

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

BILL: CS/SB 480

SPONSOR: Governmental Oversight & Productivity Committee and Senator Lynn

SUBJECT: Children and Families

DATE: March 19, 2003 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Dowds</u>	<u>Whiddon</u>	<u>CF</u>	<u>Fav/4 amendments</u>
2.	<u>Rhea</u>	<u>Wilson</u>	<u>GO</u>	<u>Favorable/CS</u>
3.	_____	_____	<u>AHS</u>	_____
4.	_____	_____	<u>AP</u>	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

The Committee Substitute for Senate Bill 480 (CS/SB 480) establishes the Commission on Marriage and Family Support Initiatives within the Department of Children and Families as an independent entity not subject to departmental control. The responsibilities of the commission include developing comprehensive statewide strategies to facilitate the connection of responsible fathers and mothers with their families and children, to increase the availability of and access to parenting and relationship skills education and training, and to encourage and support the formation and maintenance of two-parent families. The commission is to consist of 18 members, the appointments for which are set forth in the bill. The bill requires that the commission coordinate with community-based organizations, prepare a number of reports that are to be submitted to the Governor and the Legislature, and submit an annual report. Sections 383.0112, 383.0113, and 383.0114, F.S., which relate to the Commission of Responsible Fatherhood, are repealed and the funding allocated for this commission is provided for the newly established Commission on Marriage and Family Support Initiatives.

The bill creates an undesignated section of the Florida Statutes. The bill repeals sections 383.0112, 383.0113, and 383.0114, of the Florida Statutes.

II. Present Situation:

Organizational Structure of the Executive Branch

Chapter 20, F.S., sets forth the organizational structure of the executive branch of state government. Section 20.03(10), F.S., defines “commission” to mean:

. . . unless otherwise required by the State Constitution, . . . a body created by specific statutory enactment within a department, the office of the Governor, or the Executive

Office of the Governor and exercising limited quasi-legislative or quasi-judicial powers, or both, independently of the head of the department or the Governor.

Florida Commission on Responsible Fatherhood

In 1996, the Legislature established the Commission on Responsible Fatherhood¹ to raise awareness of the problems that children face when responsible fathers are absent; to identify obstacles that prevent fathers from being involved in the lives of their children; and to identify strategies that would encourage responsible fatherhood. Section 383.0112, F.S., charged the commission with compiling information on the impact of absent fathers; with identifying barriers to responsible fatherhood and recommendations to eliminate the barriers; with identifying strategies and uses of state and community resources that encourage responsible fatherhood; with developing strategies to assist children and families when the father is absent; and with working with the Healthy Start Coalitions to increase participation of responsible fathers in families. The membership of the commission has included legislators, a judge, and representatives from a number of organizations affiliated with children, families, and fathers' issues.²

Since 1996, Florida has funded through the commission 29 programs in 35 counties that serve fathers. The programs supported by the commission have fallen primarily into two categories: (a) community-based programs that build and strengthen the relationship between fathers and their children; and, (b) families and programs that assist non-custodial parents obtain employment, pay child support, and become more knowledgeable and involved fathers. The commission has been funded with dollars from the Department of Children and Families, Department of Health, and Temporary Assistance to Needy Families (TANF) block grant funds.

Combining Fatherhood and Family Issues

The creation of Florida's Commission on Responsible Fatherhood and initiation of this state's attention to improving the involvement of fathers in the lives of children and families were based on the realization that the number of children growing up without a father was increasing dramatically³ and the role of the father in the child's well-being was critical, both financially and in contributing to positive outcomes for the children. Fathers who are not involved in their children's lives have historically included those fathers who can pay support but do not, those fathers who would pay support but cannot financially afford to do so, and those fathers who provide informal support. Initiatives to build responsible fathers have, as a result, focused on the issues facing fathers that result in their inability or unwillingness to support their children, both financially and emotionally.

More recently, fragile families have emerged as an important group to target to strengthen responsible fatherhood and families. Fragile families often are families with low-income, unmarried parents with children. Where a long-term relationship or marriage occurs, there is often a better chance of preserving both parents' involvement in the lives of their children, thus preventing children growing up without their fathers.⁴

¹ Chapter 96-175, L.O.F.

² Section 383.0113, F.S.

³ The proportion of children living in single-parent homes tripled from 9 percent to 27 percent from 1960 to 1995. (National Fatherhood Initiative)

⁴ *Connecting Low-Income Fathers and Families: A Guide to Practical Policies*, National Conference of State Legislatures, 2000.

III. Effect of Proposed Changes:

Legislative Intent

This part of the committee substitute contains legislative findings and intent. Specifically, the Legislature finds that families deserve respect and support and that children need support and guidance from their mothers and their fathers. Further, families face many problems and need support and guidance from community systems to help them thrive.

Further, the Legislature finds that some relationships between mothers and fathers are irreparable; others can be nurtured and salvaged with the provision of appropriate community supports to parents. These supports may include opportunities to obtain:

- < education or employment skills or increase educational levels or employment skills;
- < access to the justice system;
- < support from community agencies to become free from substance abuse and violent relationships; and
- < easy and affordable access to relationship-skills education.

The Legislature finds that for some unwed parents, it will be possible and desirable to move parents toward marriage; for others, the optimum goal may be co-parenting and payment of child support.

The section also states that it is the intent of the Legislature to build on the accomplishments of the Commission on Responsible Fatherhood and to increase public awareness of the problems of families; to develop public policy related to parenting, marriage, and the effects of societal problems on families; and to provide support for children and encourage marriage and family life.

Creation of the Commission

The committee substitute creates the Commission on Marriage and Family Support Initiatives (the commission) within the Department of Children and Family Services (DFS). The committee substitute ties the commission to a definition contained in ch. 20, F.S., which clearly states that a commission, while housed in a department for administrative purposes, is independent of that department. The commission is authorized to employ an executive director, a researcher and an administrative assistant. The executive director serves at the pleasure of the commission.

The commission has 18 members, with the Governor, the Speaker of the House of Representatives and the President of the Senate each appointing six members. The commission is to consist of members from the public sector and the private sector, including community and faith-based organizations, but at least 50 percent of the commissioners must be from the private sector. Commissioners are to have experience in one or more of the following areas: business; workforce development; education; health care; treatment of substance abuse; child development; and domestic violence prevention. For the initial appointments, the appointers should consider current members of the Commission on Responsible Fatherhood.

Commissioners serve 2-year terms, though the initial appointees will serve staggered terms of 3 years, 2 years, and 1 year. Vacancies are filled by the original appointing authority. Initial appointments are to be made by August 1, 2003.

The committee substitute requires the first meeting to be held no later than October 1, 2003. The chair is elected at that meeting by majority vote of the members, a quorum being present. A majority of the membership constitutes a quorum and is required for the commission to conduct business.

Members are not entitled to compensation, but their travel and per diem expenses are to be reimbursed as authorized in s. 112.061, F.S.

Scope of Commission Activities

The bill charges the commission with the following responsibilities:

- Develop, by October 1, 2004, a report that provides comprehensive statewide strategies to promote and nurture responsible parenting and facilitate the connection of responsible fathers with their families and children;
- Develop, by October 1, 2004, recommendations for increasing the availability of parenting and relationship skills education and training and for supporting the formation of two-parent families and family structures that are best for children;
- Develop, by October 1, 2004, a plan for delivery of services to assist families to learn communication and conflict resolution both before and during marriage and to appropriately work through problems in the event of a divorce;
- Producing a manual of practices that are successful at promoting marriage and families;
- Developing a community awareness campaign promoting community collaboration and local programs that promote marriage in families; and
- Serving as a clearinghouse for research on societal problems facing families and innovative services.

The commission is required to coordinate with community-based organizations. An annual report on the progress made in accomplishing the commission's designated activities is to be submitted by December 31st of each year to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Chief Justice of the Supreme Court. The commission is repealed on June 30, 2008, unless reenacted by the Legislature.

The bill creates the commission in the Department of Children and Families but retains the current arrangement of housing the commission with the Ounce of Prevention. The funding allocated to the Commission on Responsible Fatherhood is designated for the operation of the Commission on Marriage and Family Support Initiative, and the community-based programs established by the Commission on Responsible Fatherhood are to be continued and supported with this funding.

The Commission on Responsible Fatherhood, as set forth in ss. 383.0112, 383.0113, and 383.0114, F.S., ceases to exist with the repeal of these sections by this bill.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The Department of Children and Families' bill analysis to this bill last year reported that the bill was revenue neutral because it would transfer the funding from the Committee on Responsible Fatherhood to the new commission within the department.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.