sessions to encourage local libraries to develop outcome measures. Finally, the bureau narrowed the scope of its services to seven priority specialty areas.

The Bureau of Library and Network Services has taken steps to improve its collection development process, including increasing contact with state agency staff responsible for agency resource needs and electronically tracking the resource requests of state employees. However, the bureau has determined that it is not feasible to request and review collection catalogues from all state agencies.

The Bureau of Archives and Records Management has improved the efficiency and economy of its records management program by initiating legislation to eliminate its review and approval of state agency final records destruction requests. The bureau has also adopted a more proactive stance toward obtaining documents of historical value from state agencies. However, the bureau has chosen to test the effectiveness of current law before requesting clarification or strengthening of their authority to obtain such records.

## 2000

*Licensing Program Is Performing Well; Operations and Service Can Be Improved*, Report No. 00-22, December 2000. The Department of State Licensing Program provides a public benefit through licensing of professions and individuals carrying concealed weapons. However, creating separate trust funds and improvements to the cost allocation system would improve accountability for program revenues. In addition, electronic transmission of civil fingerprint information would improve the background check process.

*Corporations Program Operates Well; Its Fee System Needs Streamlining*, Report No. 00-10, September 2000. The Department of State's Corporations Program is meeting the needs of businesses and citizens of the state. However, the program could be improved by

- creating a departmental information management center to serve as a basis for sharing and reporting costs and services by all users;
- simplifying the program's fee structure to improve customer convenience and accountability; and
- modifying performance measures to more accurately report the program's workload and customer satisfaction.

The Legislature may wish to consider two policy options regarding the program.

- Update Florida law governing secured transactions by adopting a modification to the Uniform Commercial Code proposed by the National Conference of Commissioners for Uniform State Laws.
- Increase legislative budget flexibility by requiring program-generated funds to be deposited into general revenue rather than transferred to various trust funds.



# *The Florida Legislature*

## *Office of Program Policy Analysis and Government Accountability*

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### *The Florida Government Accountability Act Sunset Reviews*

The 2006 Legislature passed the Florida Government Accountability Act (Ch. 2006-146, *Laws of Florida*) to create a Sunset review process. The act

- establishes the process, criteria, and schedule for the Legislature to assess whether state agencies and advisory committees need to continue to exist;
- provides for the creation of a Legislative Sunset Advisory Committee and describes the membership and organization of the committee and committee duties; and
- requires reports and assistance from state agencies and the Legislature's Office of Program Policy Analysis and Government Accountability (OPPAGA).

Using these reports and other information, the Sunset Advisory Committee is to produce a report that includes recommendations to abolish, continue, or reorganize an agency or advisory committee under review.

### *Second Year Schedule for Agency Reviews*

Agencies to be reviewed by July 1, 2010:

- (a) Department of Children and Family Services
- (b) Department of Community Affairs
- (c) Department of Management Services
- (d) Department of State

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