

By Senator Dawson

30-1996A-00

See HB 1701

1 A bill to be entitled
2 An act relating to Broward County; providing
3 for the creation of a countywide independent
4 special district to provide children's services
5 throughout Broward County; providing for a
6 governing board to be known as the Children's
7 Service Council of Broward County; providing
8 for the membership and duties of the council;
9 providing financial requirements and budget
10 procedures; providing for authorization of the
11 levy of ad valorem taxes not to exceed one-half
12 mill; providing for a ballot question;
13 providing for a referendum; providing an
14 effective date.

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16 WHEREAS, section 125.901, Florida Statutes, authorizes
17 the creation of an independent special district to provide
18 children's services throughout each county of the state, and

19 WHEREAS, the Florida Legislature has determined that it
20 would serve the public interest to establish such an
21 independent special district within Broward County, NOW,
22 THEREFORE,

23
24 Be It Enacted by the Legislature of the State of Florida:

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26 Section 1. Title.--This act may be cited as the
27 "Children's Services Act of Broward County."

28 Section 2. Creation of an Independent Special
29 District.--There is created, effective January 2, 2001, an
30 independent special district to provide children's services
31 throughout Broward County. The boundaries of the district

1 shall be coterminous with the boundaries of Broward County.
2 The governing body of the district shall be a board of
3 directors to be known as the Children's Services Council of
4 Broward County.

5 Section 3. Membership.--Such council shall consist of
6 10 members, including:

7 (1) The superintendent of schools; a local school
8 board member, chosen by a majority of the School Board of
9 Broward County; the district administrator from district X of
10 the Department of Children and Family Services, or his or her
11 designee who is a member of the Senior Management Service or
12 of the Selected Exempt Service; one member of the County
13 Commission, chosen by a majority of the Broward County Board
14 of County Commissioners; and a judge assigned to juvenile
15 cases who shall sit as a voting member of the board, except
16 that the judge shall not vote or participate in the setting of
17 ad valorem taxes under this section. The chief judge of the
18 17th judicial circuit shall designate which judge shall serve
19 on the board. All of the proceeding members shall serve 4-year
20 terms effective January 2, 2001.

21 (2) The remaining five members shall be appointed by
22 the Governor, and shall, to the extent possible, represent the
23 demographic diversity of the population of Broward County.
24 After soliciting recommendations from the public, the Broward
25 County Board of County Commissioners shall submit to the
26 Governor the names of at least three persons for each vacancy
27 occurring among the five members to be appointed by the
28 Governor, and the Governor shall appoint members to the
29 council from the candidates nominated. The Governor shall make
30 a selection within a 45-day period or request a new list of
31 candidates. All members appointed by the Governor shall have

1 been residents of the county for the previous 24-month period.
2 Such members shall be appointed for 4-year terms, except that
3 the length of the terms of the initial appointees shall be for
4 2 years. The Governor may remove a member for cause or upon
5 the written petition of a majority of the County Commission
6 plus one. If any of the members of the council required to be
7 appointed by the Governor under the provisions of this
8 subsection shall resign, die, or be removed from office, the
9 vacancy thereby created shall, as soon as practicable, be
10 filled by appointment by the Governor, using the same method
11 as the original appointment, and such appointment to fill a
12 vacancy shall be for the unexpired term of the person who
13 resigns, dies, or is removed from office.

14 Section 4. Powers and Duties.--

15 (1) The Children's Services Council of Broward County
16 shall have the following powers and duties:

17 (a) To provide and maintain in the county such
18 preventive, developmental, treatment, and rehabilitative
19 services for children as the council determines are needed for
20 the general welfare of the county.

21 (b) To provide such other services for all children as
22 the council determines are needed for the general welfare of
23 the county.

24 (c) To allocate and provide funds for other agencies
25 in the county which are operated for the benefit of children,
26 provided that they are not under the exclusive jurisdiction of
27 the public school system.

28 (d) To collect information and statistical data that
29 will be helpful to the council in deciding the needs of
30 children in the county.

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1 (e) To consult with other agencies dedicated to the
2 welfare of children to the end that the overlapping of
3 services will be prevented.

4 (f) To lease or buy such real estate, equipment, and
5 personal property and to construct such buildings as are
6 needed to execute the foregoing powers and duties, provided
7 that no such purchases shall be made or building done except
8 for cash with funds on hand or secured by funds deposited in
9 financial institutions. Nothing in this act shall be
10 construed to authorize issuance of bonds of any nature.

11 (g) To employ and pay, on a part-time or full-time
12 basis, personnel needed to execute the foregoing powers and
13 duties.

14 (2) The Children's Services Council of Broward County
15 shall:

16 (a) Immediately after the members are appointed, elect
17 a chair and vice chair from among its members, and elect other
18 officers as deemed necessary by the council.

19 (b) Immediately after the members are appointed and
20 officers are elected, identify and assess the needs of the
21 children in Broward County served by the council and submit to
22 the County Commission of Broward County a written description
23 of:

24 1. The activities, services, and opportunities that
25 will be provided to children.

26 2. The anticipated schedule for providing those
27 activities, services, and opportunities.

28 3. The manner in which children will be served,
29 including a description of arrangements and agreements that
30 will be made with community organizations, state and local
31 educational agencies, federal agencies, public assistance

1 agencies, the juvenile courts, foster care agencies, and other
2 applicable public and private agencies.

3 4. The special outreach efforts that will be
4 undertaken to provide services to at-risk, abused, or
5 neglected children.

6 5. The manner in which the council will seek and
7 provide funding for unmet needs.

8 6. The strategy that will be used for interagency
9 coordination to maximize existing human and fiscal resources.

10 (c) Provide training and orientation to all new
11 members sufficient to allow them to perform their duties.

12 (d) Make and adopt bylaws and rules for the council's
13 guidance, operation, governance, and maintenance, provided
14 that such rules are not inconsistent with federal or state
15 laws or county ordinances.

16 (e) Provide an annual written report, to be presented
17 no later than January 1, to the County Commission of Broward
18 County. The annual report shall contain, but not be limited
19 to, the following information:

20 1. Information on the effectiveness of activities,
21 services, and programs offered by the council, including
22 cost-effectiveness.

23 2. A detailed anticipated budget for continuation of
24 activities, services, and programs offered by the council, and
25 a list of all sources of requested funding, both public and
26 private.

27 3. Procedures used for early identification of at-risk
28 children who need additional or continued services and methods
29 for ensuring that the additional or continued services are
30 received.

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1 4. A description of the degree to which the council's
2 objectives and activities are consistent with the goals of
3 this section.

4 5. Detailed information on the various programs,
5 services, and activities available to participants and the
6 degree to which the programs, services, and activities have
7 been successfully used by children.

8 6. Information on programs, services, and activities
9 that should be eliminated; programs, services, and activities
10 that should be continued; and programs, services, and
11 activities that should be added to the basic format of the
12 Children's Services Council.

13 (3) The council shall maintain minutes of each
14 meeting, including a record of all votes cast, and shall make
15 such minutes available to any interested person.

16 (4) Members of the council shall serve without
17 compensation, but shall be entitled to receive reimbursement
18 for per diem and travel expenses consistent with the
19 provisions of section 112.061, Florida Statutes.

20 (5) All financial records and accounts relating to the
21 district shall be available for audit by state auditors as
22 they are assigned from time to time to audit the affairs of
23 the County officials. If no annual audit of the district is
24 conducted by the state, the council shall cause an independent
25 audit of the district to be conducted.

26 (6) Within 10 days, exclusive of weekends and legal
27 holidays, after the expiration of each quarter annual period,
28 the Children's Services Council shall cause to be prepared and
29 filed with the County Commission of Broward County a financial
30 report that shall include the following:

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1 (a) The total expenditures of the council for the
2 quarter annual period.

3 (b) The total receipts of the council during the
4 quarter annual period.

5 (c) A statement of the funds the council has on hand,
6 has invested, or has deposited with qualified public
7 depositories at the end of the quarter annual period.

8 (d) The total administrative costs of the council for
9 the quarter annual period.

10 Section 5. Fiscal Year.--

11 (1) The fiscal year of the district shall be the same
12 as that of Broward County.

13 (2) On or before July 1 of each year, the Children's
14 Services Council of Broward County shall prepare and adopt an
15 annual written budget of its expected income and expenditures,
16 including a contingency fund. The written budget shall be
17 certified and delivered to the Board of County Commissioners
18 on or before July 1 of each year. Included in each certified
19 budget shall be an estimate of the millage rate necessary to
20 be applied to raise the funds budgeted for expenditures, which
21 millage rate shall not exceed a maximum of 50 cents for each
22 \$1,000 of assessed valuation of all properties within the
23 county which are subject to county taxes.

24 (3) The budget of the Children's Services Council so
25 certified and delivered to the Board of County Commissioners
26 shall not be subject to change or modification by the Board of
27 County Commissioners or any other authority.

28 Section 6. Levying of Ad Valorem Taxes.--In order to
29 provide funds for the Children's Services Council of Broward
30 County, the council may levy ad valorem taxes annually on all
31 taxable property in the county in an amount not to exceed

1 one-half mill, provided that the authority to levy such taxes
2 has been approved by a majority vote of the electors of the
3 district voting in the countywide election to be held in
4 accordance with the requirements of the constitution and the
5 laws of Florida and as set forth in this act. The tax shall
6 be assessed, levied, and collected in the same manner and at
7 the same time as is provided by law of the levy, collection,
8 and enforcement of collection of county taxes. All tax money
9 collected under this act, as soon after the collection thereof
10 as is reasonably practicable, shall be paid directly to the
11 Children's Services Council by the tax collector of the county
12 and all other applicable county officials. The moneys so
13 received by the Children's Services Council, shall be
14 deposited in a special bank account, shall be withdrawn only
15 by checks signed by the chair of the council and countersigned
16 by one other member of the council, who shall be so authorized
17 by the council. The chair and other member of the council who
18 signs its checks shall each give a surety bond in the amount
19 of \$1,000 which bond shall be conditioned that each shall
20 faithfully discharge the duties of their office. No other
21 member of the council shall be required to give bond or other
22 security. No funds of the council shall be expended except by
23 check as aforesaid, except for expenditures of petty cash
24 account that shall not at any time exceed \$100. All
25 expenditures from petty cash shall be recorded on the books
26 and records of the Children's Services Council. No funds of
27 the council, except for the expenditure of petty cash, shall
28 be expended without prior approval of the council, in addition
29 to the budgeting thereof.

30 Section 7. Powers, Duties, Responsibilities and
31 Obligations.--Except as specifically provided by this act, the

1 Children's Services Council of Broward County shall have all
2 powers, duties, responsibilities, and obligations as provided
3 for special districts in section 125.901, Florida Statutes, as
4 amended, except that the independent district created by this
5 act may be changed or dissolved only by special act of the
6 Legislature.

7 Section 8. Referendum.--There is authorized the
8 calling of a special referendum election to carry out the
9 purposes and intent of this act and to do all things necessary
10 to implement and fund the Children's Services Council and the
11 independent district created hereby in accordance with the
12 terms of this act and the laws pertaining to elections. The
13 item that shall appear on the ballot on September 5, 2000, the
14 date of the primary election of 2000, shall be as follows:

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16 (Title) Creation of Children's Services Council of Broward
17 County and authorization of taxation

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19 (Issue) An independent special district known as "The
20 Children's Service Council of Broward County" is created to
21 fund the improvement of children's developmental, health, and
22 other children's services by the levying each year of an ad
23 valorem tax not to exceed one-half (1/2) mill for services for
24 children.

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26 Yes _____

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28 No _____

29 Section 9. This act, except for this section, which
30 shall take effect upon becoming a law, shall take effect only
31 if it is approved by a majority vote of those qualified

1 electors of Broward County voting in a referendum as provided
2 in section 8 of this act to be called by the Supervisor of
3 Elections of Broward County on September 5, 2000, the date of
4 primary election of 2000, in accordance with the provisions of
5 law relating to elections currently enforced in Broward
6 County. In this election, procedures prescribed in sections
7 101.6101-101.6107, Florida Statutes, may not be used.

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