

1 A bill to be entitled
2 An act relating to children's services;
3 amending s. 125.901, F.S.; providing for the
4 creation of a council on children's services in
5 any county that has a home rule charter;
6 providing for council membership and terms of
7 office; providing an effective date.

8

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

10

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

13 125.901 Children's services; independent special
14 district; council; powers, duties, and functions.--

15 (1) Each county may by ordinance create an independent
16 special district, as defined in ss. 189.403(3) and
17 200.001(8)(e), to provide funding for children's services
18 throughout the county in accordance with this section. The
19 boundaries of such district shall be coterminous with the
20 boundaries of the county. The county governing body shall
21 obtain approval, by a majority vote of those electors voting
22 on the question, to annually levy ad valorem taxes which shall
23 not exceed the maximum millage rate authorized by this
24 section. Any district created pursuant to the provisions of
25 this subsection shall be required to levy and fix millage
26 subject to the provisions of s. 200.065. Once such millage is
27 approved by the electorate, the district shall not be required
28 to seek approval of the electorate in future years to levy the
29 previously approved millage.

30 (a) The governing board of the district shall be a
31 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 postsecondary education institutions 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 director of the county health department or the director's
18 designee; the state attorney for the county or the state
19 attorney's designee; the chief judge assigned to juvenile
20 cases, or another juvenile judge who is the chief judge's
21 designee and who shall sit as a voting member of the board,
22 except that the judge may not vote or participate in setting
23 ad valorem taxes under this section; an individual who is
24 selected by the board of the local United Way or its
25 equivalent; a member of a locally recognized faith-based
26 coalition, selected by that coalition; a member of the local
27 chamber of commerce, selected by that chamber or, if more than
28 one chamber exists within the county, a person selected by a
29 coalition of the local chambers; a member of the local school
30 readiness coalition, selected by that coalition; a
31 representative of a labor organization or union active in the

1 county; a member of a local alliance or coalition engaged in
2 cross-system planning for health and social service delivery
3 in the county, selected by that alliance or coalition; a
4 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. Members
23 who are appointed to the council by reason of their position
24 are not subject to the length of terms and limits on
25 consecutive terms as provided in this section. The remaining
26 appointed members of the governing board shall be appointed to
27 serve 2-year terms, except that those members appointed by the
28 Governor shall be appointed to serve 4-year terms, and the
29 youth representative and the legislative delegate shall be
30 appointed to serve 1-year terms. A member may be reappointed;
31 however, a member may not serve for more than three

1 consecutive terms. A member is eligible to be appointed again
2 after a 2-year hiatus from the council.

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

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

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31