

By Senator Silver

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A bill to be entitled

An act relating to children's services;
amending s. 125.901, F.S.; providing for the
creation of a council on children's services in
any county that has a home rule charter;
providing for council membership and terms of
office; providing an effective date.

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

Section 1. Subsection (1) of section 125.901, Florida
Statutes, is amended to read:

125.901 Children's services; independent special
district; council; powers, duties, and functions.--

(1) Each county may by ordinance create an independent
special district, as defined in ss. 189.403(3) and
200.001(8)(e), to provide funding for children's services
throughout the county in accordance with this section. The
boundaries of such district shall be coterminous with the
boundaries of the county. The county governing body shall
obtain approval, by a majority vote of those electors voting
on the question, to annually levy ad valorem taxes which shall
not exceed the maximum millage rate authorized by this
section. Any district created pursuant to the provisions of
this subsection shall be required to levy and fix millage
subject to the provisions of s. 200.065. Once such millage is
approved by the electorate, the district shall not be required
to seek approval of the electorate in future years to levy the
previously approved millage.

(a) The governing board of the district shall be a
council on children's services, which may also be known as a

1 juvenile welfare board or similar name as established in the
2 ordinance by the county governing body. Such council shall
3 consist of 10 members, including: the superintendent of
4 schools; a local school board member; the district
5 administrator from the appropriate district of the Department
6 of Children and Family Services, or his or her designee who is
7 a member of the Senior Management Service or of the Selected
8 Exempt Service; one member of the county governing body; and
9 the judge assigned to juvenile cases who shall sit as a voting
10 member of the board, except that said judge shall not vote or
11 participate in the setting of ad valorem taxes under this
12 section. If ~~in the event~~ there is more than one judge assigned
13 to juvenile cases in a county, the chief judge shall designate
14 one of said juvenile judges to serve on the board. The
15 remaining five members shall be appointed by the Governor, and
16 shall, to the extent possible, represent the demographic
17 diversity of the population of the county. After soliciting
18 recommendations from the public, the county governing body
19 shall submit to the Governor the names of at least three
20 persons for each vacancy occurring among the five members
21 appointed by the Governor, and the Governor shall appoint
22 members to the council from the candidates nominated by the
23 county governing body. The Governor shall make a selection
24 within a 45-day period or request a new list of candidates.
25 All members appointed by the Governor shall have been
26 residents of the county for the previous 24-month period.
27 Such members shall be appointed for 4-year terms, except that
28 the length of the terms of the initial appointees shall be
29 adjusted to stagger the terms. The Governor may remove a
30 member for cause or upon the written petition of the county
31 governing body. If any of the members of the council required

1 to be appointed by the Governor under the provisions of this
2 subsection shall resign, die, or be removed from office, the
3 vacancy thereby created shall, as soon as practicable, be
4 filled by appointment by the Governor, using the same method
5 as the original appointment, and such appointment to fill a
6 vacancy shall be for the unexpired term of the person who
7 resigns, dies, or is removed from office.

8 (b) However, any county as defined in s. 125.011(1)
9 may instead have a governing board consisting of 33 members,
10 including: the superintendent of schools; two representatives
11 of public institutions of higher education located in the
12 county; the county manager or the equivalent county officer;
13 the district administrator from the appropriate district of
14 the Department of Children and Family Services, or the
15 administrator's designee who is a member of the Senior
16 Management Service or the Selected Exempt Service; the
17 district administrator for the state Department of Health or
18 the district administrator's designee; the state attorney for
19 the county or the state attorney's designee; the chief judge
20 assigned to juvenile cases, or another juvenile judge who is
21 the chief judge's designee and who shall sit as a voting
22 member of the board, except that the judge may not vote or
23 participate in setting ad valorem taxes under this section; an
24 individual who is selected by the board of the local United
25 Way or its equivalent; a member of a locally recognized
26 faith-based coalition, selected by that coalition; a member of
27 the local chamber of commerce, selected by that chamber or, if
28 more than one chamber exists within the county, a person
29 selected by a coalition of the local chambers; a member of the
30 local school readiness coalition, selected by that coalition;
31 a representative of a labor organization or union active in

1 the county; a member of a local alliance or coalition engaged
2 in cross-system planning for health and social service
3 delivery in the county, selected by that alliance or
4 coalition; a member of the local Parent-Teachers
5 Association/Parent-Teacher-Student Association, selected by
6 that association; a youth representative selected by the local
7 school system's student government; a local school board
8 member appointed by the chair of the school board; the mayor
9 of the county or the mayor's designee; one member of the
10 county governing body, appointed by the chair of that body; a
11 member of the state Legislature who represents residents of
12 the county, selected by the chair of the local legislative
13 delegation; an elected official representing the residents of
14 a municipality in the county, selected by the county municipal
15 league; and 4 members-at-large, appointed to the council by
16 the majority of sitting council members. The remaining 7
17 members shall be appointed by the Governor in accordance with
18 procedures set forth in paragraph (a), except that the
19 Governor may remove a member for cause or upon the written
20 petition of the council. Appointments by the Governor must, to
21 the extent reasonably possible, represent the geographic and
22 demographic diversity of the population of the county. The
23 appointed members of the governing board shall be appointed to
24 serve 2-year terms, except that those members appointed by the
25 Governor shall be appointed to serve 4-year terms, and the
26 youth representative and the legislative delegate shall be
27 appointed to serve 1-year terms. A member may be reappointed;
28 however, a member may not serve for more than three
29 consecutive terms. A member is eligible to be appointed again
30 after a 2-year hiatus from the council.

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1 (c)~~(b)~~ ~~Nothing in~~ This subsection does not ~~shall~~
2 prohibit a county from exercising such power as is provided by
3 general or special law to provide children's services or to
4 create a special district to provide such services.

5 Section 2. This act shall take effect July 1, 2002.

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SENATE SUMMARY

Provides for the creation, in any county having a home rule charter, of a 33-member council on children's services. Specifies council membership and terms of office.