



FLORIDA DEPARTMENT *of* STATE

CHARLIE CRIST
Governor

KURT S. BROWNING
Secretary of State

LEGISLATIVE BUDGET REQUEST

Department of State

October 15, 2008

Mr. Jerry L. McDaniel, Director
Office of Policy and Budget
Executive Office of the Governor
1701 Capitol
Tallahassee, Florida 32399-0001

Mr. Michael Hansen, Budget Director
House Policy and Budget Council
418 Capitol
Tallahassee, Florida 32399-1300

Ms. Cynthia Kelly, Staff Director
Senate Fiscal Policy & Calendar Committee
201 Capitol
Tallahassee, Florida 32399-1300

Dear Directors:

Pursuant to Chapter 216, Florida Statutes, the Legislative Budget Request for the Department of State is submitted in the format prescribed in the budget instructions. The information provided electronically and contained herein is a true and accurate presentation of our proposed needs for the 2009-10 Fiscal Year. The submission has been approved by Kurt S. Browning, Secretary of State.

Sincerely,

A handwritten signature in black ink, appearing to read "Kurt S. Browning".

Kurt S. Browning
Secretary of State

KSB/lsh

Enclosure

DEPARTMENT OF STATE

**DEPARTMENT LEVEL EXHIBITS
& SCHEDULES**

Schedule VII: Agency Litigation Inventory

For directions on completing this schedule, please see the "Legislative Budget Request (LBR) Instructions" located on the Governor's website.

Agency:	Department of State		
Contact Person:	Lynn C. Hearn	Phone Number:	245-6536
Names of the Case: (If no case name, list the names of the plaintiff and defendant.)	Angelfish Swim School, et al. v. Kurt Browning		
Court with Jurisdiction:	11 th Judicial Circuit-Miami-Dade County and 3 rd DCA		
Case Number:	2003-13413-CA-01 (11 th Judicial Circuit) and 3D08-1827 (3 rd DCA)		
Summary of the Complaint:	Class action for declaratory judgment requesting court to declare that § 607.193, Florida Statutes (late penalties for corporation filing) imposes an unconstitutionally excessive fine and that § 607.0122, Florida Statutes (allowing for penalties for reinstating corporations after dissolution) is either unconstitutionally vague or imposes an unconstitutionally excessive fine; and seeking costs and attorneys' fees.		
Amount of the Claim:	The total exposure based upon the definition of the certified class is approximately \$150 million. We expect this amount to be reduced on statute of limitations grounds.		
Specific Statutes or Laws (including GAA) Challenged:	§§ 607.193, 607.0122, Florida Statutes		
Status of the Case:	6/12/08 Order Granting Class Certification; this order on interlocutory appeal to 3 rd DCA		
Who is representing (of record) the state in this lawsuit? Check all that apply.	<input type="checkbox"/>	Agency Counsel	
	<input checked="" type="checkbox"/>	Office of the Attorney General or Division of Risk Management	
	<input type="checkbox"/>	Outside Contract Counsel	
If the lawsuit is a class action (whether the class is certified or not), provide the name of the firm or firms representing the plaintiff(s).	Andres T. Traylor, P.A. (Miami) Wexler Wallace, LLP (Chicago) Jorge A. Duarte, P.A. (Miami)		

Schedule VII: Agency Litigation Inventory

For directions on completing this schedule, please see the “Legislative Budget Request (LBR) Instructions” located on the Governor’s website.

Agency:	Department of State		
Contact Person:	Lynn C. Hearn	Phone Number:	245-6536
Names of the Case: (If no case name, list the names of the plaintiff and defendant.)	Florida Hometown Democracy, Inc. PAC, and Lesley G. Blackner v. Kurt S. Browning, the State of Florida, Dept. of State, Division of Elections		
Court with Jurisdiction:	Supreme Court of Florida		
Case Number:	SC08-884		
Summary of the Complaint:	Plaintiffs allege that the initiative petition revocation process created by Section 25, Chapter 2007-30, Laws of Florida (2007), and the related emergency rules promulgated by the Division of Elections, are unconstitutional. Plaintiffs allege the revocation process conflicts with the constitutional right to petition, denies due process due to retroactive application, and denies equal protection in that revocation applications are available from supervisors of elections but petition applications are not.		
Amount of the Claim:	N/A		
Specific Statutes or Laws (including GAA) Challenged:	Section 25, Chapter 2007-30, Laws of Florida (2007), codified at Florida Statute § 100.371(6)(2007).		
Status of the Case:	The 1 st DCA held the challenged statute and rules unconstitutional. The case is fully briefed in the Florida Supreme Court and will likely be argued in the late fall.		
Who is representing (of record) the state in this lawsuit? Check all that apply.	<input type="checkbox"/>	Agency Counsel	
	<input checked="" type="checkbox"/>	Office of the Attorney General or Division of Risk Management	
	<input type="checkbox"/>	Outside Contract Counsel	
If the lawsuit is a class action (whether the class is certified or not), provide the name of the firm or firms representing the plaintiff(s).	N/A		

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Agency:	Department of State		
Contact Person:	Lynn C. Hearn	Phone Number:	245-6536
Names of the Case: (If no case name, list the names of the plaintiff and defendant.)	League of Women Voters of Florida, PACT, Florida AFL-CIO, AFSCME, SEIU Florida Healthcare Union, Marilyn Wills, and John and Jane Does 1-100, v. Kurt Browning and Donald Palmer		
Court with Jurisdiction:	U.S. District Court for the Southern District of Florida		
Case Number:	06-21265		
Summary of the Complaint:	Plaintiffs’ allege Section 97.021(36) and 97.0575 impose severe fines and burdensome reporting requirements upon organizations that register voters. Plaintiffs’ allege these fines are unconstitutional because they chill Plaintiffs’ First Amendment right to collect voter registration applications, and they violate Equal Protection because they do not apply to political parties. District Court granted Preliminary Injunction prohibiting enforcement of fines and reporting requirements.		
Amount of the Claim:	N/A		
Specific Statutes or Laws (including GAA) Challenged:	Sections 97.021(36) and 97.0575, Florida Statutes		
Status of the Case:	The appeal was dismissed as moot in light of subsequent legislation. Plaintiffs have moved for fees and costs of \$785,000. The fee claim is fully briefed and awaiting court action.		
Who is representing (of record) the state in this lawsuit? Check all that apply.	<input type="checkbox"/>	Agency Counsel	
	<input type="checkbox"/>	Office of the Attorney General or Division of Risk Management	
	<input checked="" type="checkbox"/>	Outside Contract Counsel	
If the lawsuit is a class action (whether the class is certified or not), provide the name of the firm or firms representing the plaintiff(s).	N/A		

Schedule VII: Agency Litigation Inventory

For directions on completing this schedule, please see the “Legislative Budget Request (LBR) Instructions” located on the Governor’s website.

Agency:	Department of State		
Contact Person:	Lynn C. Hearn	Phone Number:	245-6536
Names of the Case: (If no case name, list the names of the plaintiff and defendant.)	Florida State Conference of the NAACP as an organization and representative of its members, and Haitian-American Grassroots Coalition, as an organization and representative of its members. v. Kurt S. Browning, in his official capacity as Secretary of State for the State of Florida		
Court with Jurisdiction:	U.S. District Court, Northern District of Florida		
Case Number:	07-CV-402SPM/WCS		
Summary of the Complaint:	PLFs challenge section 97.053(6) Florida Statutes, which requires validation of a driver’s license number, Fla. ID card number, or last 4 digits of the SSN in order for a voter registration application to be accepted as valid. PLFs assert this law violates the Help America Vote Act (HAVA), the Voting Rights Act (VRA), and the First and Fourteenth Amendments to the U.S. Constitution.		
Amount of the Claim:	N/A		
Specific Statutes or Laws (including GAA) Challenged:	Section 97.053(6) Florida Statutes.		
Status of the Case:	Initial preliminary injunction was reversed on appeal; subsequent motion for preliminary injunction was denied. No scheduling order has been entered.		
Who is representing (of record) the state in this lawsuit? Check all that apply.	<input type="checkbox"/>	Agency Counsel	
	<input type="checkbox"/>	Office of the Attorney General or Division of Risk Management	
	<input checked="" type="checkbox"/>	Outside Contract Counsel	
If the lawsuit is a class action (whether the class is certified or not), provide the name of the firm or firms representing the plaintiff(s).	N/A		

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For directions on completing this schedule, please see the "Legislative Budget Request (LBR) Instructions" located on the Governor's website.

Agency:	Department of State		
Contact Person:	Lynn C. Hearn	Phone Number:	245-6536
Names of the Case: (If no case name, list the names of the plaintiff and defendant.)	Sarasota Alliance for Fair Elections (S.A.F.E.), Kindra L. Muntz, and Susette Bryan v. Kurt S. Browning, Sarasota County, Florida and Kathy Dent		
Court with Jurisdiction:	Supreme Court of Florida		
Case Number:	SC07-2074		
Summary of the Complaint:	Action for declaratory relief on the constitutionality of a proposed ballot initiative which amends the Sarasota County Charter relative to the conduct of future elections.		
Amount of the Claim:	N/A		
Specific Statutes or Laws (including GAA) Challenged:	Amendment to Sarasota County Charter		
Status of the Case:	2 nd DCA held that some of the proposed charter amendments were preempted by state law. The case has been fully briefed and argued in the Florida Supreme Court and is awaiting court action.		
Who is representing (of record) the state in this lawsuit? Check all that apply.	<input type="checkbox"/>	Agency Counsel	
	<input type="checkbox"/>	Office of the Attorney General or Division of Risk Management	
	<input checked="" type="checkbox"/>	Outside Contract Counsel	
If the lawsuit is a class action (whether the class is certified or not), provide the name of the firm or firms representing the plaintiff(s).	N/A		

Schedule VII: Agency Litigation Inventory

For directions on completing this schedule, please see the "Legislative Budget Request (LBR) Instructions" located on the Governor's website.

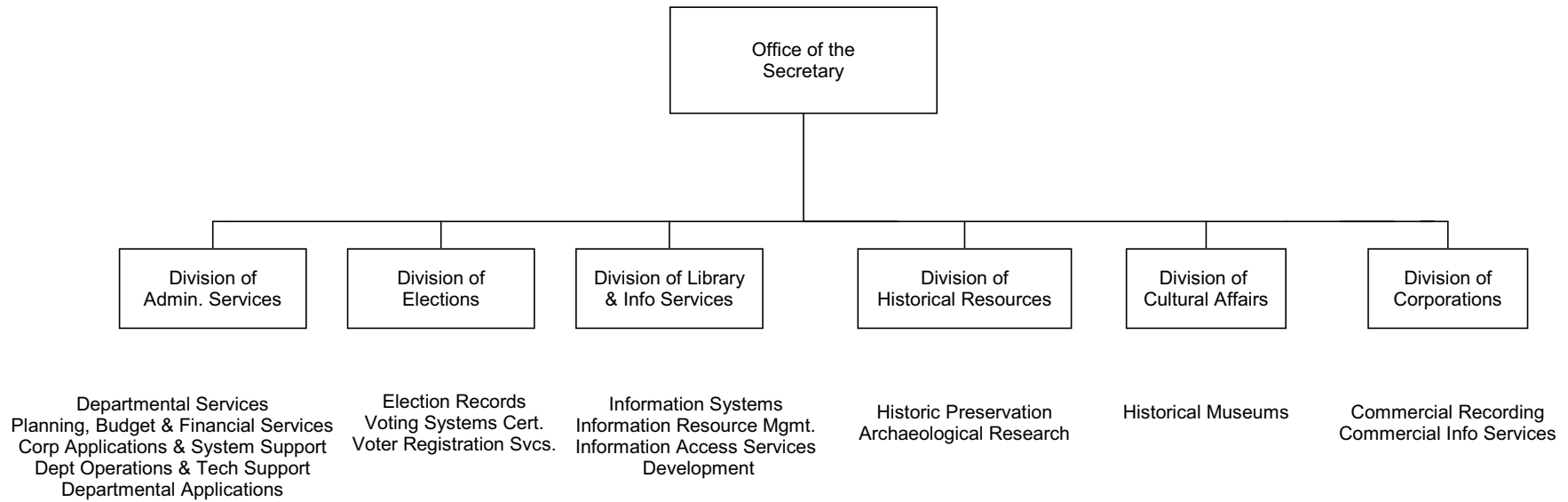
Agency:	Department of State		
Contact Person:	Lynn C. Hearn	Phone Number:	245-6536
Names of the Case: (If no case name, list the names of the plaintiff and defendant.)	Citizens for Police Accountability Political Committee, and Florida State Conference of the NAACP v. Kurt S. Browning, in his capacity as Secretary of State of the State of Florida, and Sharon L. Harrington, in her official capacity as Supervisor of Elections, Lee County		
Court with Jurisdiction:	U.S. District Court for the Middle District of the Florida and 11 th Circuit Court of Appeals		
Case Number:	08-CV-00635-JES-SPC(District Court) and 08-15115 (11 th Circuit)		
Summary of the Complaint:	Plaintiff challenge the constitutionality of Florida Statute § 102.031(4)(a)-(b) which prohibits solicitation of voters within 100 feet of any polling place.		
Amount of the Claim:	N/A		
Specific Statutes or Laws (including GAA) Challenged:	§ 102.031(4)(a)-(b), Florida Statute		
Status of the Case:	The district court found the law unconstitutional as applied to plaintiffs and entered a preliminary injunction. That ruling is on appeal to the 11 th Circuit.		
Who is representing (of record) the state in this lawsuit? Check all that apply.	<input type="checkbox"/>	Agency Counsel	
	<input type="checkbox"/>	Office of the Attorney General or Division of Risk Management	
	<input checked="" type="checkbox"/>	Outside Contract Counsel	
If the lawsuit is a class action (whether the class is certified or not), provide the name of the firm or firms representing the plaintiff(s).	N/A		

Schedule VII: Agency Litigation Inventory

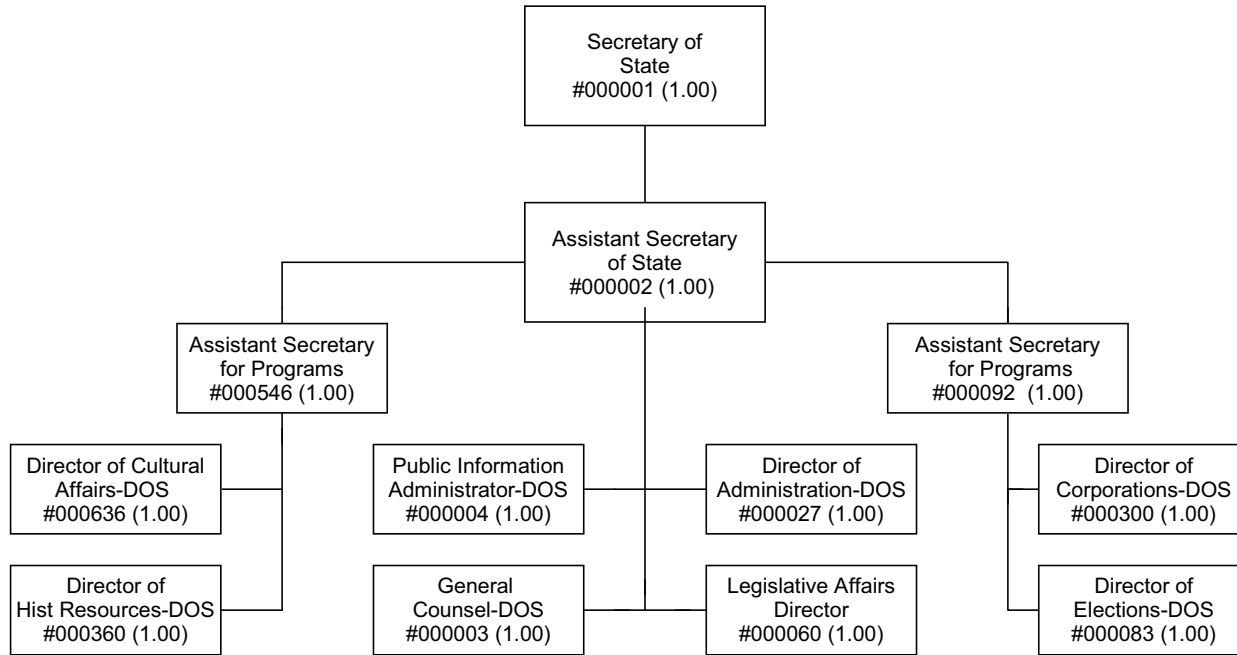
For directions on completing this schedule, please see the "Legislative Budget Request (LBR) Instructions" located on the Governor's website.

Agency:	Department of State		
Contact Person:	Lynn C. Hearn	Phone Number:	245-6536
Names of the Case: (If no case name, list the names of the plaintiff and defendant.)	League of Women Voters of Florida, Florida AFL-CIO, American Federation of State, County and Municipal Employees, Council 79 (AFSCME), as organizations and as representatives of their members: and Marilynn Wills v. Kurt S. Browning, in his official capacity as Secretary of State of Florida, and Donald L. Palmer, in his official capacity as Director of the Division of Elections within the Department of State of Florida		
Court with Jurisdiction:	11 th Circuit Court of Appeals		
Case Number:	08-15156-G		
Summary of the Complaint:	Plaintiffs allege that § 97.0575 Florida Statutes, which regulates the activities of 3 rd party voter registration organizations, is unconstitutional.		
Amount of the Claim:	N/A		
Specific Statutes or Laws (including GAA) Challenged:	§ 97.0575, Florida Statutes		
Status of the Case:	The district court ruled the statute was not unconstitutional and denied the motion for preliminary injunction. The case is on appeal.		
Who is representing (of record) the state in this lawsuit? Check all that apply.	<input type="checkbox"/>	Agency Counsel	
	<input type="checkbox"/>	Office of the Attorney General or Division of Risk Management	
	<input checked="" type="checkbox"/>	Outside Contract Counsel	
If the lawsuit is a class action (whether the class is certified or not), provide the name of the firm or firms representing the plaintiff(s).	N/A		

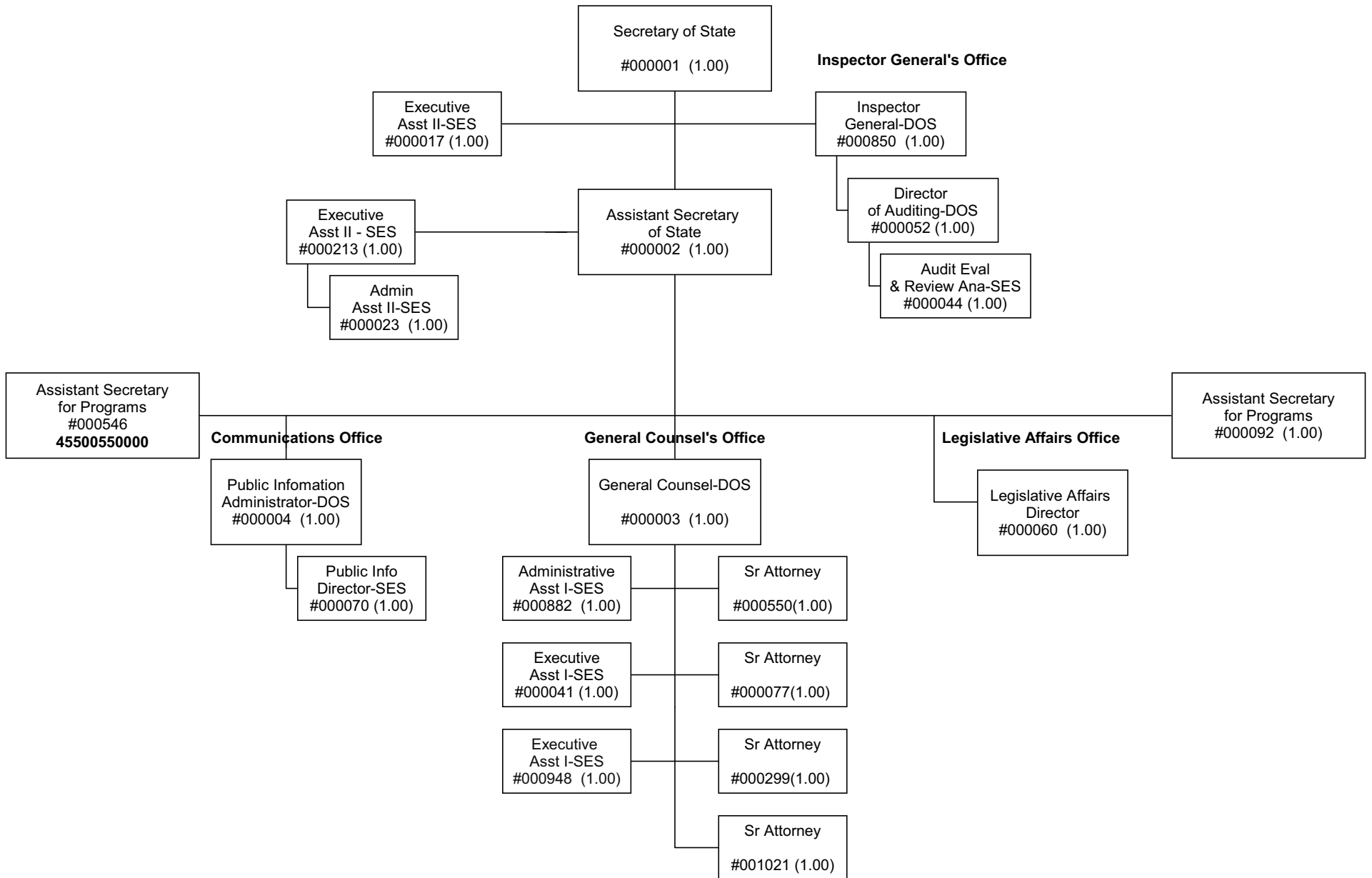
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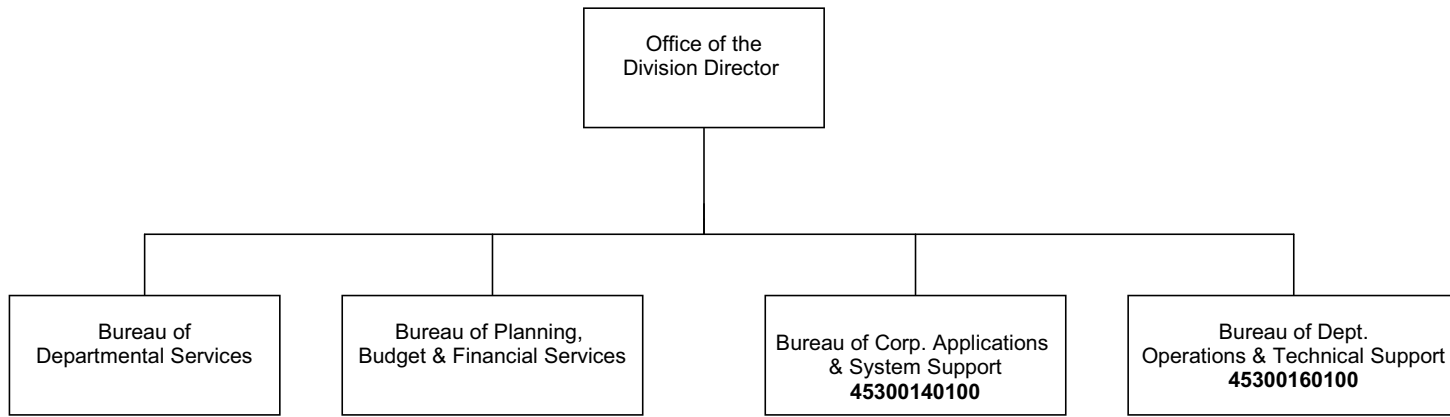
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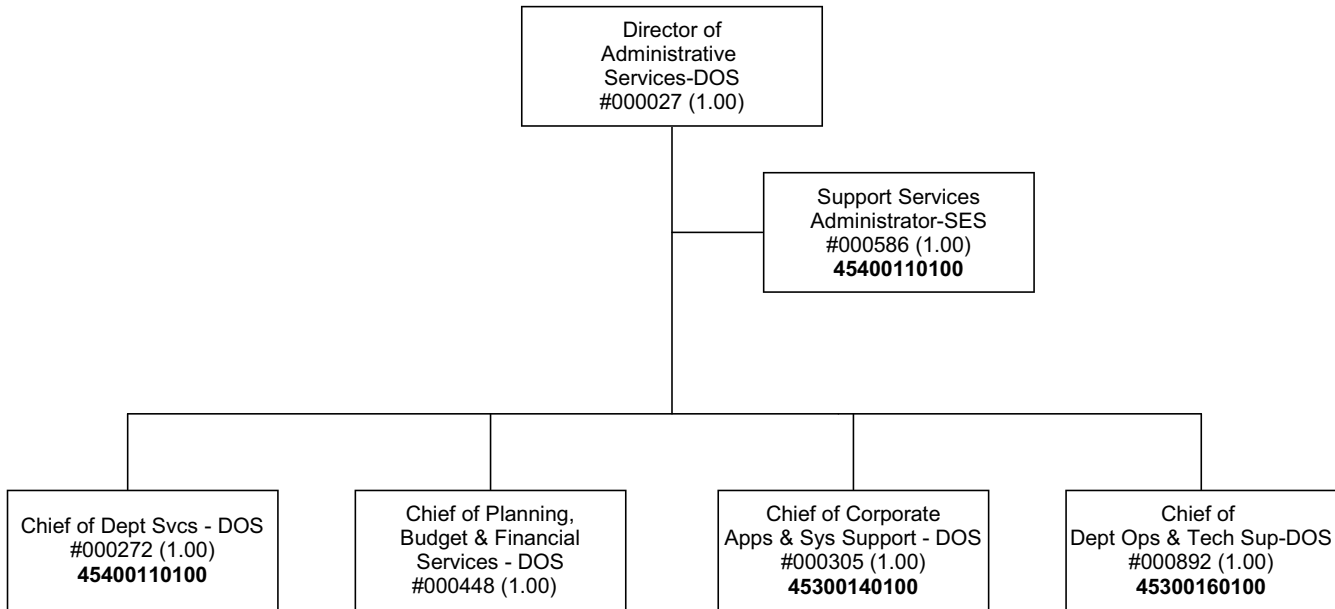
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DEPARTMENT OF STATE
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DEPARTMENT OF STATE
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OFFICE OF THE DIVISION DIRECTOR (45010220210)



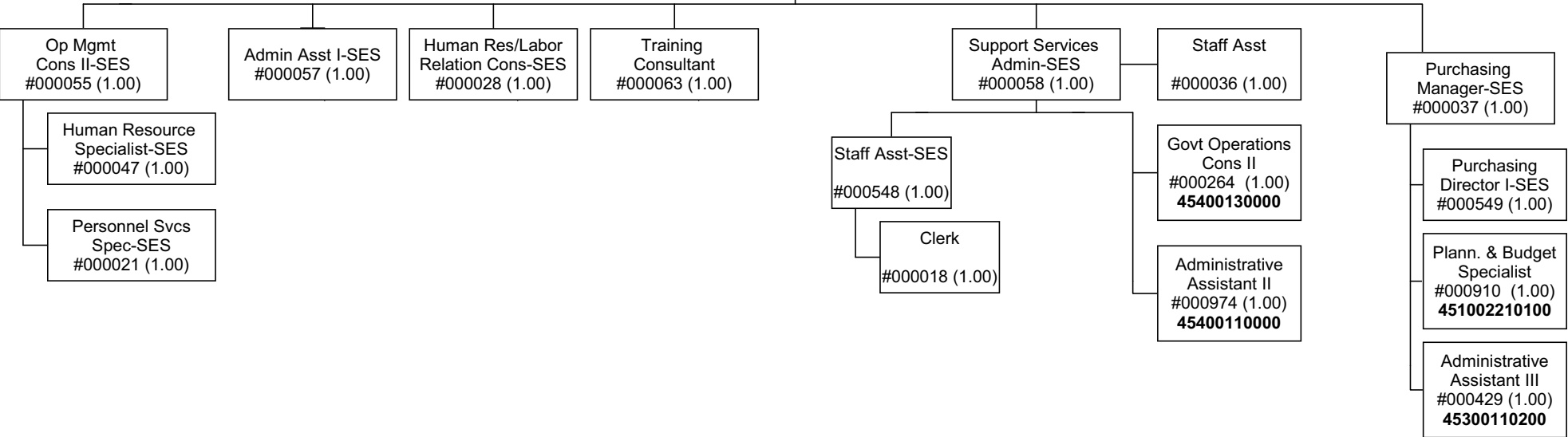
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 Departmental Svcs-DOS
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45400110100

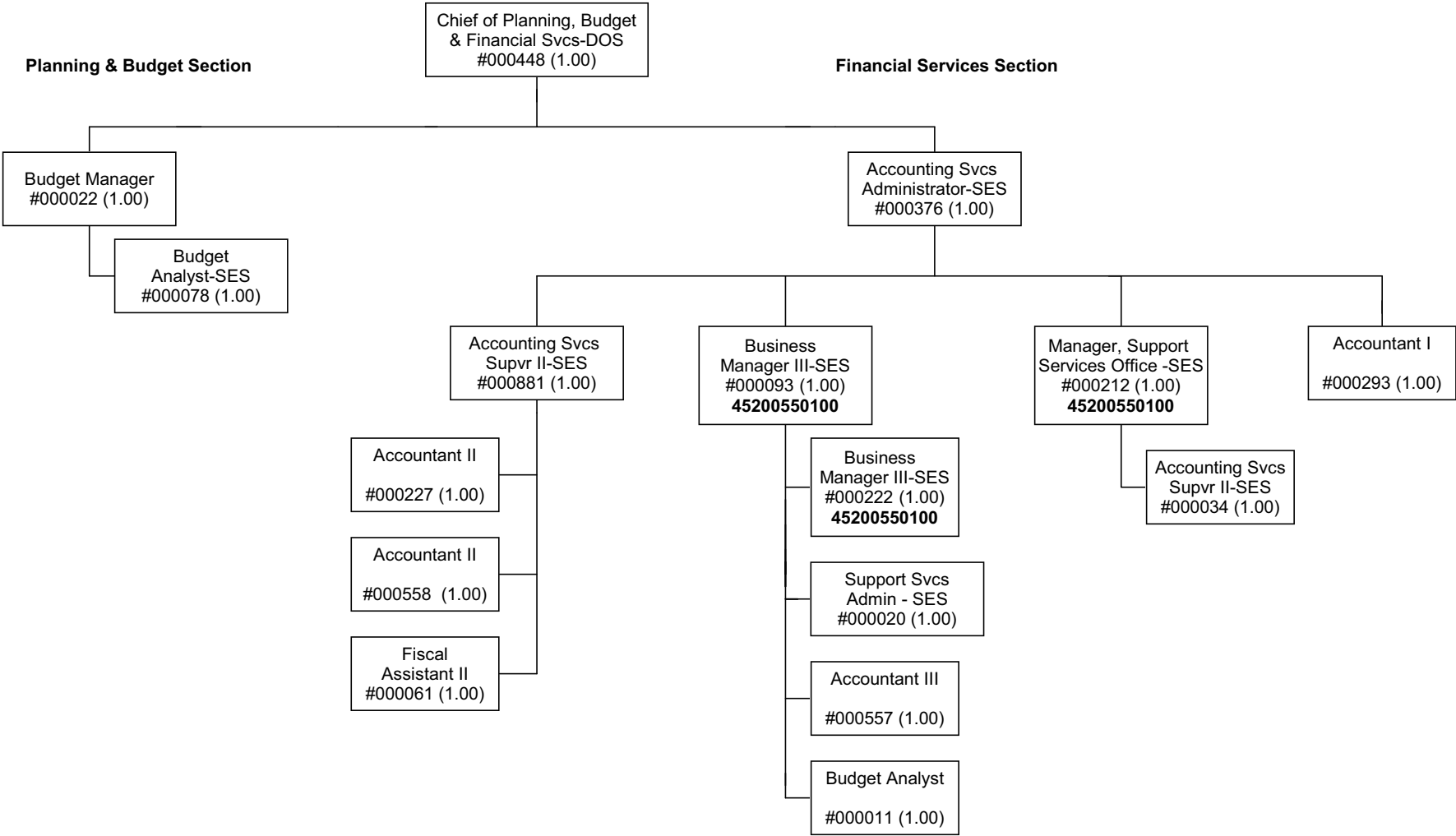
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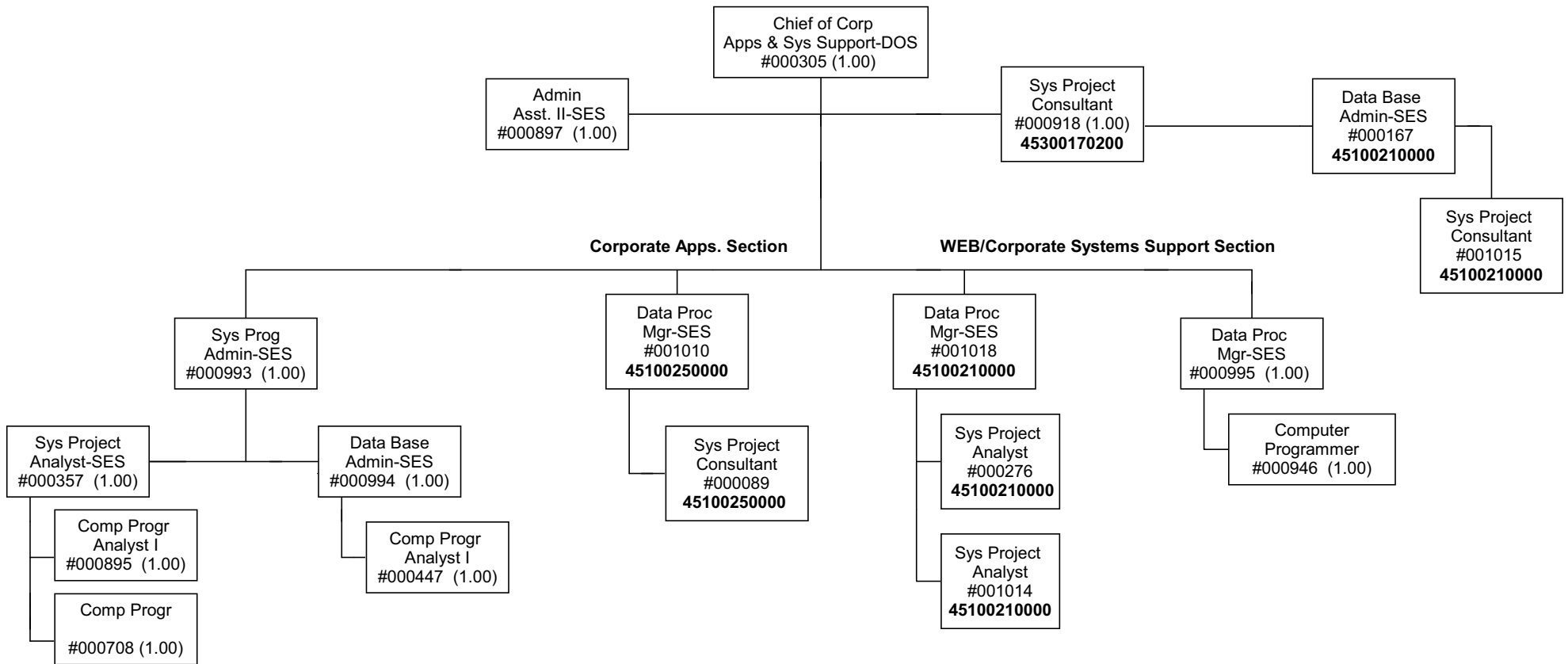
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DEPARTMENT OF STATE
 DIVISION OF ADMINISTRATIVE SERVICES
 BUREAU OF PLANNING, BUDGET & FINANCIAL SERVICES (45010220250)



DEPARTMENT OF STATE
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 BUREAU OF CORPORATE APPLICATIONS & SYSTEMS SUPPORT (45300140100)



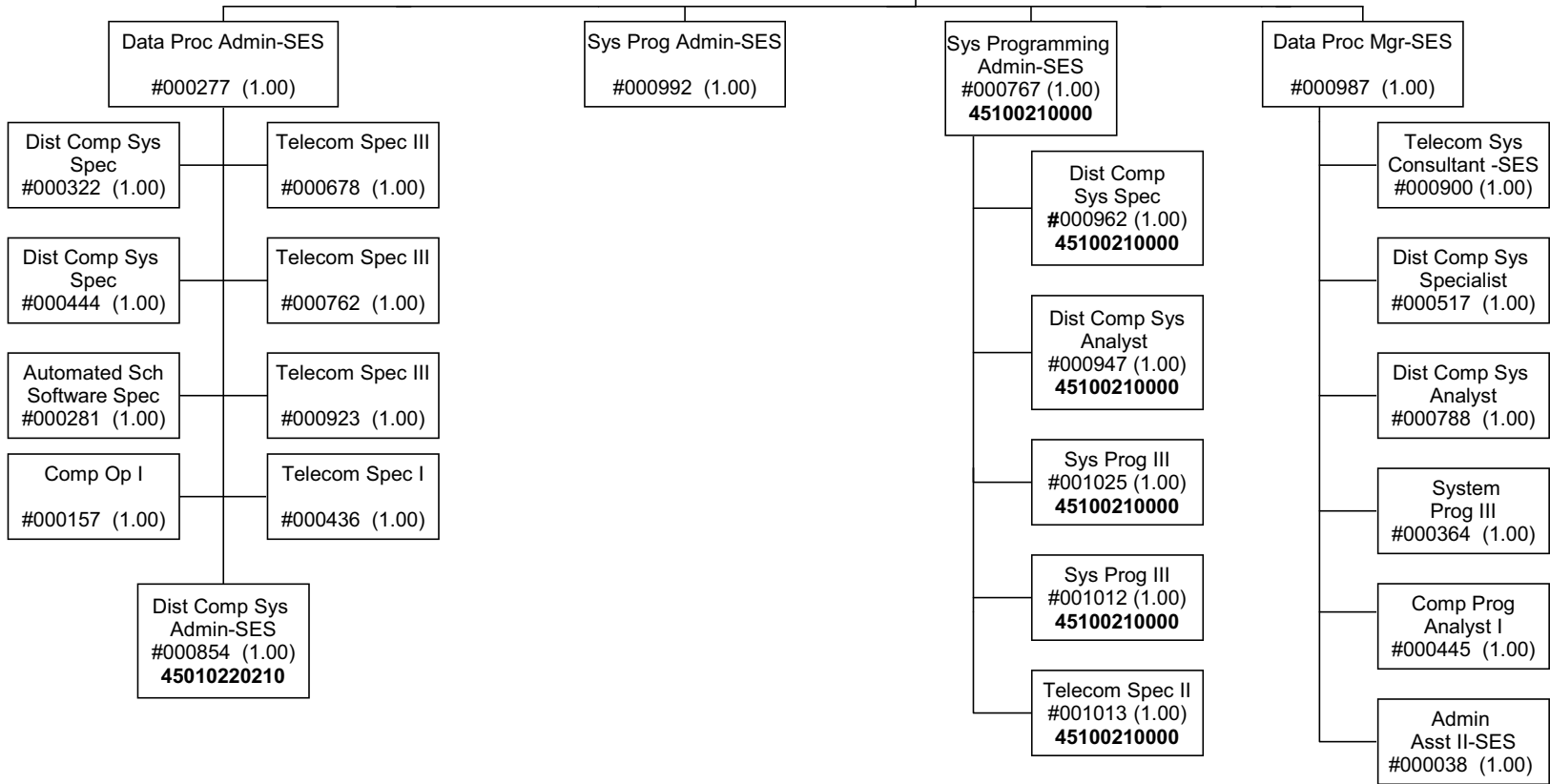
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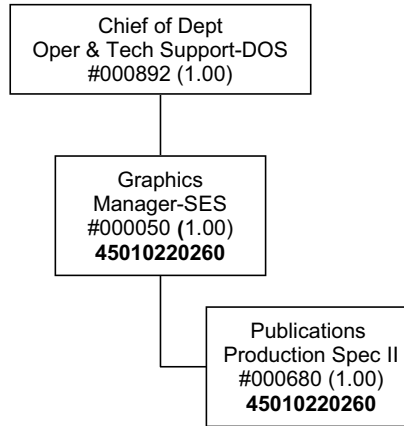
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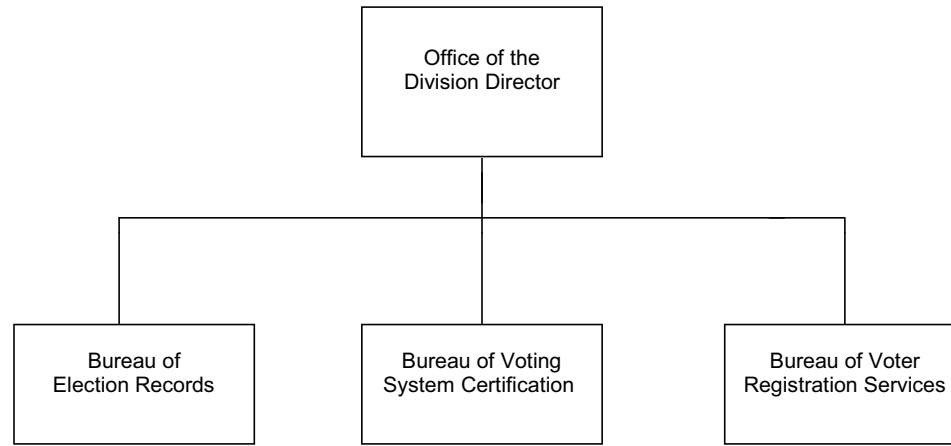
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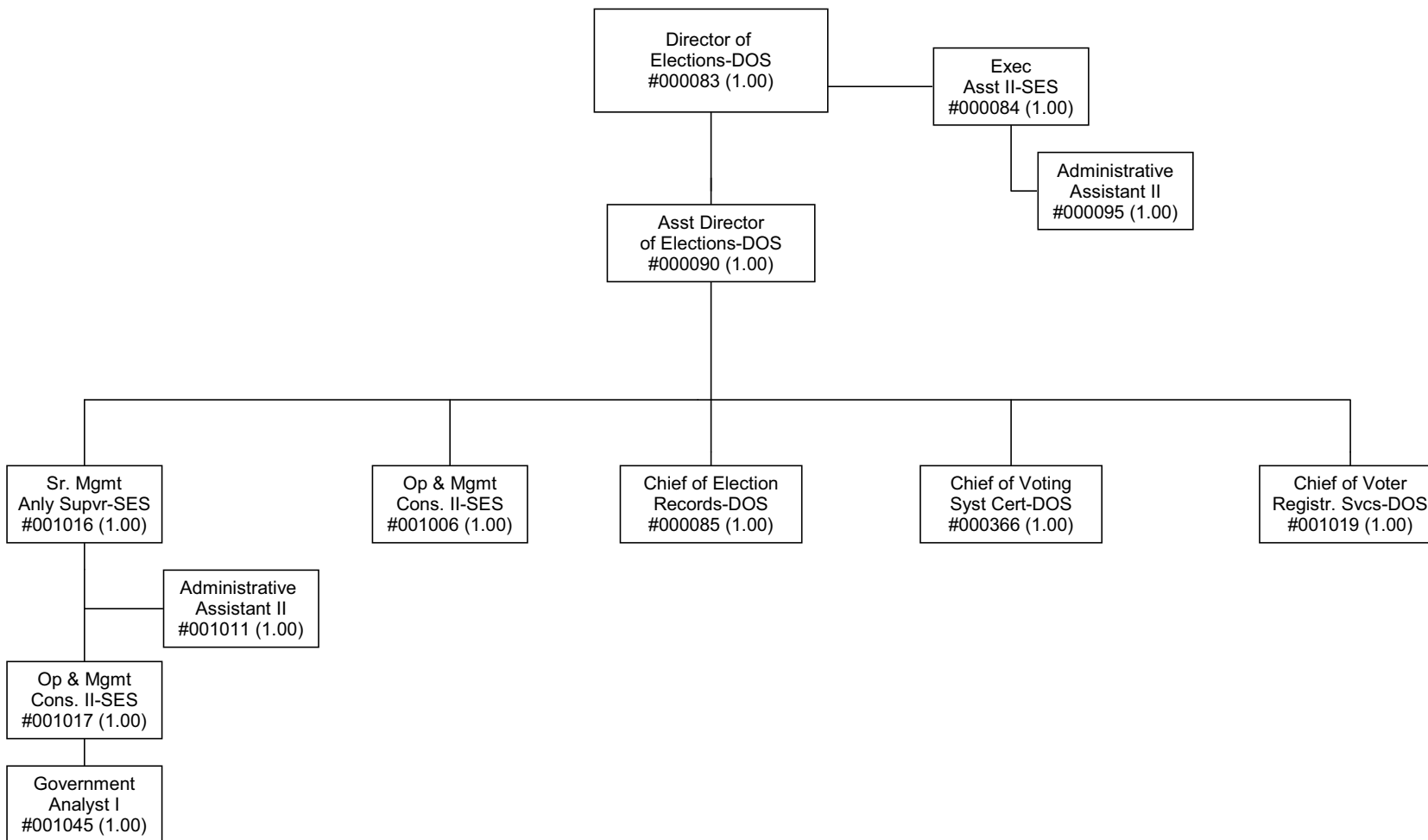
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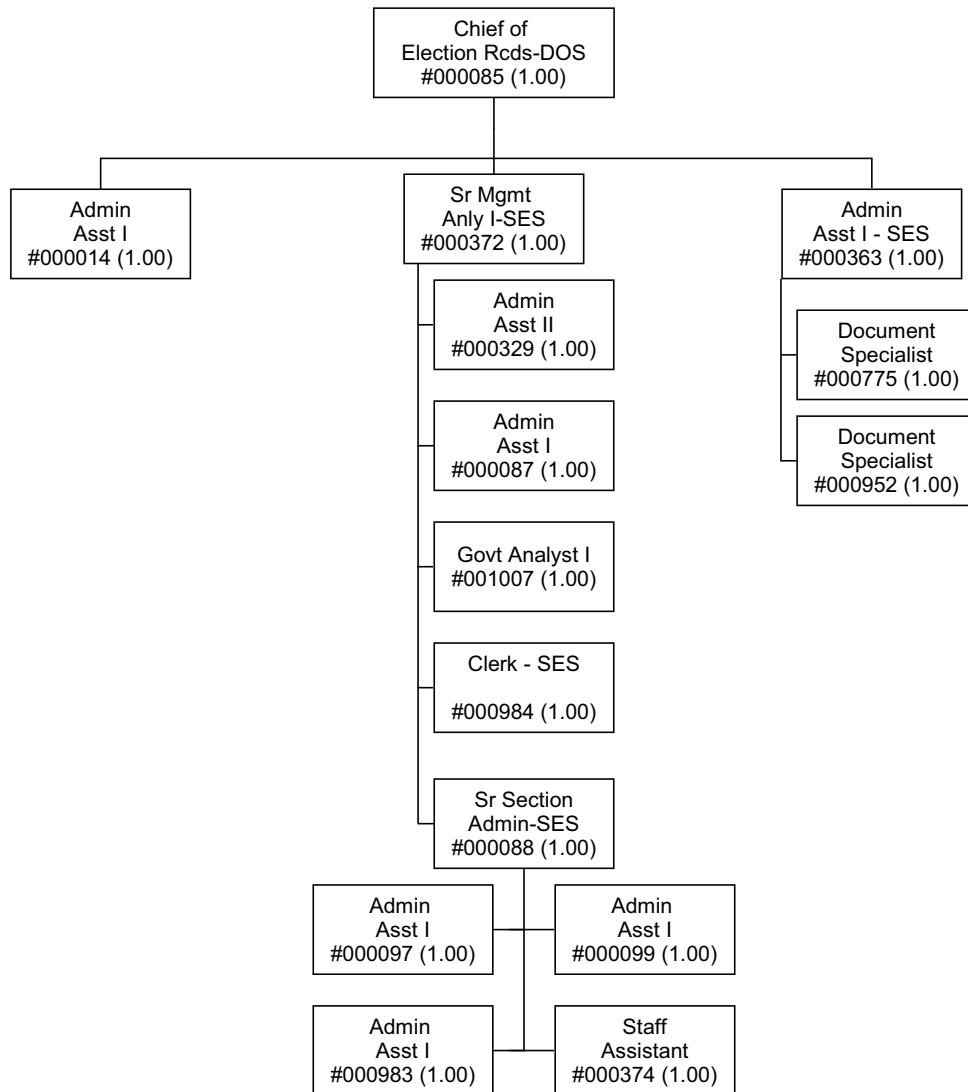
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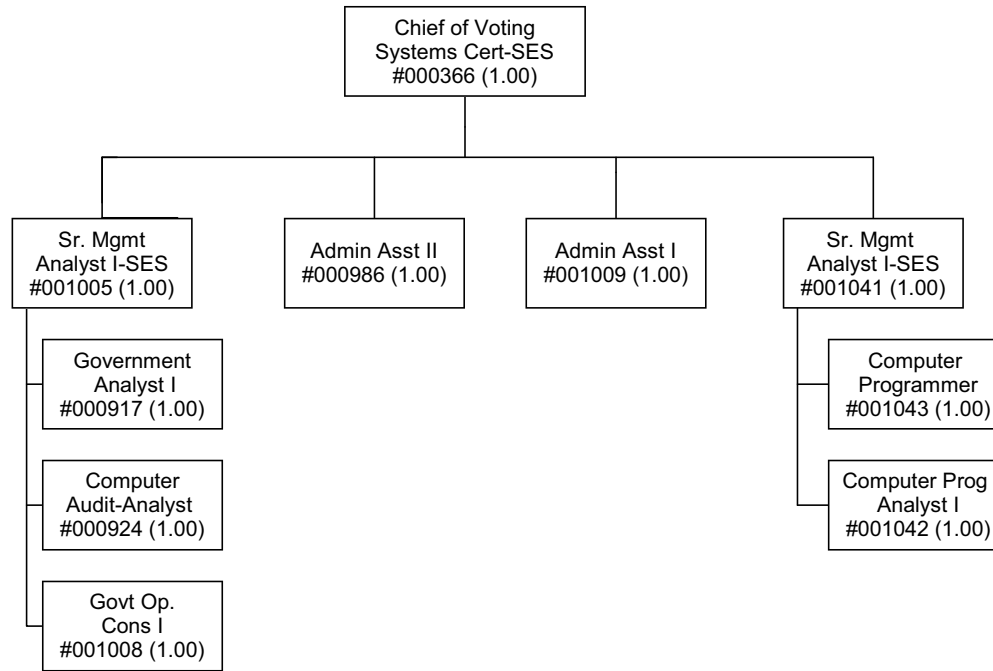
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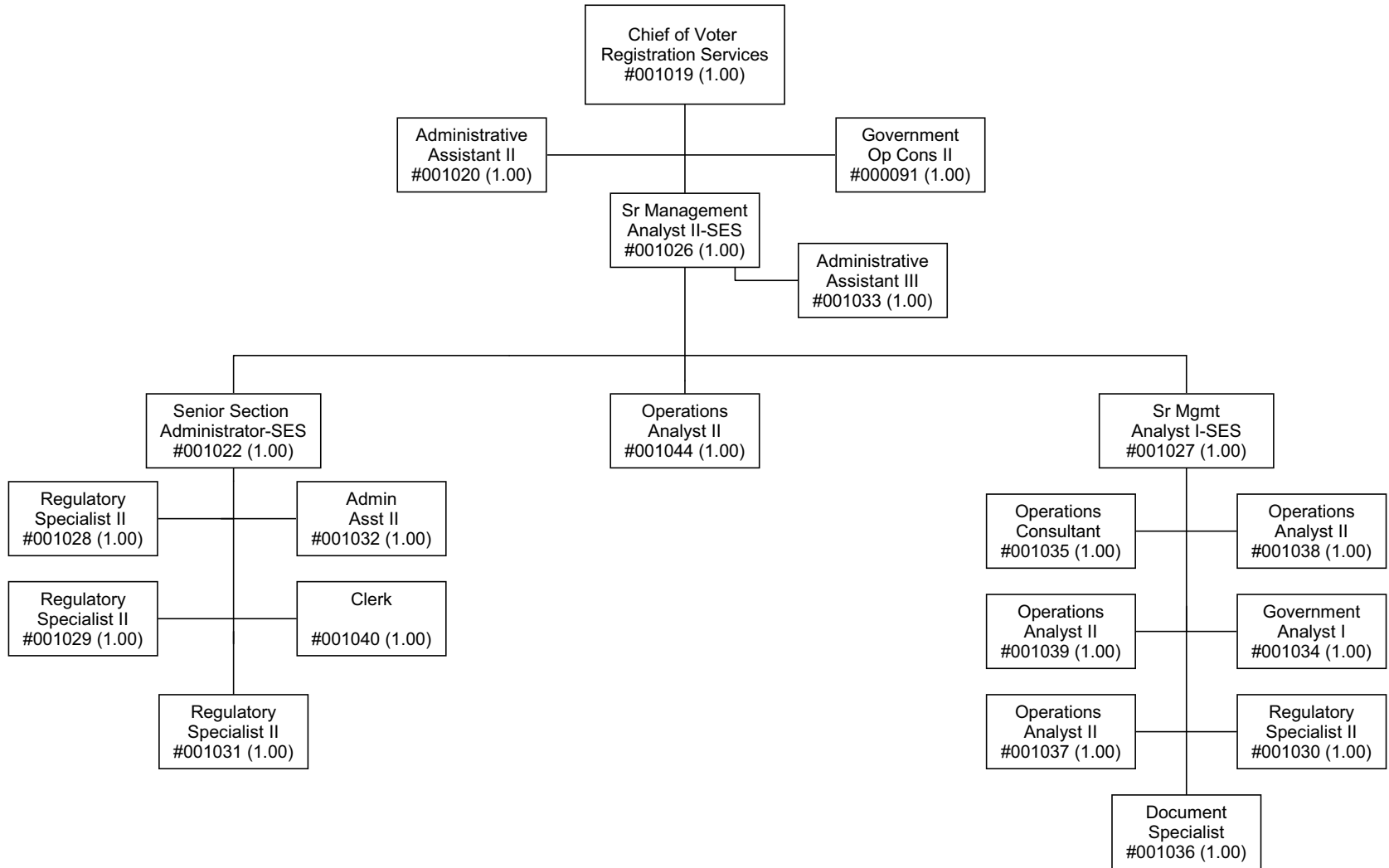
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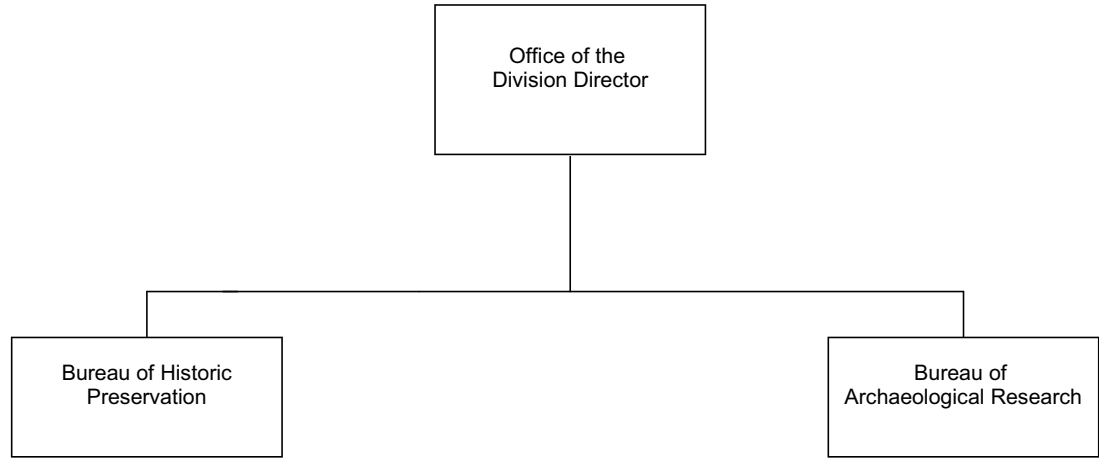
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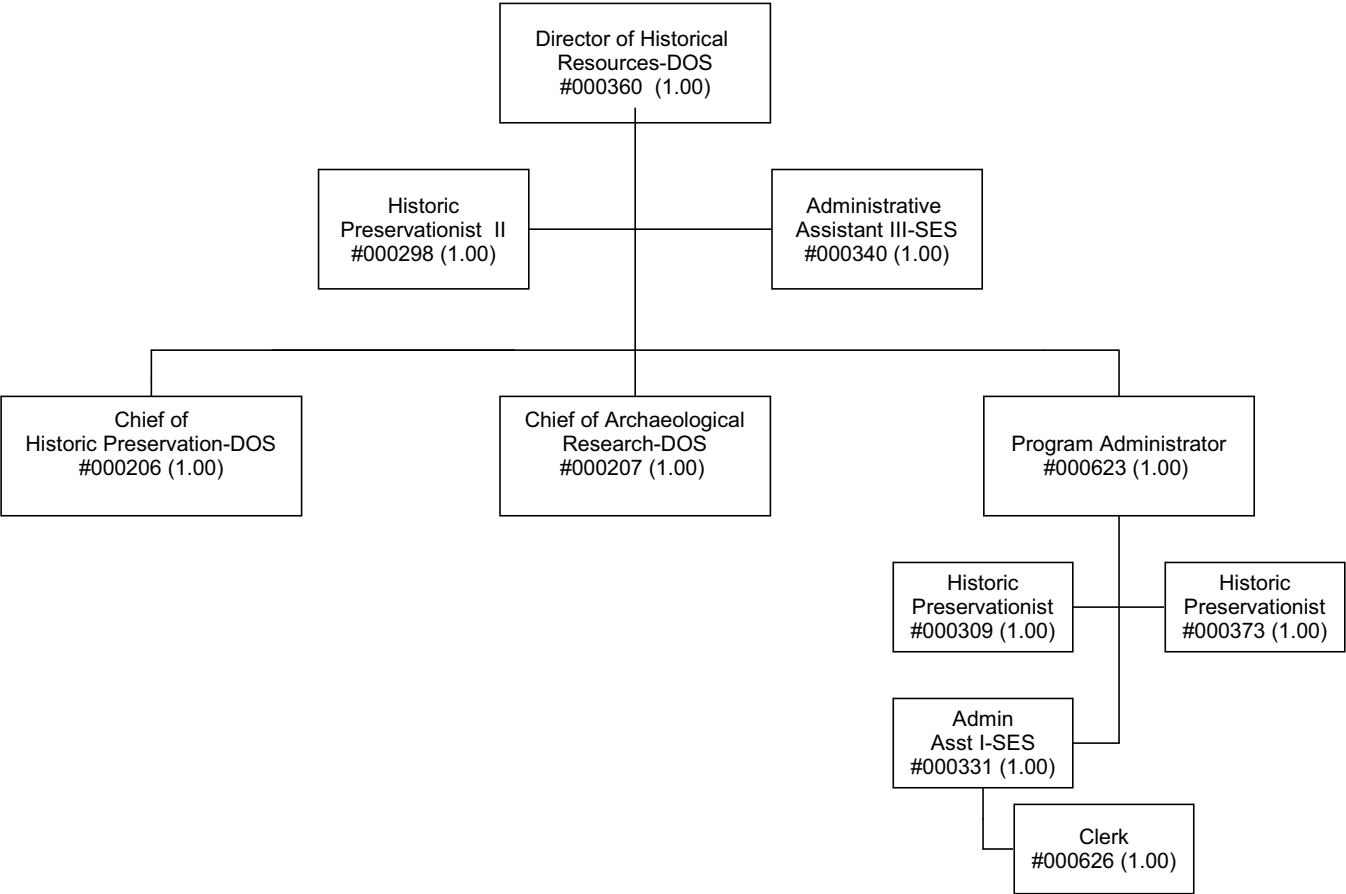
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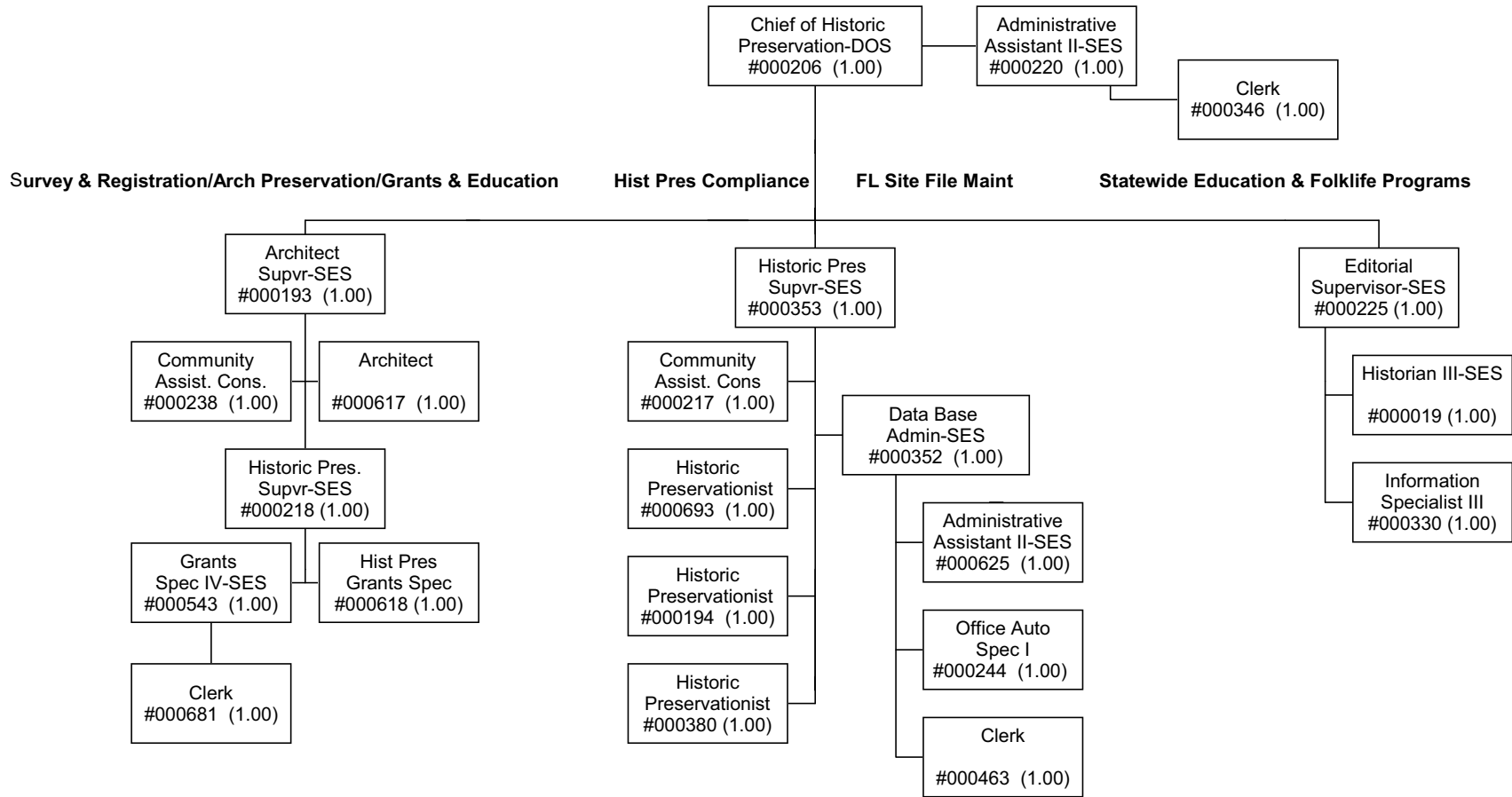
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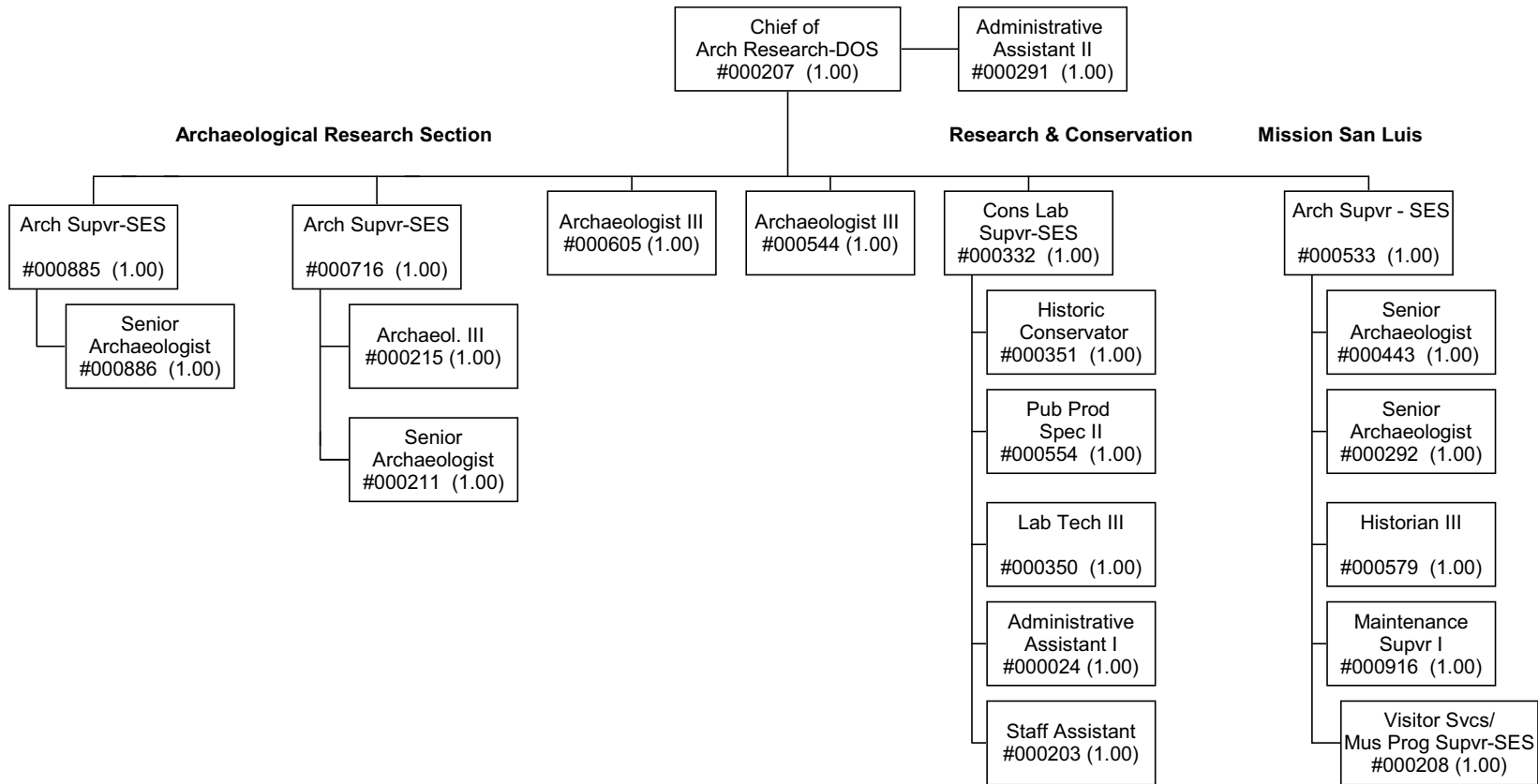
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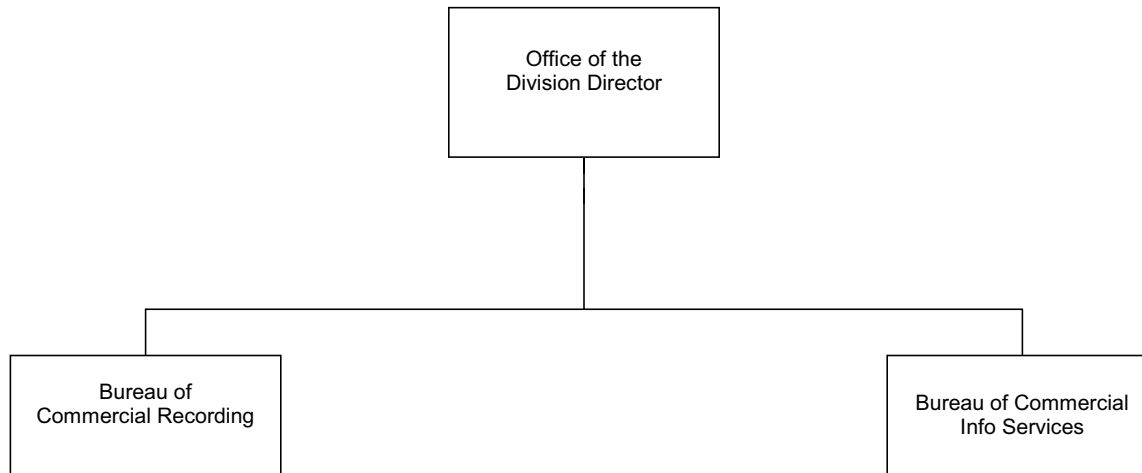
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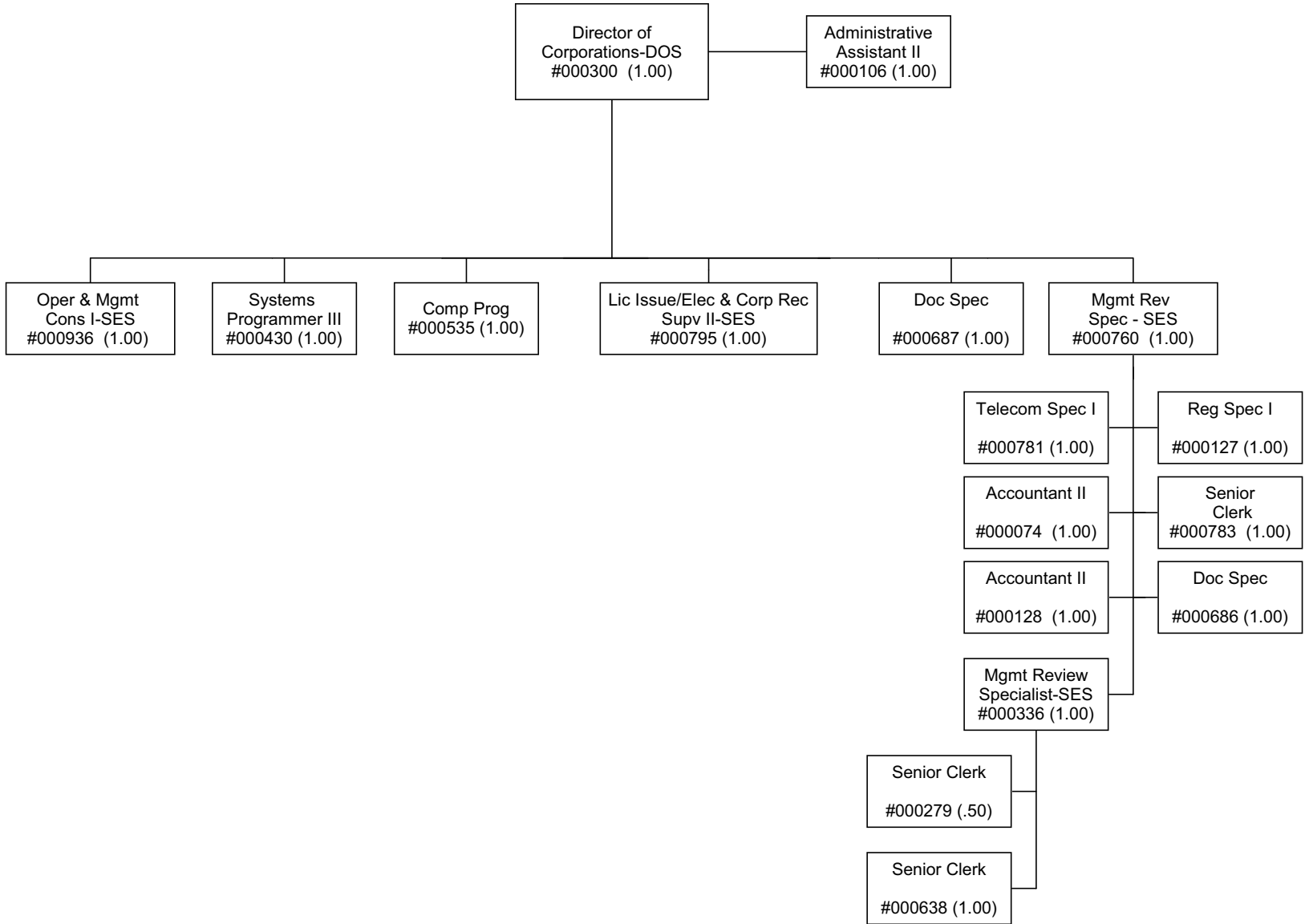
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 DIVISION OF HISTORICAL RESOURCES
 BUREAU OF ARCHAEOLOGICAL RESEARCH (45200460100)



DEPARTMENT OF STATE
DIVISION OF CORPORATIONS
(116.00 FTE)



DEPARTMENT OF STATE
 DIVISION OF CORPORATIONS
 OFFICE OF THE DIVISION DIRECTOR (45300110200)



DEPARTMENT OF STATE
 DIVISION OF CORPORATIONS
 BUREAU OF COMMERCIAL RECORDING (45300120200)

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Mgmt Rev
 Spec-SES
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Business Organization Filing Section

Amendments Section

Reinstatement Section

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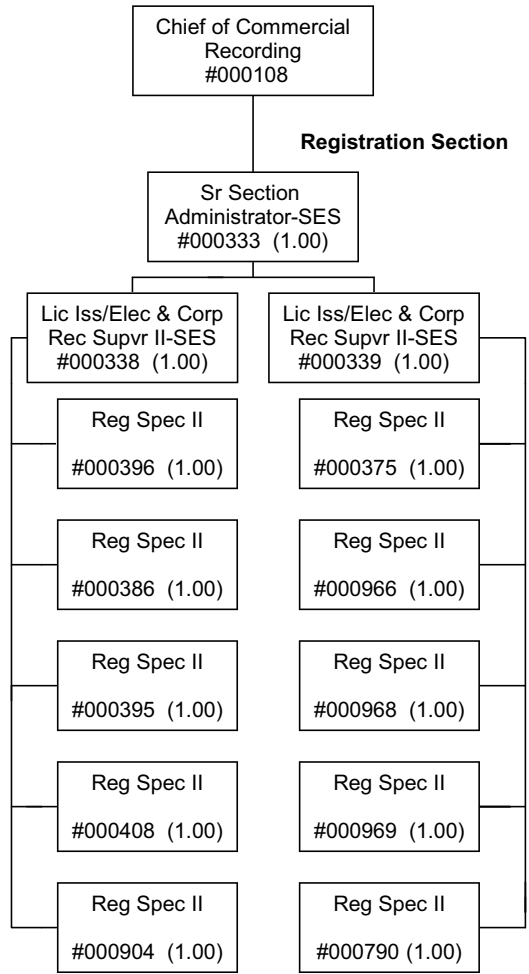
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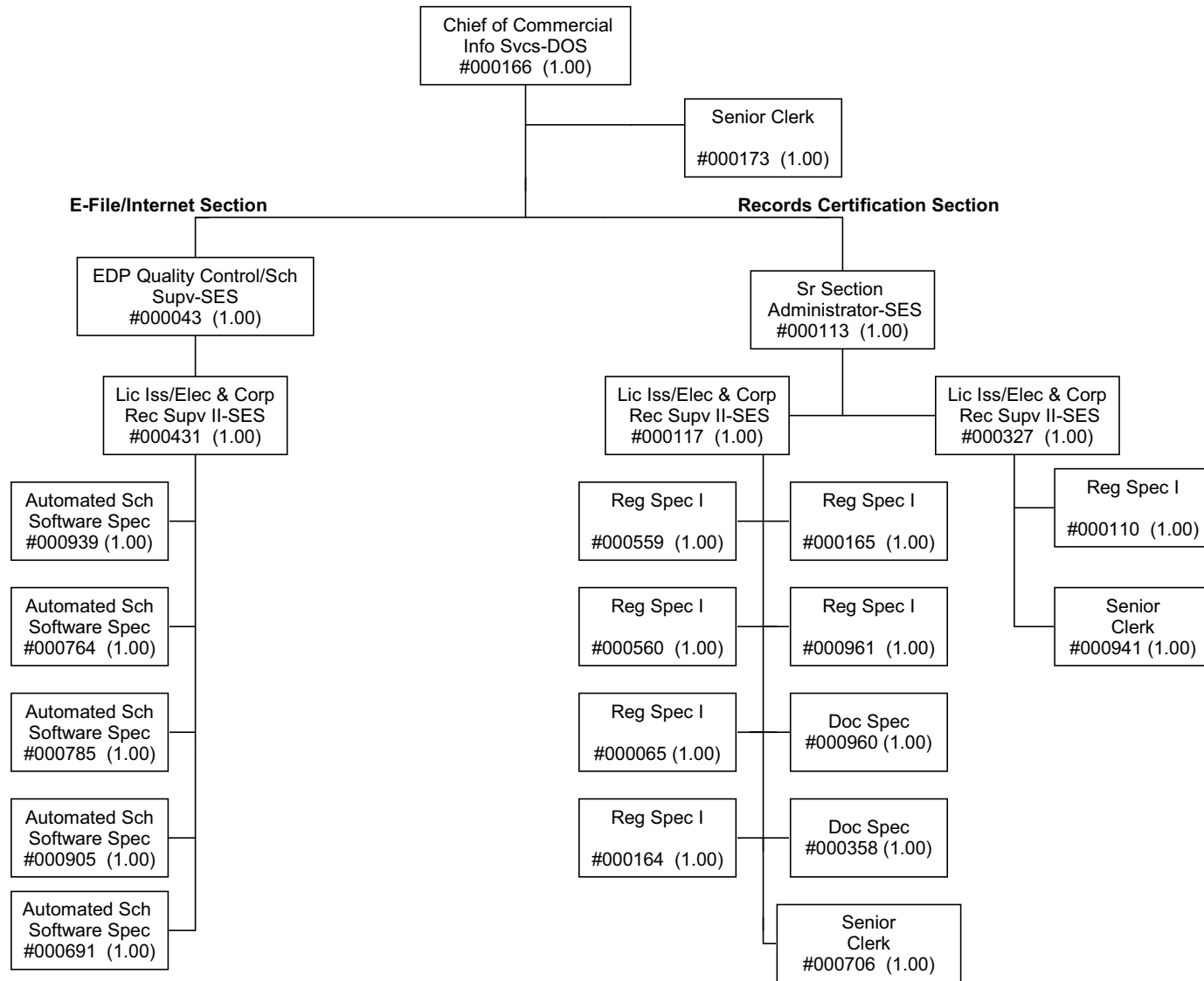
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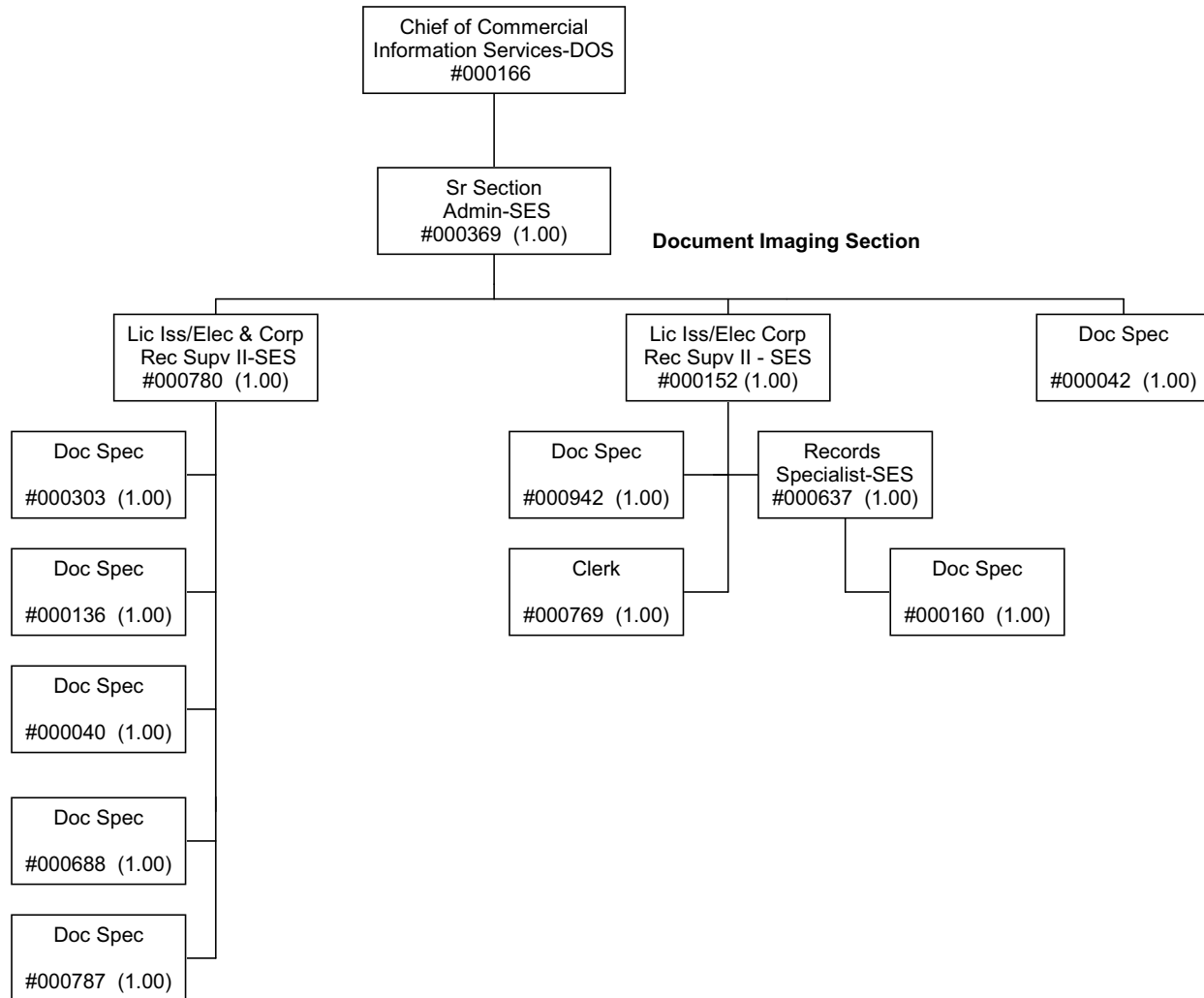
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DIVISION OF CORPORATIONS
BUREAU OF COMMERCIAL RECORDING
Page 2 of 2



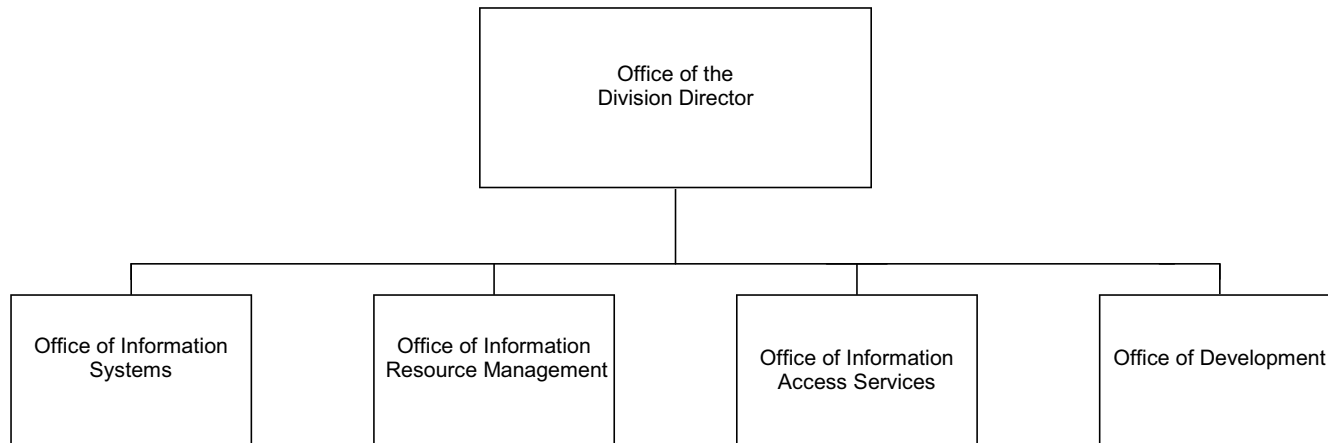
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 BUREAU OF COMMERCIAL INFORMATION SERVICES (45300130100)
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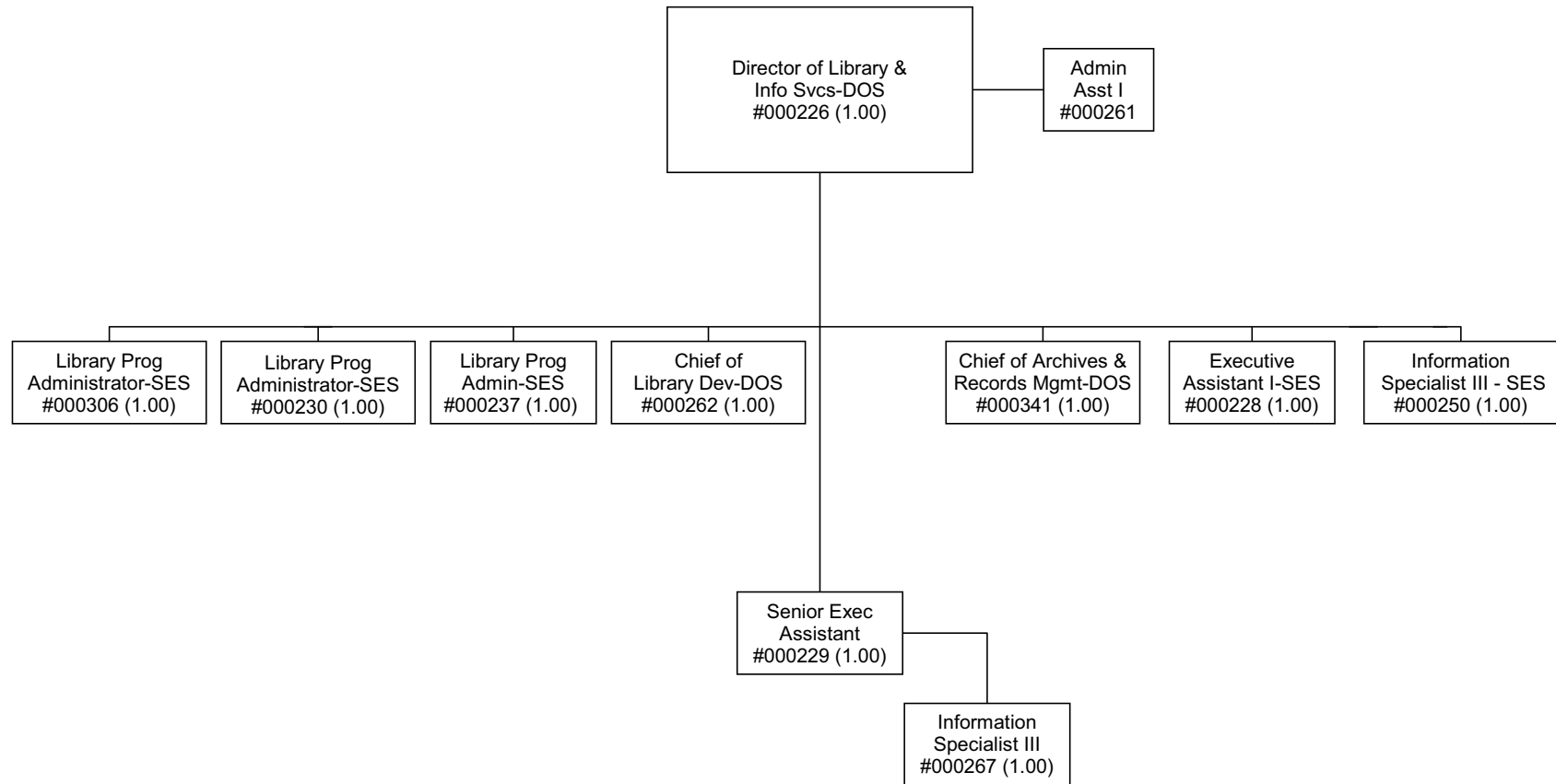
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BUREAU OF COMMERCIAL INFORMATION SERVICES (45300130100)
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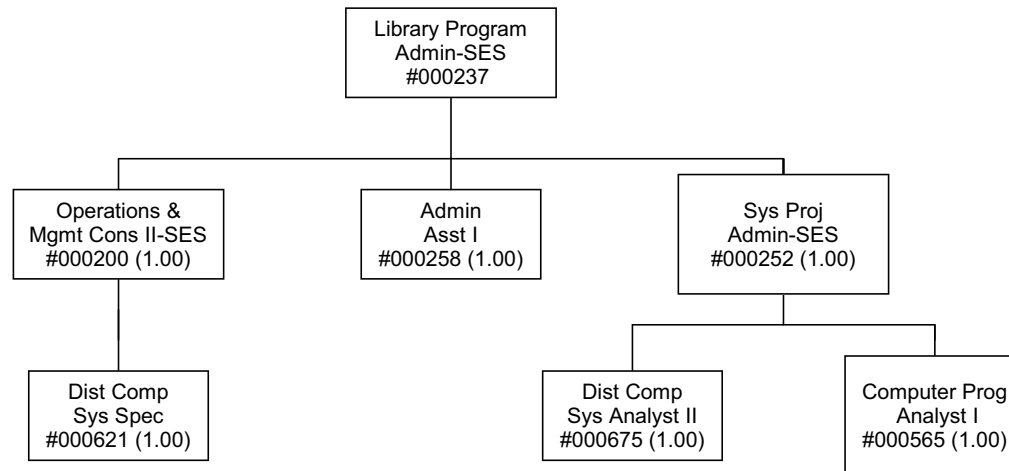
DEPARTMENT OF STATE
DIVISION OF LIBRARY AND INFORMATION SERVICES (4540)
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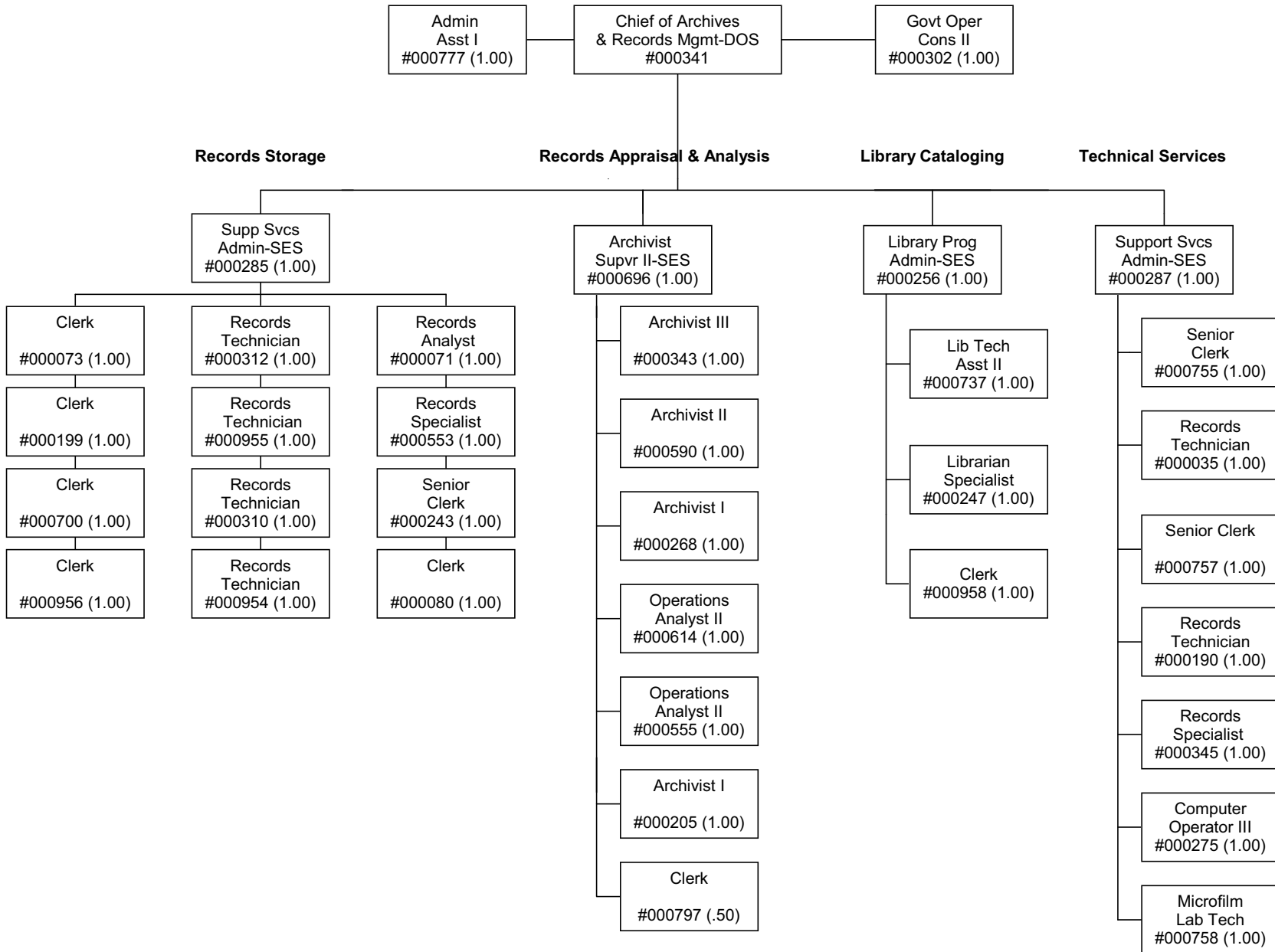
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OFFICE OF THE DIVISION DIRECTOR (45400110000)



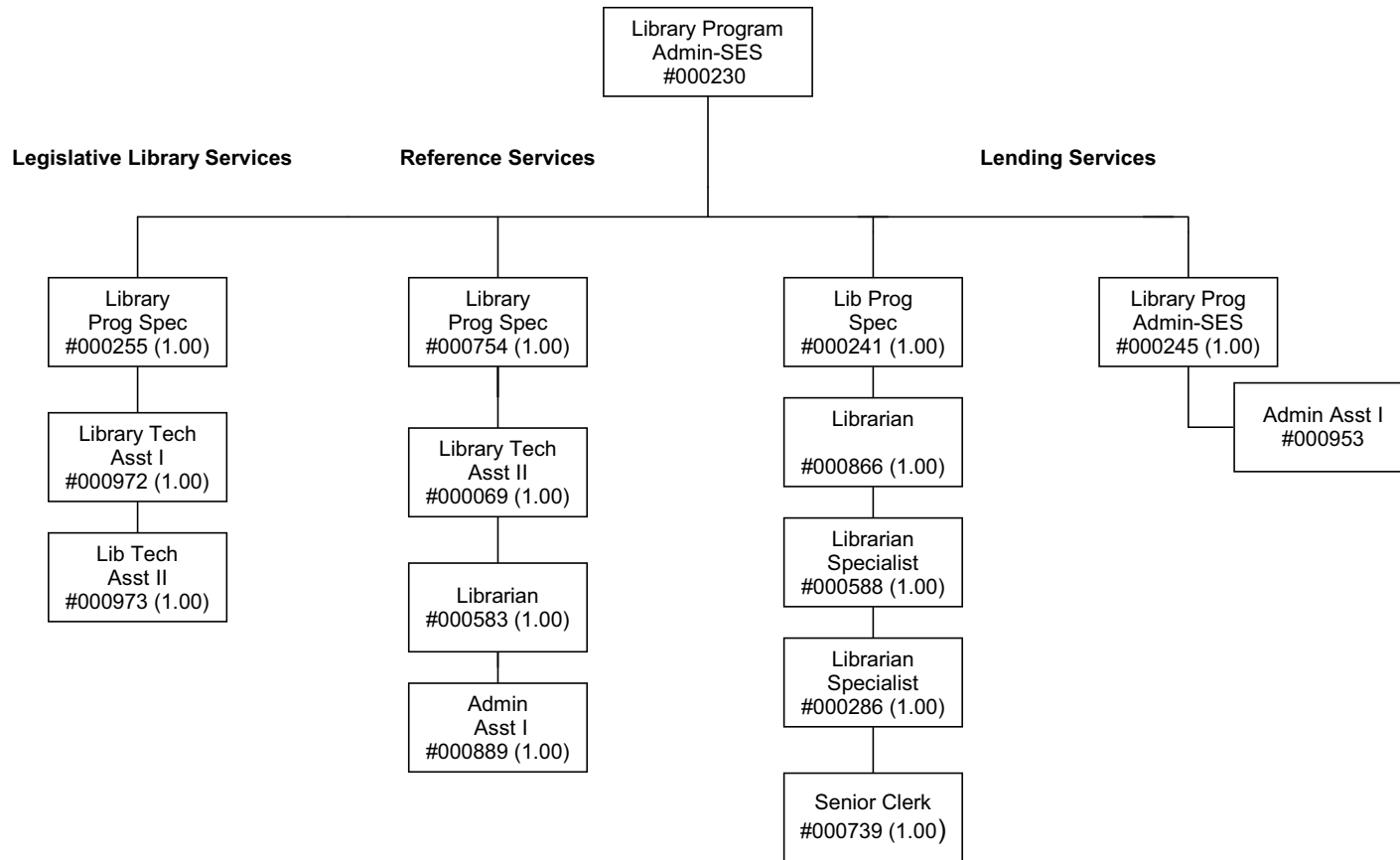
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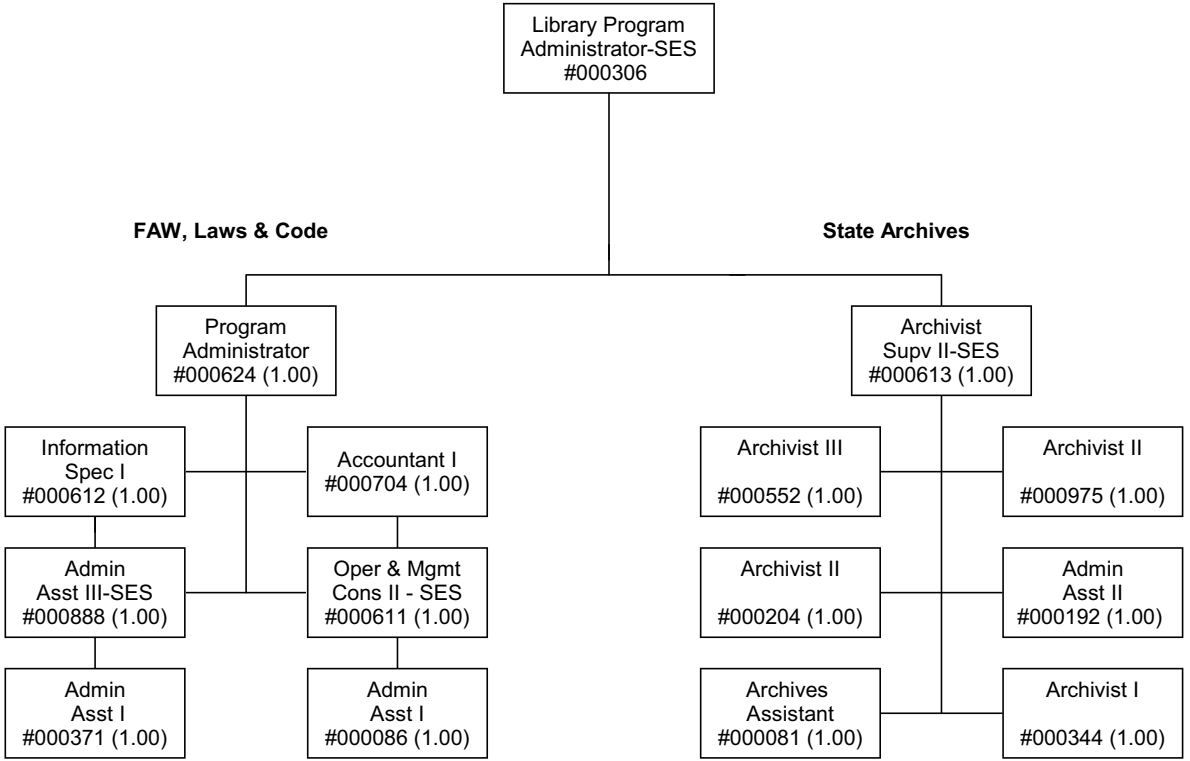
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 DIVISION OF LIBRARY AND INFORMATION SERVICES
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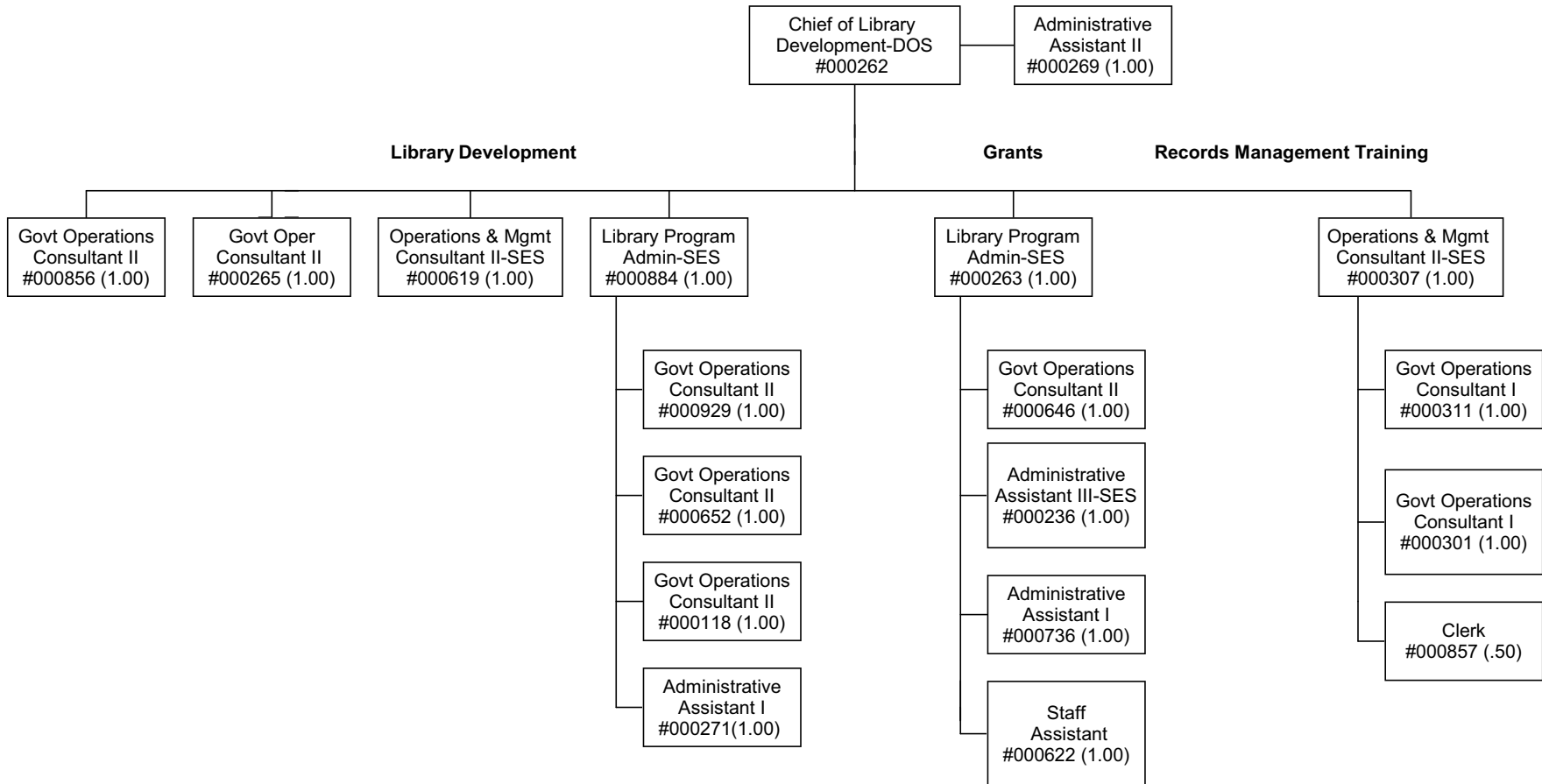
DEPARTMENT OF STATE
 DIVISION OF LIBRARY AND INFORMATION SERVICES
 OFFICE OF INFORMATION ACCESS SERVICES-STATE LIBRARY (45400120000)



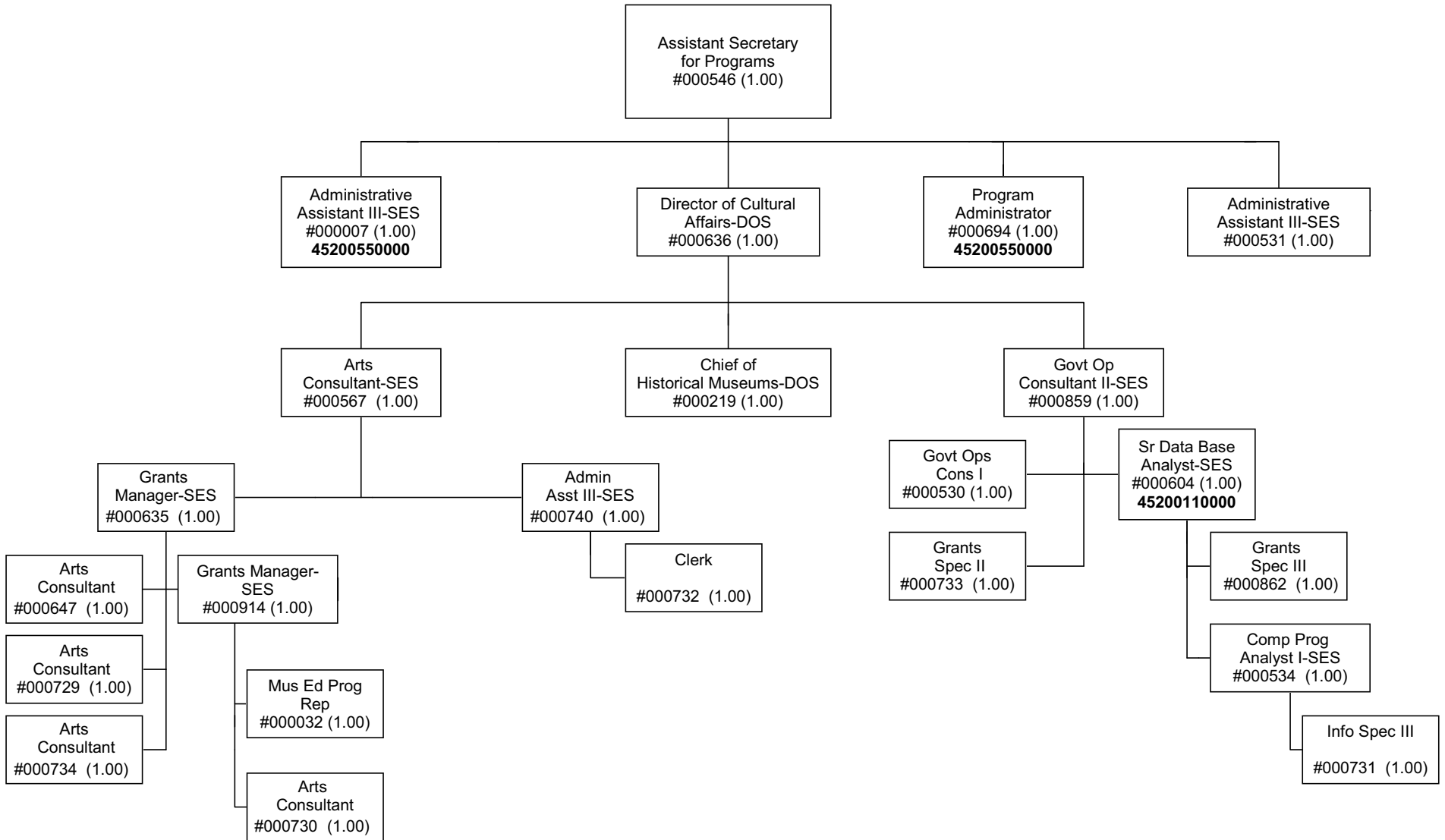
DEPARTMENT OF STATE
 DIVISION OF LIBRARY AND INFORMATION SYSTEMS
 OFFICE OF INFORMATION ACCESS SERVICES - STATE ARCHIVES, FAW, LAWS & CODE (45400120200, 45400150200)



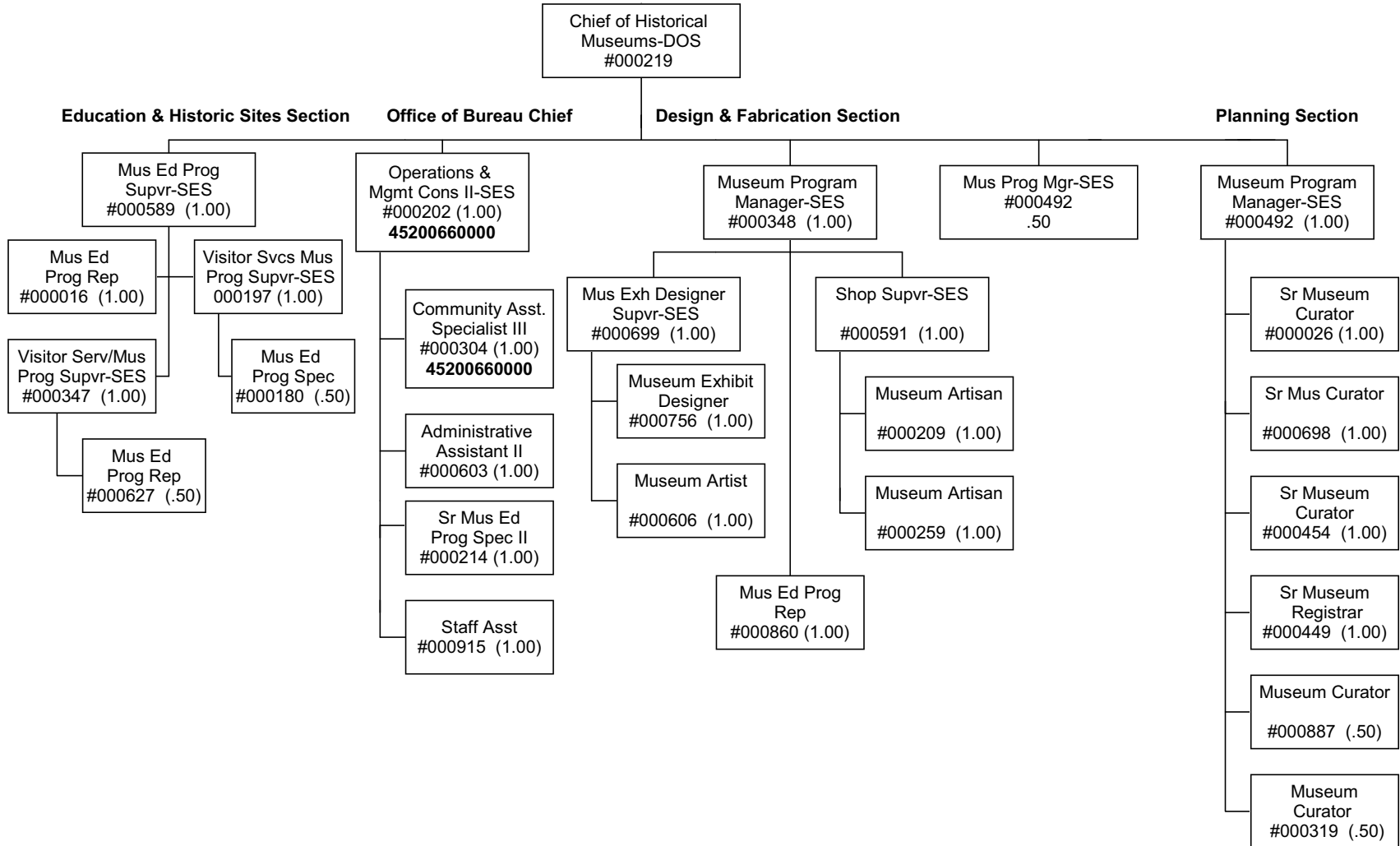
DEPARTMENT OF STATE
 DIVISION OF LIBRARY & INFORMATION SERVICES
 OFFICE OF DEVELOPMENT (45400130000)



DEPARTMENT OF STATE
 DIVISION OF CULTURAL AFFAIRS (45500110000)
 (47.00 FTE)



DEPARTMENT OF STATE
DIVISION OF CULTURAL AFFAIRS
BUREAU OF HISTORICAL MUSEUMS



STATE, DEPARTMENT OF		FISCAL YEAR 2007-08			
SECTION I: BUDGET		OPERATING		FIXED CAPITAL OUTLAY	
TOTAL ALL FUNDS GENERAL APPROPRIATIONS ACT		112,743,020		17,855,000	
ADJUSTMENTS TO GENERAL APPROPRIATIONS ACT (Supplementals, Vetoes, Budget Amendments, etc.)		49,394,400		(6,705,000)	
FINAL BUDGET FOR AGENCY		162,137,420		11,150,000	
SECTION II: ACTIVITIES * MEASURES		Number of Units	(1) Unit Cost	(2) Expenditures (Allocated)	(3) FCO
<i>Executive Direction, Administrative Support and Information Technology (2)</i>					1,000,000
Administrative Code And Weekly Production * Number of notices edited and typeset		15,582	54.91	855,544	
Laws Of Florida Production * Number of laws received and processed		5,340	11.59	61,899	
Elections Assistance And Oversight *		3,833,166	13.65	52,333,623	
Voting Education Grants *		63	31,720.59	1,998,397	
Regional Historic Preservation Technical Assistance * Number of consultations to city and county governments		5,363	49.19	263,812	
State Historic Museums * Number of visitors to state historic museums		56,727	12.61	715,529	
Museum Exhibit Fabrication * Number of museum exhibits available to the public		81	7,118.32	576,584	
Historic Planning * Number of historic objects maintained for public use		48,020	8.51	408,547	
Statewide Museum Programs * Number of people served by statewide museum programs		4,186,841	0.51	2,128,051	
Survey And Registration Services * Number of properties protected and preserved		492	1,141.46	561,598	
Architectural Preservation Services * Number of preservation services applications		1,432	495.93	710,175	
Statewide Education Programs (includes Nea Apprenticeship) * Number of attendees at workshops		128,446	2.59	333,253	
Magazine And Publications * Number of recipients		6,855,950	0.08	576,788	
State And Federal Compliance Reviews * Preservation services applications reviewed		12,259	66.17	811,213	
Conserve And Curate Historic And Archaeological Objects * Number of historic and archaeological objects maintained for public use		417,618	5.81	2,426,859	
Florida Master Site File * Total number of historic and archaeological sites recorded in the Master Site File		171,918	2.95	507,905	
San Luis Mission Research And Interpretation * Number of interpretive products		401	8,226.85	3,298,968	
Commercial Recording-business Organization Filing * Number of business organization filings processed		1,463,048	1.29	1,884,162	
Commercial Recording-registration * Number of commercial registration filings processed		980,771	1.28	1,253,542	
Commercial Recording-amendments * Number of amendments processed		921,478	1.29	1,186,905	
Commercial Recording-reinstatement * Number of commercial registration reinstatements processed		1,139,313	1.09	1,237,631	
Commercial Information Services - Records Certification * Number of records certified		1,130,119	1.28	1,445,355	
Commercial Information Services - Document Imaging * Number of documents imaged		9,176,462	0.38	3,457,372	
Corporate Applications * Number of computer software applications developed and maintained		16	202,580.19	3,241,283	
Library And Network Services * Number of State Library public service activities conducted		97,197,749	0.09	8,420,620	
Library Development Technical Assistance/Grants Management * Number of technical assistance contacts		13,462,080	0.21	2,885,261	
State Aid To Libraries * Local financial support leveraged		461,761,517	0.07	30,794,298	
Library Cooperative Grants * Number of libraries supported		359	6,417.81	2,303,995	
Federal Aid To Libraries * Number of grants awarded		32	70,629.34	2,260,139	
State Archives * Number of State Archives public service activities conducted		157,398,076	0.01	2,173,640	
Records Management * Number of Records Management activities conducted		26,564,974	0.08	2,203,886	
Cultural Program Support Grants * Number of state-supported cultural events		25,135,318	0.42	10,647,696	
Challenge Grants * Local financial support leveraged		2,272,427	0.40	903,646	
Arts Education * Number of youth participating		3,766,767	0.14	527,999	
International Cultural Exchange * Number of international events		203	1,182.27	240,000	
State Touring Program * Number of state-supported performances		200	948.58	189,713	
TOTAL				145,825,888	1,000,000
SECTION III: RECONCILIATION TO BUDGET					
PASS THROUGHS					
TRANSFER - STATE AGENCIES					
AID TO LOCAL GOVERNMENTS					
PAYMENT OF PENSIONS, BENEFITS AND CLAIMS					
OTHER				192,000	8,650,000
REVERSIONS				16,119,554	
TOTAL BUDGET FOR AGENCY (Total Activities + Pass Throughs + Reversions) - Should equal Section I above. (4)				162,137,442	9,650,000

SCHEDULE XI/EXHIBIT VI: AGENCY-LEVEL UNIT COST SUMMARY

(1) Some activity unit costs may be overstated due to the allocation of double budgeted items.
(2) Expenditures associated with Executive Direction, Administrative Support and Information Technology have been allocated based on FTE. Other allocation methodologies could result in significantly different unit costs per activity.
(3) Information for FCO depicts amounts for current year appropriations only. Additional information and systems are needed to develop meaningful FCO unit costs.
(4) Final Budget for Agency and Total Budget for Agency may not equal due to rounding.

DEPARTMENT OF STATE

ELECTIONS

EXHIBITS OR SCHEDULES

DEPARTMENT OF STATE

ELECTIONS

SCHEDULE I SERIES

Grants and Donations Trust Fund - Elections
Schedule 1 Justification

97.012 Secretary of State as chief election officer.

The Secretary of State is the chief election officer of the state, and it is his or her responsibility to:

(1) Obtain and maintain uniformity in the interpretation and implementation of the election laws. In order to obtain and maintain uniformity in the interpretation and implementation of the election laws, the Department of State may, pursuant to ss. 120.536(1) and 120.54, adopt by rule uniform standards for the proper and equitable interpretation and implementation of the requirements of chapters 97-102 and chapter 105 of the Election Code.

(2) Provide uniform standards for the proper and equitable implementation of the registration laws by administrative rule of the Department of State adopted pursuant to ss. 120.536(1) and 120.54.

(3) Actively seek out and collect the data and statistics necessary to knowledgeably scrutinize the effectiveness of election laws.

(4) Provide technical assistance to the supervisors of elections on voter education and election personnel training services.

(5) Provide technical assistance to the supervisors of elections on voting systems.

(6) Provide voter education assistance to the public.

(7) Coordinate the state's responsibilities under the National Voter Registration Act of 1993.

(8) Provide training to all affected state agencies on the necessary procedures for proper implementation of this chapter.

(9) Ensure that all registration applications and forms prescribed or approved by the department are in compliance with the Voting Rights Act of 1965 and the National Voter Registration Act of 1993.

(10) Coordinate with the United States Department of Defense so that armed forces recruitment offices administer voter registration in a manner consistent with the procedures set forth in this code for voter registration agencies.

(11) Create and administer a statewide voter registration system as required by the Help America Vote Act of 2002. The secretary may delegate voter registration duties and records maintenance activities to voter registration officials. Any responsibilities delegated by the secretary shall be performed in accordance with state and federal law.

(12) Maintain a voter fraud hotline and provide election fraud education to the public.

(13) Designate an office within the department to be responsible for providing information regarding voter registration procedures and absentee ballot procedures to absent uniformed services voters and overseas voters.

(14) Bring and maintain such actions at law or in equity by mandamus or injunction to enforce the performance of any duties of a county supervisor of elections or any official performing duties with respect to chapters 97-102 and chapter 105 or to enforce compliance with a rule of the Department of State adopted to interpret or implement any of those chapters.

(a) Venue for such actions shall be in the Circuit Court of Leon County.

(b) When the secretary files an action under this section and not more than 60 days remain before an election as defined in s. 97.021, or during the time period after the election and before certification of the election pursuant to s. 102.112 or s. 102.121, the court, including an appellate court, shall set an immediate hearing, giving the case priority over other pending cases.

(c) Prior to filing an action to enforce performance of the duties of the supervisor of elections or any official described in this subsection, the secretary or his or her designee first must confer, or must make a good faith attempt to confer, with the supervisor of elections or the official to ensure compliance with chapters 97-102 and chapter 105 or the rules of the Department of State adopted under any of those chapters.

(15) Conduct preliminary investigations into any irregularities or fraud involving voter registration, voting, candidate petition, or issue petition activities and report his or her findings to the statewide prosecutor or the state attorney for the judicial circuit in which the alleged violation occurred for prosecution, if warranted. The Department of State may prescribe by rule requirements for filing an elections-fraud complaint and for investigating any such complaint.

Additional federal funds from the Help America Vote Act (HAVA) in the amount of \$6,477,573 are available and a one-time match for these funds of \$340,925 was appropriated by the Legislature for the 2008-2009 fiscal year. The match is contingent upon the receipt of the additional funds and upon receipt the Department is authorized to submit a budget amendment for the release of the funds. Revenues listed are from grant award documents for HAVA and the Health and Human Services Grants. Interest accrued for HAVA may be used by the state and is listed.

Operating Trust Fund-Elections
Schedule 1 Justification

The Elections portion of the Operating Trust Fund in Department of State is a clearing fund; all incoming revenues have a statutorily designated destination.

99.092 Qualifying fee of candidate; notification of Department of State.--

(1)Each person seeking to qualify for nomination or election to any office, except a person seeking to qualify by the petition process pursuant to s. 99.095 and except a person seeking to qualify as a write-in candidate, shall pay a qualifying fee, which shall consist of a filing fee and election assessment, to the officer with whom the person qualifies, and any party assessment levied, and shall attach the original or signed duplicate of the receipt for his or her party assessment or pay the same, in accordance with the provisions of s. 103.121, at the time of filing his or her other qualifying papers. The amount of the filing fee is 3 percent of the annual salary of the office. The amount of the election assessment is 1 percent of the annual salary of the office sought. The election assessment shall be deposited into the Elections Commission Trust Fund. The amount of the party assessment is 2 percent of the annual salary. The annual salary of the office for purposes of computing the filing fee, election assessment, and party assessment shall be computed by multiplying 12 times the monthly salary, excluding any special qualification pay, authorized for such office as of July 1 immediately preceding the first day of qualifying. No qualifying fee shall be returned to the candidate unless the candidate withdraws his or her candidacy before the last date to qualify. If a candidate dies prior to an election and has not withdrawn his or her candidacy before the last date to qualify, the candidate's qualifying fee shall be returned to his or her designated beneficiary, and, if the filing fee or any portion thereof has been transferred to the political party of the candidate, the Secretary of State shall direct the party to return that portion to the designated beneficiary of the candidate.

(2)The supervisor of elections shall, immediately after the last day for qualifying, submit to the Department of State a list containing the names, party affiliations, and addresses of all candidates and the offices for which they qualified.

117.01 Appointment, application, suspension, revocation, application fee, bond, and oath.--

1) The Governor may appoint as many notaries public as he or she deems necessary, each of whom shall be at least 18 years of age and a legal resident of the state. A permanent resident alien may apply and be appointed and shall file with his or her application a recorded Declaration of Domicile. The residence required for appointment must be maintained throughout the term of appointment. Notaries public shall be appointed for 4 years and shall use and exercise the office of notary public within the boundaries of this state. An applicant must be able to read, write, and understand the English language.

(2)The application for appointment shall be signed and sworn to by the applicant and shall be accompanied by a fee of \$25, together with the \$10 commission fee required by s. 113.01, and a surcharge of \$4, which \$4 is appropriated to the Executive Office of the Governor to be used to educate and assist notaries public. The Executive Office of the Governor may contract with private vendors to provide the services set forth in this section. However, no commission fee shall be required for the issuance of a commission as a notary public to a veteran who served during a period of wartime service, as defined in s. 1.01(14), and who has been rated by the United States Government or the United States Department of Veterans Affairs or its predecessor to have a disability rating of 50 percent or more; such a disability is subject to verification by the Secretary of State, who has authority to adopt reasonable procedures to implement this act. The oath of office and notary bond required by this section shall also accompany the application and shall be in a form prescribed by the Department of State which shall require, but not be limited to, the following information: full name, residence address and telephone number, business address and telephone number, date of birth, race, sex, social security number, citizenship status, driver's license number or the number of other official state-issued identification, affidavit of good character from someone unrelated to the applicant who has known the applicant for 1 year or more, a list of all professional licenses and commissions issued by the state during the previous 10 years and a statement as to whether or not the applicant has had such license or commission revoked or suspended, and a statement as to whether or not the applicant has been convicted of a felony, and, if there has been a conviction, a statement of the nature of the felony and restoration of civil rights. The applicant may not use a fictitious or assumed name other than a nickname on an application for commission. The application shall be maintained by the Department of State for the full term of a notary commission. A notary public shall notify, in writing, the Department of State of any change in his or her business address, home telephone number, business telephone number, home address, or criminal record within 60 days after such change. The Governor may require any other information he or she deems necessary for determining whether an applicant is eligible for a notary public commission. Each applicant must swear or affirm on the application that the information on the application is true and correct.

106.021 Campaign treasurers; deputies; primary and secondary depositories.--

1)(a) Each candidate for nomination or election to office and each political committee shall appoint a campaign treasurer. Each person who seeks to qualify for nomination or election to, or retention in, office shall appoint a campaign treasurer and designate a primary campaign depository prior to qualifying for office. Any person who seeks to qualify for election or nomination to any office by means of the petitioning process shall appoint a treasurer and designate a primary depository on or before the date he or she obtains the petitions. Each candidate shall at the same time he or she designates a campaign depository and appoints a treasurer also designate the office for which he or she is a candidate. If the candidate is running for an office which will be grouped on the ballot with two or more similar offices to be filled at the same election, the candidate must indicate for which group or district office he or she is running. Nothing in this subsection shall prohibit a candidate, at a later date, from changing the designation of the office for which he or she is a candidate. However, if a candidate changes the designated office for which he or she is a candidate, the candidate must notify all contributors in writing of the intent to seek a different office and offer to return pro rata, upon their request, those contributions given in support of the original office sought. This notification shall be given within 15 days after the filing of the change of designation and shall include a standard form developed by the Division of Elections for requesting the return of contributions. The notice requirement shall not apply to any change in a numerical designation resulting solely from redistricting. If, within 30 days after being notified by the candidate of the intent to seek a different office, the contributor notifies the candidate in writing that the contributor wishes his or her contribution to be returned, the candidate shall return the contribution, on a pro rata basis, calculated as of the date the change of designation is filed. Any contributions not requested to be returned within the 30-day period may be used by the candidate for the newly designated office. No person shall accept any contribution or make any expenditure with a view to bringing about his or her nomination, election, or retention in public office, or authorize another to accept such contributions or make such expenditure on the person's behalf, unless such person has appointed a campaign treasurer and designated a primary campaign depository. A candidate for an office voted upon statewide may appoint not more than 15 deputy campaign treasurers, and any other candidate or political committee may appoint not more than 3 deputy campaign treasurers. The names and addresses of the campaign treasurer and deputy campaign treasurers so appointed shall be filed with the officer before whom such candidate is required to qualify or with whom such political committee is required to register pursuant to s. 106.03.

Fiscal year 09-10 revenue estimates are based on fiscal year 07-08 actual revenue, which was a non-election year. Fiscal year 10-11 revenue estimates

are based on fiscal year 06-07 actual revenue, which is a Gubernatorial election year.

SCHEDULE 1B: DETAIL OF UNRESERVED FUND BALANCES

Budget Period: 2009 2010

Department: 45 Department of State
Budget Entity: 45200700 Historical Resources
Fund: 2339 Grants and Donations Trust Fund

(1)	(2)	(3)	(4)
	ACTUAL	ESTIMATED	REQUEST
<u>FUNDING SOURCE - STATE</u>	FY 2007 - 2008	FY 2008 - 2009	FY 2009 - 2010
<u>Dept of Environmental Protection (CARL</u>	3,332,771	3,980,956	4,861,552

<u>FUNDING SOURCE - NON-STATE</u>			

TOTALS*	3,332,771	3,980,956	4,861,552

***Must agree to amounts on Schedule I, Section IV, Line I.**

SCHEDULE IC: RECONCILIATION OF UNRESERVED FUND BALANCE

Budget Period: 2009-2010

Department Title:	Department of State
Trust Fund Title:	Grants & Donations Trust Fund
Budget Entity:	Division of Elections 45100000
LAS/PBS Fund Number:	2339

	Balance as of 6/30/2008		SWFS* Adjustments		Adjusted Balance
Chief Financial Officer's (CFO) Cash Balance	202,003.93	(A)			202,003.93
ADD: Other Cash (See Instructions)	-	(B)			-
ADD: Investments	65,719,405.26	(C)			65,719,405.26
ADD: Outstanding Accounts Receivable	196,283.47	(D)			196,283.47
ADD: _____	-	(E)			-
Total Cash plus Accounts Receivable	66,117,692.66	(F)	-		66,117,692.66
LESS: Allowances for Uncollectibles	-	(G)			-
LESS: Approved "A" Certified Forwards	62,554.57	(H)			62,554.57
Approved "B" Certified Forwards	504,230.96	(H)			504,230.96
Approved "FCO" Certified Forwards	-	(H)			-
LESS: Other Accounts Payable (Nonoperating)	8,583.77	(I)			8,583.77
LESS: _____		(J)			-
Unreserved Fund Balance, 07/01/2008	65,542,323.36	(K)	-		65,542,323.36

Notes:

*SWFS = Statewide Financial Statement

** This amount should agree with Line G, Section III of the Schedule I for the most recent completed fiscal year and Line A for the following year.

RECONCILIATION: BEGINNING TRIAL BALANCE TO SCHEDULE I AND IC

Budget Period 2009-2010

Department Title: Department of State
Trust Fund Title: Grants and Donations Trust Fund
LAS/PBS Fund Number: 2339

BEGINNING TRIAL BALANCE:

Unreserved Fund Balance Per Trial Balance, 07-01-08 (65,517,827.37) (A)

Add/Subtract:
Prior Year Financial Statement Adjustments - (B)

Other Adjustment(s):

Current Year Accts Payable from Operating Category not CF (24,495.99) (C)

-

-

ADJUSTED BEGINNING TRIAL BALANCE: (65,542,323.36) (D)

UNRESERVED FUND BALANCE, SCHEDULE 1C (65,542,323.36) (E)

DIFFERENCE: - (F)*

***SHOULD EQUAL ZERO**

DEPARTMENT OF STATE

HISTORICAL RESOURCES

EXHIBITS OR SCHEDULES

DEPARTMENT OF STATE

HISTORICAL RESOURCES

SCHEDULE I SERIES

Grants and Donations Trust Fund - Historical Resources
Schedule 1 Justification

Section 267.031 (3), F.S. states, "The division may accept gifts, grants, bequests, loans, and endowments for purposes not inconsistent with its responsibilities under this chapter." The source of these receipts is with the Department of Environmental Protection as outlined in Section 259.032, and Section 259.032 (2)(a) F.S. states, "The Conservation and Recreation Lands Trust Fund is established within the Department of Environmental Protection. The fund shall be used as a nonlapsing, revolving fund exclusively for the purposes of this section. The fund shall be credited with proceeds from the following excise taxes: 1.The excise taxes on documents as provided in s. 201.15; and 2.The excise tax on the severance of phosphate rock as provided in s. 211.3103. The Department of Revenue shall credit to the fund each month the proceeds from such taxes as provided in this paragraph."

These funds are used to preserve significant archaeological and historical sites on CARL properties. Lands acquired under Section 259.032(3)(h) shall be used, "To preserve significant archaeological or historic sites." These funds are necessary as long as the Division of Historical Resources continues to manage CARL properties. The General Appropriations Act for FY 2008-2009 provides for a transfer from the Department of Environmental Protection to the Department of State in the amount of \$7,842,753.

Restitution Penalty funds listed as revenue come from the prosecution of illegal treasure hunters and destruction of archaeological sites. This revenue fluctuates and cannot be predicted.

Operating Trust Fund - Historical Resources
Schedule 1 Justification

In regards to the Division of Historical Resources Operating Trust Fund, Section 267.031(3), F.S. states, "The division may accept gifts, grants, bequests, loans, and endowments for purposes not inconsistent with its responsibilities under this chapter. The division may also establish an endowment that is consistent with the responsibilities of this chapter." The trust fund serves as a depository for federal, state (other agencies) and private funds in the form of grants to support the Division's Historical Resources programs. The current year award is \$839,912 and will be used as the FY 09-10 estimate. Section 267.031 (5)(h), F.S. directs the Division to, "Carry out on behalf of the state the programs of the National Historic Preservation Act of 1966, as amended, and to establish, maintain, and administer a state historic preservation program meeting the requirements of an approved program and fulfilling the responsibilities of state historic preservation programs as provided in s. 101(b) of that act."

The Division also receives grants from the National Endowment for the Arts (NEA) for folklife programs. A \$30,000 grant will support a statewide outreach coordinator's position and related costs, and other outreach activities as needed.

Underwater Exploration and Salvor contracts generate revenue that represents the State's share of artifacts found during salvage and exploration projects. The Archaeological Research Conservation Lab receives revenue from outside organizations for conservation and preservation of artifacts such as the cannons from Castillo de San Marcos in St. Augustine.

In addition, the Underwater Archaeology Program in the Bureau of Archaeological Research has been awarded funds from the Florida Department of Environmental Protection through their Florida Coastal Zone Management Grant Program. These are federal pass-through funds originating from the U.S. Department of Commerce's National Oceanic and Atmospheric Administration (NOAA). An FY 2008-09 grant of \$79,275 was awarded for the period of July 1, 2008 through September 30, 2009 for the project *Investigating Early Spanish Landing Sites: Archaeological Survey in St. Marks & Suwannee Rivers*. An FY 2007-2008 award for Phase 1 of *Mapping Archaeological Sites in Charlotte Harbor Preserve State Park* was extended to June 30, 2008 and the award was increased from \$96,455 to \$212,800 to cover Phase II of the same project.

On June 9, 1998 the President of the United States signed into law PL 105-178, The Transportation Equity Act for the 21st Century (TEA-21). This law called for a streamlined approach for conducting transportation corridor project reviews as required by the National Environmental Policy Act (NEPA) of 1969, as amended. In response, the State of Florida Department of Transportation (FDOT), working with the Federal Highway Administration (FHWA)

and other Federal, State, and Local agencies, developed a refined and improved methodology for effecting improved transportation decisions while complying with all Federal and State environmental regulations.

In a committed effort to support this program, the Florida State Historic Preservation Officer (SHPO) agreed to several measures to facilitate the effectiveness of the Efficient Transportation Decision Management (ETDM) Process. These measures include, but are not limited to: supplementing its existing staff which currently processes FDOT projects on a routine basis with qualified project review specialists; provide expedited project coordination, technical assistance and document review pursuant with the National Historic Preservation Act of 1966, as amended, and 36 CFR Part 800 to satisfy requirements of the National Environmental Policy Act of 1969, as amended, and Chapter 267, *Florida Statutes*; and provide proper accounting of all project information and reviewers' personnel information including work hours and work tasks as defined in the Funding Agreement to be signed by the SHPO, FDOT and FHWA.

Supplementary staff will consist of three Other Personnel Services (OPS) positions and will fulfill the role of ETDM Environmental Technical Advisory Team (ETAT) representative for the Department of State. It is necessary to fill these positions with individuals that meet or exceed the Secretary of the Interior's Professional Qualification Standards. The incumbents in these positions will be required to complete project reviews expeditiously to meet established and agreed review periods. FDOT has agreed to fund these positions on a reimbursement basis. A previous agreement runs from October 21, 2005 to October 20, 2008. This agreement totaling \$725,850 allowed a budget of \$243,950 for year one and \$240,950 per year for years two and three. These past yearly amounts represent the maximum amounts received by DHR for each period, as some funding was not used due to vacant positions and OPS employee days off.

A renewal agreement is in process of execution with FDOT for the period of October 20, 2008 to October 19, 2011. This three year renewal agreement totaling \$725,850 allows for a budget of \$243,950 for year one (10/20/08-10/19/09) and \$240,950 per year for both year two (10/20/09-10/19/10) and year three (10/20/10-10/19/11). The option of an annual advanced payment is being discussed, but has not yet been approved.

Federal law requires compliance review of development projects of all types and the Division of Historical Resources provides technical assistance on preservation laws to ensure compliance with state and federal laws mandating consideration of a project's impact on historic and archaeological properties, assists in the preparation of historic preservation elements for state land management plans, reviews the historic preservation aspects of local government comprehensive plans, and administers the Florida Certified Local Government Program. The Florida Master Site File is a paper file

archive and computer data base of all known historical structures and archaeological sites in Florida. It is maintained at the R.A. Gray Building, 500 S. Bronough St., in Tallahassee by the Bureau of Archaeological Research of the Division of Historical Resources, Florida Department of State. As a result of these two vitally important programs, the Division of Historical Resources collects revenue from private vendors and outside entities for photocopies used in research of any historically significant property that may be damaged or lost in the course of construction projects or development.

The Division produces various Heritage Trail and archaeological publications. They are available for sale to the public in order to educate the public and promote an interest and understanding of the history of Florida. The Division also collects modest but steady revenue for the sale of surplus property, interest on advanced grant funds, and royalties on the distribution of historical music recordings.

Division staff may also apply for and receive additional grant funding from federal, state and private sources throughout the year. For example, it is anticipated that the Bureau of Archaeological Research (BAR) will apply for additional Coastal Zone Management grants in November 2008 for FY 2009-10. It is also anticipated that a private grant application will be submitted by BAR to the National Geographic Foundation for funding available in early 2009.

SCHEDULE 1B: DETAIL OF UNRESERVED FUND BALANCES

Budget Period: 2009 2010

Department: 45 Department of State
Budget Entity: 45100200 Elections
Fund: 2339 Grants and Donations Trust Fund

(1)	(2)	(3)	(4)
	ACTUAL	ESTIMATED	REQUEST
<u>FUNDING SOURCE - STATE</u>	FY 2007 - 2008	FY 2008 - 2009	FY 2009 - 2010
<u>FUNDING SOURCE - NON-STATE</u>			
<u>Federal Help America Vote Act (HAVA)</u>	65,542,323	65,156,439	58,371,730
TOTALS*	65,542,323	65,156,439	58,371,730

*Must agree to amounts on Schedule I, Section IV, Line I.

SCHEDULE IC: RECONCILIATION OF UNRESERVED FUND BALANCE

Department Title:	Budget Period: 2009-2010
Trust Fund Title:	Department of State
Budget Entity:	Grants & Donations Trust Fund
LAS/PBS Fund Number:	Division of Historical Resources 45200000
	2339

	Balance as of 6/30/2008		SWFS* Adjustments		Adjusted Balance
Chief Financial Officer's (CFO) Cash Balance	11,621,707.48	(A)			11,621,707.48
ADD: Other Cash (See Instructions)	-	(B)			-
ADD: Investments	-	(C)			-
ADD: Outstanding Accounts Receivable	-	(D)			-
ADD: _____	-	(E)			-
Total Cash plus Accounts Receivable	11,621,707.48	(F)	-		11,621,707.48
LESS: Allowances for Uncollectibles	-	(G)			-
LESS: Approved "A" Certified Forwards	60,335.46	(H)			60,335.46
Approved "B" Certified Forwards	226,565.00	(H)			226,565.00
Approved "FCO" Certified Forwards	8,002,035.77	(H)			8,002,035.77
LESS: Other Accounts Payable (Nonoperating)	-	(I)			-
LESS: _____		(J)			-
Unreserved Fund Balance, 07/01/2008	3,332,771.25	(K)	-		3,332,771.25 **

Notes:

*SWFS = Statewide Financial Statement

** This amount should agree with Line G, Section III of the Schedule I for the most recent completed fiscal year and Line A for the following year.

RECONCILIATION: BEGINNING TRIAL BALANCE TO SCHEDULE I AND IC

Budget Period 2009-2010

Department Title: Department of State
Trust Fund Title: Grants and Donations Trust Fund
LAS/PBS Fund Number: 2339

BEGINNING TRIAL BALANCE:

Unreserved Fund Balance Per Trial Balance, 07-01-08 (65,517,827.37) (A)

Add/Subtract:
Prior Year Financial Statement Adjustments - (B)

Other Adjustment(s):

Current Year Accts Payable from Operating Category not CF (24,495.99) (C)

-

-

ADJUSTED BEGINNING TRIAL BALANCE: (65,542,323.36) (D)

UNRESERVED FUND BALANCE, SCHEDULE 1C (65,542,323.36) (E)

DIFFERENCE: - (F)*

***SHOULD EQUAL ZERO**

DEPARTMENT OF STATE

LIBRARY & INFORMATION SERVICES

EXHIBITS OR SCHEDULES

DEPARTMENT OF STATE

LIBRARY & INFORMATION SERVICES

SCHEDULE I SERIES

Library Services Trust Fund
Schedule 1 Justification

Section 257.12, F.S. states, "(1) The Division of Library and Information Services of the Department of State is designated as the state library administrative agency authorized to accept, receive, administer, and expend any moneys, materials, or any other aid granted, appropriated, or made available by the United States or any of its agencies for the purpose of giving aid to libraries and providing educational library service in the state. (2) The division is authorized to file any accounts required by federal law or regulation with reference to receiving and administering all such moneys, materials, and other aid for said purposes; provided, however, that the acceptance of such moneys, materials, and other aid shall not deprive the state from complete control and supervision of its library."

The revenues received by the division are from the Institute of Museum and Library Services, Library Services and Technology Act. These grants are awarded to the states based on population and appropriation. Other federal grants are solicited and in some years deposited in this trust fund.

Additional revenues from private sources are sometimes awarded and placed within the Library Services Trust Fund.

The Division bills for lost library collection items and the funds recovered are placed within the trust fund and used to replace materials.

Revenue is based on the 08-09 Library Services and Technology Act award which was \$8,425,588. The 09-10 award will not be available until February 2009 at the earliest, so revenues are based on the known award. National Archives revenues are based on current awards and anticipated awards.

Records Management Trust Fund
Schedule 1 Justification

Section 257.375, F.S. states, "There is hereby created within the Division of Library and Information Services a Records Management Trust Fund which shall consist of fees collected for records management and archival services. Funds deposited in the Records Management Trust Fund shall be used to support the programs of the state archives and records and information management programs." All fees collected by the Florida Administrative Code and sale of the Florida Administrative Weekly are also deposited into this fund. All activities of the fund are administered by the Division of Library and Information Services.

Section 257.36(3), F.S. states, "The division may charge fees for supplies and services, including, but not limited to, shipping containers, pickup, delivery, reference, and storage. Fees shall be based upon the actual cost of the supplies and services and shall be deposited in the Records Management Trust Fund." These fees for the Records Center services have been adjusted effective July 1, 2007 to keep pace with rising costs for materials, services and salaries. Some of the fees, such as storage at the State Records Center, support the bulk of the costs. Currently, the number of boxes (cubic feet) stored in the Records Center in an average month is 258,484. Other charges, such as one time accession fees and disposal fees, along with Security Microfilm, Computer Output Microfilm and Electronic storage, bring the yearly fees to an approximate figure of \$1,500,000. Growth in revenue is not anticipated for 2008-09.

Fees for the Florida Administrative Code result from charges for advertising in the Florida Administrative Weekly, which will publish over 6 million lines of notices, certified copies and Royalty payments from outsource vendors. For the 2008-2009 fiscal year, the nonrecurring sum of \$50,000 was appropriated in lump sum from the Records Management Trust Fund to the Department of State, and for the 2009-2010 fiscal year, the nonrecurring sum of \$401,000 will be appropriated in lump sum from the Records Management Trust Fund to the Department of State for the purposes of carrying out the provisions of Senate Bill 704 that was passed in the 2008 legislative session. This legislation requires the implementation of electronic publications.

To cover this nonrecurring cost to implement system modifications, the Department of State will temporarily increase the space rate charge for publication in the Florida Administrative Weekly. After implementation of the required system changes, the department will decrease the fee back down to the 2007-2008 fiscal year level. Funds appropriated will be held in a lump-sum category, contingent on available cash deposited into the trust fund and derived from the fee increase. Funds collected from the fee increase and not

expended by June 30, 2009, will be retained in the trust fund to complete the system implementation as appropriated in the 2009-2010 fiscal year.

On July 1, 2009, the unencumbered balance in the Records Management Trust Fund for fees collected pursuant to chapter 120, Florida Statutes, cannot exceed \$300,000 plus any funds collected, but not expended, from the fee increase implemented to fund the provisions of SB 704. By June 30, 2009, any funds in excess of this amount will be transferred to the General Revenue Fund.

**FLORIDA STATE RECORDS CENTER
SOURCE DOCUMENT MICROFILM PROGRAM**

**Fee Schedule and Services
As of July 1, 2008**

MICROFILMING DOCUMENTS

16mm Rotary Camera (1,000 images)	\$35.00
16mm Planetary Camera (1,000 images)	\$45.00
35mm "D-Size" (500 images)	\$55.00
35mm Oversized Documents (500 images)	\$90.00

Special Collection Filming Quoted on a Per Job Basis
Includes cost for camera operator, film, processing, reels, boxes, and equipment cost.

Document Preparation/Indexing (Per Hour)	\$13.00
--	---------

Includes removal of staples and other fasteners.

PROCESSING MICROFILM

16mm (100 ft. roll)	\$ 9.00
16mm (200 ft. roll)	\$ 12.00
35mm (100 ft. roll)	\$12.00

Includes developing, light box inspection, plastic reel, storage box and label.

FILM DUPLICATING (100 FT. ROLL)

16mm Silver-Direct	\$15.00
16mm Diazo	\$ 10.00
16mm Diazo (200 ft. roll)	\$12.00
35mm Silver Direct	\$22.00
35mm Diazo	\$12.00

Includes duplicating, light box inspection, plastic reel, storage box and label. Includes processing of silver duplicates.

JACKETING MICROFILM

16mm or 35mm Original Jackets	\$ 1.25
16mm or 35mm Duplicate Jackets	\$.30

Includes typing subject strips and loading jackets.

MISCELLANEOUS

Cartridge/Containers (Includes Material and Labor)	\$8.00
Cartons	\$1.20

**FLORIDA STATE RECORDS CENTER
COMPUTER OUTPUT MICROFILM PROGRAM**

**Fee Schedule and Services
As of July 1, 2008**

COMPUTER OUTPUT MICROFILM

COM Pages [images]	\$ 13.00/per 1,000
Original Fiche	\$ 1.20
Original Rolls	\$ 10.00
Initial COM Project Setup and Test	\$100.00
Revisions to an Existing COM Project Setup	\$100.00
Minimum Monthly Charge	\$100.00

COMPUTER OUTPUT MICROFILM DUPLICATION

16mm Diazo Roll (100 ft. roll)	\$10.00
Fiche-Diazo	\$.25
Cartridges/Containers (Includes Material and Labor)	\$ 8.00

**FLORIDA STATE RECORDS CENTER
ELECTRONIC MEDIA STORAGE PROGRAM**

**Fee Schedule and Services
As of July 1, 2008**

ELECTRONIC MEDIA STORED

Computer Tapes (reel to reel)
Computer Cartridges
Optical Disks

Floppy Disks
Magnetic Disks

STORAGE AND RETRIEVAL

Storage Fee:

\$18.00 Per shelf per month for items stored

Storage Services Include:

Short and long term storage.
Temperature and humidity controlled environment.
Restricted access vault with intrusion alarm and sprinkler system.

Pickup and Delivery:

Quoted on a case by case basis.

Retrieval Services Include:

Free retrieval and refile, Monday through Friday, 8:00 a.m. to 5:00 p.m.,
excluding holidays.
Shipping charges will be applied outside the Tallahassee area.

Emergency Retrieval Services Include:

On-call, twenty-four hours a day, seven days a week access emergency
Mobile Phone Number (850) 509-0276.

Emergency Retrieval Fee:

During non-working hours, a service charge of \$75.00 per hour with one hour
minimum charge for services. Customers will be required to pick up their
own emergency retrievals from the State Records Center during non-working hours.

**FLORIDA STATE RECORDS CENTER
RECORDS STORAGE PROGRAM**

**Fee Schedule and Services
As of July 1, 2008**

ACCESSIONING

Services Include:

- On-Site pick-up
- Administrative processing and record keeping
- Total Recall system training

Accessioning Fee:

\$1.35 per cubic foot cartons

Other Records Services:

Quoted on an Hourly Basis

STORAGE AND RETRIEVAL

Storage Services Include:

- Short and long term storage
- Restricted access area with intrusion alarm and sprinkler system

Retrieval Services Include:

Free retrieval and refile, Monday through Friday, 8:00 a.m. to 5:00 p.m.

Emergency Services:

After hour or holiday reference service: \$75.00 per hour (1 hour minimum)

Storage Fee:

\$.25 per month per cubic foot carton

RECORDS STORAGE CARTONS

Carton Fee:

\$30.00 per flat. A flat is a bundle of 25 cartons.

DISPOSAL OR PERMANENT WITHDRAWAL OF RECORDS STORAGE CARTONS

Services Include:

- Free monitoring of record retention schedules
- Free notification of destruction of eligible records

Disposal Fee:

\$.35 per cubic foot carton

DISPOSAL OF RECORDS NOT STORED IN STATE RECORDS CENTER

Services Include:

- Pick up in Tallahassee area

Disposal Fee:

\$1.25 per cubic foot carton

**FLORIDA STATE RECORDS CENTER
SECURITY MICROFILM STORAGE PROGRAM**

**Fee Schedule and Services
As of July 1, 2008**

ACCESSIONING

Services Include:

- Preliminary inspection for ready contamination
- Associated transfer documentation including container listing

Accession Fee:

Rolls must be in inert/acid free containers. Otherwise, \$.05 per box plus \$20 per hour labor will be charged.

- Microfilm: \$.10 per 16mm or 35mm roll
- Microfiche: \$.10 per 35 fiche (35 fiche minimum)

STORAGE AND RETRIEVAL

Storage Services Include:

- Temperature and humidity controlled environment
- Secure fire-proof vault storage
- Periodic film inspection

Retrieval Services Include:

- Free retrievals and refiles
- Free pickup and delivery within the Tallahassee area (shipping charges will be applied outside the Tallahassee area)

Emergency Services:

After hour or holiday reference service: \$ 75.00 per hour (1 hour minimum)

Other additional services: \$ 20.00 per hour

Storage Fee:

- Microfilm: \$.03 per 16mm or 35mm roll per month (\$.36 per year)
- Microfiche: \$.03 per 35 fiche per month (35 fiche minimum) (\$.36 per year)

MICROFILM DISPOSAL/PERMANENT WITHDRAWAL

Disposal Fee:

- Microfilm: \$.35 per 16mm or 35mm roll
- Microfiche: \$.35 per 35 fiche

Permanent Withdrawal Fee:

- Microfilm: \$.05 per 16mm or 35mm roll
- Microfiche: \$.05 per 35 fiche

Services Include:

- Free Monitoring of Retention Schedule
- Free Notification of Destruction Eligibility
- Assurance that film will be disposed of to preserve integrity and safeguard against environmental contamination.

FILM DUPLICATING

16mm Silver-Direct Rolls	\$15.00
16mm Diazo Rolls	\$ 10.00
16mm Diazo (200 ft. roll)	\$12.00
35mm Silver Direct Rolls	\$22.00
35mm Diazo Rolls	\$12.00
16mm or 35mm Duplicate Jackets or Fiche	\$.30

SCHEDULE 1A: DETAIL OF FEES AND RELATED PROGRAM COSTS

Department: 45 State **Budget Period: 2009 - 2010**
Program: Library and Information Services
Fund: 2572 Records Management Trust Fund

Specific Authority: Chapters 120.55 and 257.375 FS
Purpose of Fees Collected: Funds deposited in the Records Management Trust Fund shall be used to support programs of State Archives, Records & Information Management and Administrative Code/Weekly/Laws.

Type of Fee or Program: (Check **ONE** Box and answer questions as indicated.)

	Regulatory services or oversight to businesses or professions. (Complete Sections I, II, and III and attach Examination of Regulatory Fees Form - Part I and II.)
X	Non-regulatory fees authorized to cover full cost of conducting a specific program or service. (Complete Sections I, II, and III only.)

<u>SECTION I - FEE COLLECTION</u>	ACTUAL	ESTIMATED	REQUEST
	FY 2007 - 2008	FY 2008 - 2009	FY 2009 - 2010
<u>Receipts:</u>			
Microfilm/Archival Storage	1,496,802	1,525,000	1,525,000
Adverting Florida Administrative Weekly	621,204	934,943	934,943
Cert Copies/Royalty/Recycling, etc.	72,680	73,700	73,700
Unencumbered Cash	361,698	361,698	361,698
Total Fee Collection to Line (A) - Section III	2,552,384	2,895,341	2,895,341

<u>SECTION II - FULL COSTS</u>			
<u>Direct Costs:</u>			
Salaries and Benefits	1,361,559	1,376,250	1,394,776
Other Personal Services	18,083	52,412	52,412
Expenses	573,129	785,866	785,866
Operating Capital Outlay	1,350	14,959	14,959
Contracted Services	117,606	37,059	438,059
Special Category/Electronic Publications	11,963	61,963	11,963
Indirect Costs Charged to Trust Fund	-	-	-
Total Full Costs to Line (B) - Section III	2,083,690	2,328,509	2,698,035

Basis Used: _____

<u>SECTION III - SUMMARY</u>			
TOTAL SECTION I	(A)	2,552,384	2,895,341
TOTAL SECTION II	(B)	2,083,690	2,698,035
TOTAL - Surplus/Deficit	(C)	468,694	197,306

EXPLANATION of LINE C:

SCHEDULE IC: RECONCILIATION OF UNRESERVED FUND BALANCE

Department Title:	Budget Period: 2009-2010
Trust Fund Title:	Department of State
Budget Entity:	Library Services Trust Fund
LAS/PBS Fund Number:	Division of Library and Information Services 45400000
	2450

	Balance as of 6/30/2008		SWFS* Adjustments		Adjusted Balance
Chief Financial Officer's (CFO) Cash Balance	52,544.43	(A)			52,544.43
ADD: Other Cash (See Instructions)	-	(B)			-
ADD: Investments	-	(C)			-
ADD: Outstanding Accounts Receivable	328,168.52	(D)			328,168.52
ADD: _____	-	(E)			-
Total Cash plus Accounts Receivable	380,712.95	(F)	-		380,712.95
LESS: Allowances for Uncollectibles	2,890.82	(G)			2,890.82
LESS: Approved "A" Certified Forwards	377,822.13	(H)			377,822.13
Approved "B" Certified Forwards	-	(H)			-
Approved "FCO" Certified Forwards	-	(H)			-
LESS: Other Accounts Payable (Nonoperating)	-	(I)			-
LESS:	-	(J)			-
Unreserved Fund Balance, 07/01/2008	-	(K)	-		-

Notes:

*SWFS = Statewide Financial Statement

** This amount should agree with Line G, Section III of the Schedule I for the most recent completed fiscal year and Line A for the following year.

SCHEDULE IC: RECONCILIATION OF UNRESERVED FUND BALANCE

Department Title:	Budget Period: 2009-2010
Trust Fund Title:	Department of State
Budget Entity:	Records Management Trust Fund
LAS/PBS Fund Number:	Division of Library and Information Services 45400000
	2572

	Balance as of 6/30/2008	SWFS* Adjustments	Adjusted Balance
Chief Financial Officer's (CFO) Cash Balance	361,697.67 (A)		361,697.67
ADD: Other Cash (See Instructions)	75.00 (B)		75.00
ADD: Investments	- (C)		-
ADD: Outstanding Accounts Receivable	185,708.65 (D)		185,708.65
ADD: _____	- (E)		-
Total Cash plus Accounts Receivable	547,481.32 (F)	-	547,481.32
LESS: Allowances for Uncollectibles	- (G)		-
LESS: Approved "A" Certified Forwards	5,442.94 (H)		5,442.94
Approved "B" Certified Forwards	- (H)		-
Approved "FCO" Certified Forwards	- (H)		-
LESS: Other Accounts Payable (Nonoperating)	6,165.82 (I)	-	6,165.82
LESS: _____	(J)		-
Unreserved Fund Balance, 07/01/2008	535,872.56 (K)	-	535,872.56 **

Notes:

*SWFS = Statewide Financial Statement

** This amount should agree with Line G, Section III of the Schedule I for the most recent completed fiscal year and Line A for the following year.

RECONCILIATION: BEGINNING TRIAL BALANCE TO SCHEDULE I AND IC

Budget Period 2009-2010

Department Title: Department of State
Trust Fund Title: Records Management Trust Fund
LAS/PBS Fund Number: 2572

BEGINNING TRIAL BALANCE:

Unreserved Fund Balance Per Trial Balance, 07-01-08	(439,420.12)	(A)
Add/Subtract:		
Prior Year Financial Statement Adjustments	-	(B)
Other Adjustment(s):		
Supply Inventory	6,160.81	(C)
Current Compensated Absences	(34,005.25)	(C)
Compensated Absences Liability	(68,608.00)	(C)

ADJUSTED BEGINNING TRIAL BALANCE: (535,872.56) (D)

UNRESERVED FUND BALANCE, SCHEDULE 1C (535,872.56) (E)

DIFFERENCE: - (F)*

***SHOULD EQUAL ZERO**

DEPARTMENT OF STATE

CULTURAL AFFAIRS

EXHIBITS OR SCHEDULES

DEPARTMENT OF STATE

CULTURAL AFFIARS

SCHEDULE I SERIES

Florida Fine Arts Trust Fund
Schedule 1 Justification

In 1969, State reorganization created an arts program under the Secretary of State and established the "Fine Arts Council of Florida" separate from the nonprofit Florida Arts Council. The Division of Cultural Affairs was also established under the Secretary of State. The Fine Arts Council of Florida became a 15-member advisory board designated to assist the Division with projects and advise the Secretary of State. The Division assumed support functions for the Ringling Museum, the Stephen Foster Memorial, all historical commissions/preservation boards and the Fine Arts Council of Florida. Though the activities supported have changed somewhat since then, the trust fund still supports the arts in Florida via Federal Grant Awards.

Section 265.284 (4), F.S. states, "There is created the Florida Fine Arts Trust Fund to be administered by the Department of State for the purposes set forth by law. The Florida Fine Arts Trust Fund shall consist of moneys appropriated by the Legislature and moneys contributed to the fund from any other source." The National Endowment for the Arts awarded the Division of Cultural Affairs a grant in FY 2008-2009 in the amount of \$824,400. Current year revenue also includes an additional grant of \$30,000 to administer an accessibility program. Requested year revenues are based upon the FY 08-09 NEA Grant Award.

SCHEDULE 1B: DETAIL OF UNRESERVED FUND BALANCES

Budget Period: 2009 2010

Department: 45 Department of State
Budget Entity: 45500100 Cultural Affairs/Executive Dir/Suppo
Fund: 2279 Fine Arts Council Trust Fund

(1)	(2)	(3)	(4)
	ACTUAL	ESTIMATED	REQUEST
<u>FUNDING SOURCE - STATE</u>	FY 2007 - 2008	FY 2008 - 2009	FY 2009 - 2010

<u>FUNDING SOURCE - NON-STATE</u>			
<u>National Endowment for the Arts</u>	-	13,737	312

TOTALS*	-	13,737	312

***Must agree to amounts on Schedule I, Section IV, Line I.**

SCHEDULE IC: RECONCILIATION OF UNRESERVED FUND BALANCE

Department Title:	Budget Period: 2009-2010
Trust Fund Title:	Department of State
Budget Entity:	Florida Fine Arts Trust Fund
LAS/PBS Fund Number:	Division of Cultural Affairs 45500000
	2279

	Balance as of 6/30/2008		SWFS* Adjustments		Adjusted Balance
Chief Financial Officer's (CFO) Cash Balance	119,705.19	(A)			119,705.19
ADD: Other Cash (See Instructions)	-	(B)			-
ADD: Investments	-	(C)			-
ADD: Outstanding Accounts Receivable	1,500.00	(D)			1,500.00
ADD: Due from Federal Government	-	(E)			-
Total Cash plus Accounts Receivable	121,205.19	(F)	-		121,205.19
LESS: Allowances for Uncollectibles	1,500.00	(G)			1,500.00
LESS: Approved "A" Certified Forwards	2,290.29	(H)			2,290.29
Approved "B" Certified Forwards	7,324.38	(H)			7,324.38
Approved "FCO" Certified Forwards	-	(H)			-
LESS: Other Accounts Payable (Nonoperating)	-	(I)			-
LESS: Unearned Revenue-Current	110,090.52	(J)			110,090.52
Unreserved Fund Balance, 07/01/2008	-	(K)	-		-

Notes:

*SWFS = Statewide Financial Statement

** This amount should agree with Line G, Section III of the Schedule I for the most recent completed fiscal year and Line A for the following year.

SCHEDULE IX: MAJOR AUDIT FINDINGS AND RECOMMENDATIONS

Budget Period: 2009 -10

Department: Department of State

Chief Internal Auditor: Kirby J. Mole

Budget Entity: 45010200

Phone Number: 850-245-6195

(1) REPORT NUMBER	(2) PERIOD ENDING	(3) UNIT/AREA	(4) SUMMARY OF FINDINGS AND RECOMMENDATIONS	(5) SUMMARY OF CORRECTIVE ACTION TAKEN	(6) ISSUE CODE
Inspector General Report No. 2008- 002	September 25, 2007	Follow-Up to Auditor General Report No. 2007-146 State of Florida Compliance and Internal Controls over Financial Reporting and Federal Awards	Finding No. 1: Florida Department of State did not comply with Federal requirements for the compensation for personal services in that the Department directly charged the Help America Vote Act (HAVA) Program for an unused leave payment and did not timely obtain certifications from employees whose salaries were charged 100 percent to the HAVA Program.		
			Recommendation: We recommend the Department, in compliance with Federal cost principles, allocate as a general and administrative expense any unused leave payments and that any costs improperly charged to the HAVA Program be reimbursed. We also recommend that the Department continue to timely obtain certifications for staff working solely on the HAVA Program.	The Department submitted a request for guidance to the U.S. Election Assistance Commission (EAC) regarding leave payments to terminating employees. Pending a response from the EAC, all expenditures made from the Grants and Donations Trust Fund (HAVA dollars) for unused leave payments made to employees who terminated from state government have been transferred to the General Revenue Fund. The Department will continue to utilize General Revenue dollars to make any future payments for unused leave pending guidance from the EAC. The Department has implemented a procedure for obtaining work certifications every six months from employees who are working in HAVA funded positions. On July 20, 2007, the Department reimbursed the Grants and Donations Trust Fund in the amount of \$33.25. The transfer reflected the balance of the reimbursement owed for the supplemental payroll dated May 3, 2006 that was no included in the original reimbursement calculation.	

(1) REPORT NUMBER	(2) PERIOD ENDING	(3) UNIT/AREA	(4) SUMMARY OF FINDINGS AND RECOMMENDATIONS	(5) SUMMARY OF CORRECTIVE ACTION TAKEN	(6) ISSUE CODE
			Finding No. 2: The Department under contributed State matching funds by \$345,776.		
			Recommendation: We recommend that the Department comply with the Federal matching requirements and deposit additional State funds in the HAVA Trust Fund. We also recommend that the Department request clarification from the EAC as to whether any interest earnings should be remitted to the HAVA Trust Fund due to insufficient State matching funds.	The Department transferred \$396,763.16 from General Revenue to the HAVA Trust Fund for the additional state matching funds including the interest that would have accrued on those funds. The final transfer was made on October 19, 2007.	
			Finding No. 3: The Department understated the State's maintenance of effort amount in the State of Florida HAVA Plan and, as a result, failed to meet the required level of maintenance of effort for the 2004-2005 fiscal year.		
			Recommendation: We recommend that the Department update the State of Florida HAVA Plan to reflect the proper maintenance of effort amount and ensure that the required maintenance of effort level is met each fiscal year in accordance with the HAVA Program requirements.	The HAVA State Planning Committee held meetings on September 21, 2006 and October 12, 2006 in order to revise the HAVA State Plan. The updated Plan includes the revised maintenance of effort level that the state must maintain as required by HAVA. The Plan was posted on the Department of State's web site for public comment for 30 days as required by HAVA. It was submitted to the EAC on April 30, 2007, for publication in the Federal Register for 30 days. The Department will continue to use the revised maintenance of effort level to determine its compliance with HAVA requirements.	
			Finding No. 4: The Department did not verify that an entity was not suspended or debarred prior to entering into a covered transaction with that entity.		

(1) REPORT NUMBER	(2) PERIOD ENDING	(3) UNIT/AREA	(4) SUMMARY OF FINDINGS AND RECOMMENDATIONS	(5) SUMMARY OF CORRECTIVE ACTION TAKEN	(6) ISSUE CODE
			<p>Recommendation: Subsequent to audit inquiry, Department personnel state that, effective October 1, 2006, the policy of the Department is not to enter into a contract or memorandum of agreement involving Federal funds until entity staff certify that they have not been excluded or disqualified by any Federal department or agency from receiving Federal funds. We recommend that the Department ensure that the new suspension and debarment policy is properly implemented and followed.</p>	<p>The Department has developed a procedure regarding suspension and debarment that requires inclusion of specific language in all contracts and memoranda of agreements. The procedure requires each recipient and any sub-recipients to sign Federal form ED From GCS-009, 6/88, "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion Lower Tier Covered Transactions." The Department must be in receipt of the signed form prior to executing the contract or memorandum of agreement.</p>	
Auditor General Report No. 2008-041	June 30, 2007	Department of State Office of Inspector General - Quality Assessment Review	<p>Finding No. 1: In our opinion, the quality assurance program related to the Office of Inspector General and the internal audit activity, as designed and implemented during the review period July 2006 through June 2007, provided reasonable assurance of conformance to applicable professional auditing standards. Also, the Office of Inspector General generally complied with those provisions of Section 20.055, Florida Statutes, governing the operation of State agencies' offices of inspectors general and internal audit activities.</p>		
			<p>Recommendation: None.</p>	None required.	
Auditor General Report No. 2008-141	June 30, 2007	State of Florida Compliance and Internal Controls over Financial Reporting and Federal Awards	<p>Finding No. 1: In October 2007, the Department corrected the under contribution of State matching funds disclosed in the prior audit.</p>		
			<p>Recommendation: None.</p>	<p>The Department transferred \$396,763.16 from General Revenue to the HAVA Trust Fund for the additional state matching funds including the interest that would have accrued on those funds. The final transfer was made on October 19, 2007.</p>	
Auditor General Report No. 2008-187	February 28, 2008	Department of State Florida Voter Registration System (FVRS) Follow-Up on Prior Audit Findings	<p>Finding No. 1: A comprehensive IT risk assessment of FVRS had been performed and the Department was in the process of addressing the risks identified in the risk assessment report. However, the Department's written policies and procedures for authorizing access to FVRS needed enhancement and the Department had not established written policies and procedures for monitoring and terminating access to FVRS.</p>		

(1) REPORT NUMBER	(2) PERIOD ENDING	(3) UNIT/AREA	(4) SUMMARY OF FINDINGS AND RECOMMENDATIONS	(5) SUMMARY OF CORRECTIVE ACTION TAKEN	(6) ISSUE CODE
			<p>Recommendations: The Department should establish controls to reduce or eliminate the risks identified in its comprehensive risk assessment of FVRS. In addition, the Department should perform a comprehensive risk assessment of FVRS every three years.</p>	<p>A comprehensive risk assessment for FVRS was completed in July of 2006 and it identified seven items for improvement. The Department has or is addressing all seven items in the following manner:</p> <ol style="list-style-type: none"> 1. The separation of duties has been mitigated by the addition of extra positions within FVRS. The positions were filled in late 2006 and have allowed for additional separation where previously none was available. 2. All 67 counties have executed an MOU with the Department that outlines the minimum procedures for county security administration. 3. The Department has recently installed a Network Access Control solution to provide detailed traffic auditing and reporting. This will significantly enhance the FVRS security manager's ability to monitor access to critical system components. The security manager is also in the process of producing additional security administration procedures to enhance the effectiveness of the FVRS security environment. 4. The FVRS security manager is in the process of developing a detailed security program that addresses Department and county access controls within FVRS. This program will address the FVRS users and the county system security administrators. 5. The FVRS security manager has developed a script to monitor application access and to provide alerts when exceptions are noted. This script is currently in testing and is expected to be in production before the end of the year. The application programs also audit pertinent data changes submitted to the system for processing. These changes are logged by user-id and date/time and are available for reporting and monitoring as needed. 	

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				<p>6. The FVRS security manager is in the process of creating a number of security administration procedures to enhance the access control to FVRS. Specifically these documents are "DOSIT-01-06-A005 Access Controls for FVRS Users", "DOSIT-01-06-A004 Access Controls for FVRS Machine Access". "DOSIT-01-06-A007 FVRS County Contact Maintenance", and "DOSIT-01-06-A006 FVRS County SSA Guide". These procedures will be completed before the end of the current year.</p> <p>7. The infrastructure deficiencies addressed by the risk assessment in 2006 identified the need for protection against the interruption of power and/or against generated or induced electromagnetic radiation and protection against ambient temperature and humidity fluctuations. The DCF data center to which the DOS data center moved in the fall of 2007 has provided significant improvements in the protection against the interruption of power, against generated or induced electromagnetic radiation, and against ambient temperature and humidity fluctuations.</p> <p>The new facility has also significantly enhanced the physical security controls of the FVRS system. The Department completed its last comprehensive risk assessment in July 2006, and plans to have another assessment completed in July of 2009.</p>	
			<p>The Department should enhance the written policies and procedures for authorizing Department and county employee access to FVRS to address all components of the authorization process. Also, the Department should establish written policies and procedures for monitoring and terminating Department and county employee access to FVRS.</p>	<p>The FVRS security manager is in the process of addressing the deficiencies in the procedures for authorizing Department and county employees' access to FVRS and for monitoring and terminating employee access. Specifically, the FVRS security manager has submitted for approval the procedure "DOSIT-01-06-A005 Access Controls for FVRS Users" which addresses the Department employees' access to FVRS. The security manager is currently writing the procedure "DOSIT-01-06-A006 FVRS County SSA Guide" which addresses the county employees' access to FVRS.</p>	

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			Finding No. 2: Although some policies and procedures had been developed, the Department's IT governance model continued to lack important provisions relating to the management, use, and operation of FVRS.		
			Recommendations: The Department , in conjunction with the county Supervisors of Elections' offices, should develop a formal security program for FVRS that includes written directives, including policies and procedures, or governance addressing the minimum security measures needed to support and protect the FVRS business purpose and the confidentiality, availability, and integrity of data contained therein.	The FVRS security manager plans to establish a security awareness training and outreach program for the Department's FVRS employees and the county system security administrators. The program will address the minimum security measures required to support the FVRS business purpose and the confidentiality, and integrity of the data.	
			Specifically, written policies and procedures should be established to address access authorization review, logical access controls, and user awareness training, including a county System Security Administrator security awareness training program.	The FVRS security manager is currently working to fully define, formalize, and publish procedures that address access authorization and review, logical access control, and security training issues. Specifically these documents are "DOSIT-01-06-A005 Access Controls for FVRS Users", "DOSIT-01-06-A004 Access Controls for FVRS Machine Access", "DOSIT-01-06-A007 FVRS County Contact Maintenance", and "DOSIT-01-06-A006 FVRS County SSA Guide".	
			The Department should update the IT disaster recovery plan to include FVRS as well as other noted deficiencies addressed by the Gap Analysis.	The FVRS administration will have a FVRS disaster recovery plan developed in FY 2008/2009.	
			The Department should implement a formal process for monitoring and reviewing the audit logs to identify specific unauthorized access attempts to penetrate the system and to identify any unauthorized procedures performed by authorized users.	The FVRS security manager has developed a script to monitor application access and to provide alerts when exceptions are noted. This script is currently in testing and is expected to be in production in September 2008.	

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			The Department should implement appropriate written policies and procedures to designate employee positions within the Division of Elections or otherwise connected with FVRS that, because of special responsibility or sensitive job duties, require background checks and fingerprinting. Furthermore, the Department should ensure that employees already occupying those positions have been subjected to level two background checks including fingerprinting.	The Division of Elections will implement written policies and procedures to designate FVRS employee positions as positions of special trust with required background checks and fingerprinting.	
			Finding No. 3: Although the Department had put measures in place to help ensure the integrity of data in FVRS, improvements were still needed in the comprehensive check of all felony convictions against all voters.		
			Recommendation: The Department should evaluate the risk to the State of not performing the match. If a significant risk exists, such as a negative impact on the State's voting process, the Department should explore various methods of acquiring the resources and select a solution that would allow staff to perform the systematic felon match against all existing voter registrations.	The Division of Elections will evaluate the risk to the State of not performing a comprehensive check of all felony convictions against all voters in our database, and explore the resources and staff necessary to perform a systematic felon match against all existing voter registrations.	

Office of Policy and Budget - July, 2006

LBR Technical Review Checklist

Department/Budget Entity (Service):

Agency Budget Officer/OPB Analyst Name:

A "Y" indicates "YES" and is acceptable, an "N/J" indicates "NO/Justification Provided" - these require further explanation/justification (additional sheets can be used as necessary), and "TIPS" are other areas to consider.

Action	Program or Service (Budget Entity Codes)				

1. GENERAL

1.1 Are Columns A01, A02, A04, A05, A10, A11, A36, IA1, IV1, IV3 and NV1 set to TRANSFER CONTROL for DISPLAY status and MANAGEMENT CONTROL for UPDATE status for both the Budget and Trust Fund columns? Are Columns A06, A07, A08 and A09 for Fixed Capital Outlay set to TRANSFER CONTROL for DISPLAY status only? (CSDI)					
1.2 Is Column A03 set to TRANSFER CONTROL for DISPLAY and UPDATE status for both the Budget and Trust Fund columns? (CSDI)					

AUDITS:

1.3 Has Column A03 been copied to Column A12? Run the Exhibit B Audit Comparison Report to verify. (EXBR, EXBA)					
1.4 Has security been set correctly? (CSDR, CSA)					
TIP The agency should prepare the budget request for submission in this order: 1) Lock columns as described above; 2) copy Column A03 to Column A12; and 3) set Column A12 column security to ALL for DISPLAY status and MANAGEMENT CONTROL for UPDATE status.					

2. EXHIBIT A (EADR, EXA)

2.1 Is the budget entity authority and description consistent with the agency's LRPP and does it conform to the directives provided on page 53 of the LBR Instructions?					
2.2 Are the statewide issues generated systematically (estimated expenditures, nonrecurring expenditures, etc.) included?					
2.3 Are the issue codes and titles consistent with <i>Section 3</i> of the LBR Instructions (pages 15 through 25)? Do they clearly describe the issue?					
2.4 Have the coding guidelines in <i>Section 3</i> of the LBR Instructions (pages 15 through 25) been followed?					

3. EXHIBIT B (EADR, EXB)

3.1 Is it apparent that there is a fund shift and were the issues entered into LAS/PBS correctly? Check D-3A funding shift issue 340XXX0 - a unique deduct and unique add back issue should be used to ensure fund shifts display correctly on the LBR exhibits.					
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Action		Program or Service (Budget Entity Codes)									
AUDITS:											
3.2	Negative Appropriation Category Audit for Agency Request (Columns A03 and A04): Are all appropriation categories positive by budget entity at the FSI level? Are all nonrecurring amounts less than requested amounts? (NACR, NAC - Report should print "No Negative Appropriation Categories Found")										
3.3	Current Year Estimated Verification Comparison Report: Is Column A02 equal to Column B02? (EXBR, EXBC - Report should print "Records Selected Net To Zero")										
TIP	Generally look for and be able to fully explain significant differences between A02 and A03.										
TIP	Exhibit B - A02 equal to B02: Compares Current Year Estimated column to a backup of A02. This audit is necessary to ensure that the historical detail records have not been adjusted. Records selected should net to zero.										
TIP	Requests for appropriations which require advance payment authority must use the sub-title "Grants and Aids". For advance payment authority to local units of government, the Aid to Local Government appropriation category (05XXXX) should be used. For advance payment authority to non-profit organizations or other units of state government, the Special Categories appropriation category (10XXXX) should be used.										
4. EXHIBIT D (EADR, EXD)											
4.1	Is the program component objective statement consistent with the agency LRPP, and does it conform to the directives provided on page 56 of the LBR Instructions?										
4.2	Is the program component code and title used correct?										
TIP	Fund shifts or transfers of services or activities between program components will be displayed on an Exhibit D whereas it may not be visible on an Exhibit A.										
5. EXHIBIT D-1 (ED1R, EXD1)											
5.1	Are all object of expenditures positive amounts? (This is a manual check.)										
AUDITS:											
5.2	Do the fund totals agree with the object category totals within each appropriation category? (ED1R, XD1A - Report should print "No Differences Found For This Report")										
5.3	FLAIR Expenditure/Appropriation Ledger Comparison Report: Is Column A01 less than Column G07? (EXBR, EXBB - Negative differences need to be corrected in Column A01.)										
5.4	A01/State Accounts Disbursements and Carry Forward Comparison Report: Does Column A01 equal Column G08? (EXBR, EXBD - Differences need to be corrected in Column A01.)										
TIP	If objects are negative amounts, the agency must make adjustments to Column A01 to correct the object amounts. In addition, the fund totals must be adjusted to reflect the adjustment made to the object data.										

Action		Program or Service (Budget Entity Codes)				
TIP	If fund totals and object totals do not agree or negative object amounts exist, the agency must adjust Column A01.					
TIP	Exhibit B - A01 less than G07: This audit is to ensure that the disbursements and carry/certifications forward in A01 are less than FY 2007-08 approved budget. Amounts should be positive.					
TIP	If G08 is not equal to A01, check the following: 1) the initial FLAIR disbursements or carry forward data load was corrected appropriately in A01; 2) the disbursement data from departmental FLAIR was reconciled to State Accounts; and 3) the FLAIR disbursements did not change after Column G08 was created.					
6. EXHIBIT D-3 (ED3R, ED3) (Not required in the LBR - for analytical purposes only.)						
6.1	Are issues appropriately aligned with appropriation categories?					
TIP	Exhibit D-3 is no longer required in the budget submission but may be needed for this particular appropriation category/issue sort. Exhibit D-3 is also a useful report when identifying negative appropriation category problems.					
7. EXHIBIT D-3A (EADR, ED3A)						
7.1	Are the issue titles correct and do they clearly identify the issue? (See pages 15 through 29 of the LBR Instructions).					
7.2	Does the issue narrative adequately explain the agency's request and is the explanation consistent with the LRPP? (See page 62 of the LBR Instructions.)					
7.3	Does the narrative for Information Technology (IT) issue follow the additional narrative requirements described on pages 63 and 64 of the LBR Instructions?					
7.4	Are all issues with an IT component identified with a "Y" in the "IT COMPONENT?" field? If the issue contains an IT component, has that component been identified and documented?					
7.5	Does the issue narrative explain any variances from the Standard Expense, Operating Capital Outlay (OCO), and Human Resource Services Assessments package? Is the nonrecurring portion in the nonrecurring column? (See pages E-4 and E-5 of the LBR Instructions).					
7.6	Does the salary rate request amount accurately reflect any new requests and are the amounts proportionate to the Salaries and Benefits request? Note: Salary rate should always be annualized.					
7.7	Does the issue narrative thoroughly explain/justify all Salaries and Benefits amounts entered into the Other Salary Amounts transactions (OADA/C)? Amounts entered into OAD are reflected in the Position Detail of Salaries and Benefits section of the Exhibit D-3A.					
7.8	Does the issue narrative include the Consensus Estimating Conference forecast, where appropriate?					
7.9	Does the issue narrative reference the specific county(ies) where applicable?					

Action		Program or Service (Budget Entity Codes)				
7.10	Do the 160XXX0 issues reflect budget amendments that have been approved (or in the process of being approved) and that have a recurring impact (including Lump Sums)? Have the approved budget amendments been entered in Column A18 as instructed in Memo #09-002?					
7.11	When appropriate are there any 160XXX0 issues included to delete positions placed in reserve in the OPB Position and Rate Ledger (e.g. unfunded grants)? Note: Lump sum appropriations not yet allocated should <u>not</u> be deleted. (PLRR, PLMO)					
7.12	Does the issue narrative include plans to satisfy additional space requirements when requesting additional positions?					
7.13	Has the agency included a 160XXX0 issue and 210XXXX and 260XXX0 issues as required for lump sum distributions?					
7.14	Do the amounts reflect appropriate FSI assignments?					
7.15	Do the issues relating to <i>salary and benefits</i> have an "A" in the fifth position of the issue code (XXXXAXX) and are they self-contained (not combined with other issues)? (See page 24 and 80 of the LBR Instructions.)					
7.16	Do the issues relating to <i>Information Technology (IT)</i> have a "C" in the sixth position of the issue code (36XXXCX) and are the correct issue codes used (361XXC0, 362XXC0 or 363XXC0)?					
7.17	Are the issues relating to <i>major audit findings and recommendations</i> properly coded (4A0XXX0, 4B0XXX0)?					
AUDIT:						
7.18	Are all FSI's equal to '1', '2', '3', or '9'? There should be no FSI's equal to '0'. (EADR, FSIA - Report should print "No Records Selected For Reporting")					
TIP	Salaries and Benefits amounts entered using the OADA/C transactions must be thoroughly justified in the D-3A issue narrative. Agencies can run OADA/OADR from STAM to identify the amounts entered into OAD and ensure these entries have been thoroughly explained in the D-3A issue narrative.					
TIP	The issue narrative must completely and thoroughly explain and justify each D-3A issue. Agencies must ensure it provides the information necessary for the OPB and legislative analysts to have a complete understanding of the issue submitted. Thoroughly review pages 61 through 64 of the LBR Instructions.					
TIP	Check BAPS to verify status of budget amendments. Check for reapprovals not picked up in the General Appropriations Act. Verify that Lump Sum appropriations in Column A02 do not appear in Column A03. Review budget amendments to verify that 160XXX0 issue amounts correspond accurately and net to zero for General Revenue funds.					

Action		Program or Service (Budget Entity Codes)				
TIP	If an agency is receiving federal funds from another agency the FSI should = 9 (Transfer - Recipient of Federal Funds). The agency that originally receives the funds directly from the federal agency should use FSI = 3 (Federal Funds).					
TIP	If an appropriation made in the FY 2008-09 General Appropriations Act duplicates an appropriation made in substantive legislation, the agency must create a unique deduct nonrecurring issue to eliminate the duplicated appropriation. Normally this is taken care of through line item veto.					
8. SCHEDULE I & RELATED DOCUMENTS (SC1R, SC1 - Budget Entity Level or SC1R, SC1D - Department Level)						
8.1	Has a separate department level Schedule I and supporting documents package been submitted by the agency?					
8.2	Has a Schedule I been completed in LAS/PBS for each operating trust fund?					
8.3	Have the appropriate Schedule I supporting documents been included for the trust funds (Schedule IA, Schedule IB, Schedule IC, and Reconciliation to Trial Balance)?					
8.4	Have the Examination of Regulatory Fees Part I and Part II forms been included for the applicable regulatory programs?					
8.5	Have the required detailed narratives been provided (5% trust fund reserve narrative; method for computing the distribution of cost for general management and administrative services narrative; adjustments narrative; revenue estimating methodology narrative)?					
8.6	Has the Inter-Agency Transfers Reported on Schedule I form been included as applicable for transfers totaling \$100,000 or more for the fiscal year?					
8.7	If the agency is scheduled for the annual trust fund review this year, have the Schedule ID and applicable draft legislation been included for recreation, modification or termination of existing trust funds?					
8.8	If the agency is scheduled for the annual trust fund review this year, have the necessary trust funds been requested for creation pursuant to <i>section 215.32(2)(b), Florida Statutes</i> - including the Schedule ID and applicable legislation?					
8.9	Are the revenue codes correct? In the case of federal revenues, has the agency appropriately identified direct versus indirect receipts (object codes 000700, 000799, 001510 and 001599)?					
8.10	Are the statutory authority references correct?					
8.11	Are the General Revenue Service Charge percentage rates used for each revenue source correct? (Refer to Section 215.20, F.S. for appropriate general revenue service charge percentage rates.)					
8.12	Is this an accurate representation of revenues based on the most recent Consensus Estimating Conference forecasts?					

Action		Program or Service (Budget Entity Codes)				
8.13	If there is no Consensus Estimating Conference forecast available, do the revenue estimates appear to be reasonable?					
8.14	Are the federal funds revenues reported in Section I broken out by individual grant? Are the correct CFDA codes used?					
8.15	Are anticipated grants included and based on the state fiscal year (rather than federal fiscal year)?					
8.16	Are the Schedule I revenues consistent with the FSI's reported in the Exhibit D-3A?					
8.17	If applicable, are nonrecurring revenues entered into Column A04?					
8.18	Has the agency certified the revenue estimates in columns A02 and A03 to be the latest and most accurate available?					
8.19	Is a 5% trust fund reserve reflected in Section II? If not, is sufficient justification provided for exemption? Are the additional narrative requirements provided?					
8.20	Are appropriate service charge nonoperating amounts included in Section II?					
8.21	Are nonoperating expenditures to other budget entities/departments cross-referenced accurately?					
8.22	Do transfers balance between funds (within the agency as well as between agencies)? (See also 8.6 for required transfer confirmation of amounts totaling \$100,000 or more.)					
8.23	Are nonoperating expenditures recorded in Section II and adjustments recorded in Section III?					
8.24	Are prior year September operating reversions appropriately shown in column A01?					
8.25	Are current year September operating reversions appropriately shown in column A02?					
8.26	Does the Schedule IC properly reflect the unreserved fund balance for each trust fund as defined by the LBR Instructions, and is it reconciled to the agency accounting records?					
8.27	Does Column A01 of the Schedule I accurately represent the actual prior year accounting data as reflected in the agency accounting records, and is it provided in sufficient detail for analysis?					
8.28	Does Line I of Column A01 (Schedule I) equal Line K of the Schedule IC?					
AUDITS:						
8.29	Is Line I a positive number? (If not, the agency must adjust the budget request to eliminate the deficit).					

Action		Program or Service (Budget Entity Codes)				
8.30	Is the June 30 Adjusted Unreserved Fund Balance (Line I) equal to the July 1 Unreserved Fund Balance (Line A) of the following year? (SC1R, SC1A - Report should print "No Discrepancies Exist For This Report")					
8.31	Has a Department Level Reconciliation been provided for each trust fund and does Line A of the Schedule I equal the CFO amount? If not, the agency must correct Line A. (SC1R, DEPT)					
TIP	The Schedule I is the most reliable source of data concerning the trust funds. It is very important that this schedule is as accurate as possible!					
TIP	Determine if the agency is scheduled for trust fund review. (See page 119 of the LBR Instructions.)					
TIP	Review the unreserved fund balances and compare revenue totals to expenditure totals to determine and understand the trust fund status.					
TIP	Typically nonoperating expenditures and revenues should not be a negative number. Any negative numbers must be fully justified.					
9. SCHEDULE II (PSCR, SC2)						
AUDIT:						
9.1	Is the pay grade minimum for salary rate utilized for positions in segments 2 and 3? (BRAR, BRAA - Report should print "No Records Selected For This Request") Note: Amounts other than the pay grade minimum should be fully justified in the D-3A issue narrative. (See <i>Base Rate Audit</i> on page 150 of the LBR Instructions.)					
10. SCHEDULE III (PSCR, SC3)						
10.1	Is the appropriate lapse amount applied in Segment 3? (See page 82 of the LBR Instructions.)					
10.2	Are amounts in <i>Other Salary Amount</i> appropriate and fully justified? (See page 89 of the LBR Instructions for appropriate use of the OAD transaction.) Use OADI or OADR to identify agency other salary amounts requested.					
11. SCHEDULE IV (EADR, SC4)						
11.1	Are the correct Information Technology (IT) issue codes used?					
TIP	If IT issues are not coded correctly (with "C" in 6th position), they will not appear in the Schedule IV.					
12. SCHEDULE VIIIA (EADR, SC8A)						
12.1	Is there only one #1 priority, one #2 priority, one #3 priority, etc. reported on the Schedule VIII-A? Are the priority narrative explanations adequate?					
13. SCHEDULE VIIIB-1						
13.1	This schedule is not required in the October 15, 2008 LBR submittal.					

Action		Program or Service (Budget Entity Codes)				
14. SCHEDULE VIII B-2 (EADR, S8B2)						
14.1	Do the reductions comply with the instructions provided on pages 95 and 96 of the LBR Instructions regarding a 10% reduction in recurring General Revenue and Trust Funds?					
15. SCHEDULE XI (LAS/PBS Web - see page 102 of the LBR Instructions for detailed instructions)						
15.1	Has the Schedule XI one page summary been e-mailed to OPB? Agencies are required to generate this spreadsheet via the LAS/PBS Web. (Note: Pursuant to section 216.023(4) (b), Florida Statutes, the Legislature can reduce the funding level for any agency that does not provide this information.)					
AUDITS INCLUDED IN THE SCHEDULE XI REPORT:						
15.2	Does the FY 2007-08 Actual (prior year) Expenditures in Column A36 reconcile to Column A01? (GENR, ACT1)					
15.3	None of the executive direction, administrative support and information technology statewide activities (ACT0010 thru ACT0490) have output standards (Record Type 5)? (Audit #1 should print "No Activities Found")					
15.4	Does the Fixed Capital Outlay (FCO) statewide activity (ACT0210) only contain 08XXXX or 14XXXX appropriation categories? (Audit #2 should print "No Operating Categories Found")					
15.5	Has the agency provided the necessary demand (Record Type 5) for all activities which <u>should</u> appear in Section II? (Note: Audit #3 will identify those activities that do NOT have a Record Type '5' and have not been identified as a 'Pass Through' activity. These activities will be displayed in Section III with the 'Payment of Pensions, Benefits and Claims' activity and 'Other' activities. Verify if these activities should be displayed in Section III. If not, an output standard would need to be added for that activity and the Schedule XI submitted again.)					
15.6	Does Section I (Final Budget for Agency) and Section III (Total Budget for Agency) equal? (Audit #4 should print "No Discrepancies Found")					
TIP	If Section I and Section III have a small difference, it may be due to rounding and therefore will be acceptable.					
16. MANUALLY PREPARED EXHIBITS & SCHEDULES						
16.1	Do exhibits and schedules comply with LBR Instructions (pages 103 through 147 of the LBR Instructions), and are they accurate and complete?					
16.2	Are appropriation category totals comparable to Exhibit B, where applicable?					
16.3	Are agency organization charts (Schedule X) provided and at the appropriate level of detail?					

Action		Program or Service (Budget Entity Codes)				
AUDITS - GENERAL INFORMATION						
TIP	Review <i>Section 6: Audits</i> of the LBR Instructions for a list of audits and their descriptions.					
TIP	Reorganizations may cause audit errors. Agencies must indicate that these errors are due to an agency reorganization to justify the audit error.					
17. CAPITAL IMPROVEMENTS PROGRAM (CIP)						
17.1	Are the CIP-2, CIP-3, CIP-A and CIP-B forms included?					
17.2	Are the CIP-4 and CIP-5 forms submitted when applicable (see CIP Instructions)?					
17.3	Do all CIP forms comply with CIP Instructions where applicable (see CIP Instructions)?					
17.4	Does the agency request include 5 year projections (Columns A03, A06, A07, A08 and A09)?					
17.5	Are the appropriate counties identified in the narrative?					
TIP	Requests for Fixed Capital Outlay appropriations which are Grants and Aids to Local Governments and Non-Profit Organizations must use the Grants and Aids to Local Governments and Non-Profit Organizations - Fixed Capital Outlay major appropriation category (140XXX) and include the sub-title "Grants and Aids". These appropriations utilize a CIP-B form as justification.					