

1                                   A bill to be entitled  
 2           An act relating to the Florida Faith-based and Community-  
 3           based Advisory Board; creating s. 14.31, F.S.; providing  
 4           legislative findings and intent; creating the Florida  
 5           Faith-based and Community-based Advisory Board within the  
 6           Executive Office of the Governor for certain purposes;  
 7           providing for board membership; providing for terms of  
 8           members; providing for successor appointments; providing  
 9           for meetings and organization of the board; specifying  
 10          serving without compensation; providing for per diem and  
 11          travel expenses; specifying required activities of the  
 12          board; specifying restricted activities; requiring a  
 13          report to the Governor and Legislature; providing for  
 14          future repeal and abolition of the board; providing an  
 15          effective date.

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

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 19           Section 1. Section 14.31, Florida Statutes, is created to  
 20           read:

21           14.31 Florida Faith-based and Community-based Advisory  
 22           Board.--

23           (1) LEGISLATIVE FINDINGS.--The Legislature finds that:

24           (a) Compassionate groups of individuals have selflessly  
 25           aided this state in serving our most vulnerable citizens and our  
 26           most debilitated neighborhoods.

27           (b) Inspired by faith and civic commitment, these  
 28           organizations have accomplished much in changing the lives of

29 thousands and resurrecting neighborhoods torn by the strife of  
 30 crime and poverty.

31 (c) Many beneficial opportunities may be lost if faith-  
 32 based and community-based groups are not aware of opportunities  
 33 to participate with government entities in serving the citizens  
 34 of this state or are not equipped to participate on a level  
 35 playing field, to the full extent permitted by law, in  
 36 partnering or contracting with government entities for the  
 37 delivery of services pursuant to a valid governmental purpose.

38 (d) A fee-for-service or value-for-value contract with a  
 39 faith-based or community-based organization in pursuit of a  
 40 valid governmental purpose primarily aids taxpayers, not the  
 41 organization, and a public program of general eligibility with a  
 42 secular purpose in which faith-based or community-based  
 43 organizations participate on a neutral basis is consistent with  
 44 the First Amendment to the United States Constitution and s. 3,  
 45 Art. I of the State Constitution.

46 (e) Government may not advance or inhibit religious  
 47 expression or endorse any particular type of religion over  
 48 nonreligion but must not discriminate against the provision of  
 49 services by faith-based or community-based providers who are  
 50 otherwise qualified to provide services.

51 (f) Volunteer Florida Foundation, Inc., is a nonprofit  
 52 direct support organization equipped to assist in securing  
 53 training, technical assistance, and other support needed to  
 54 accomplish the intent and purposes of this act.

55 (2) LEGISLATIVE INTENT.--It is therefore the intent of the  
 56 Legislature to recognize the contributions of faith-based and

57 community-based organizations and to encourage opportunities for  
 58 such organizations to partner with government entities to  
 59 deliver services more effectively. The Legislature further  
 60 intends that the purpose of the board is to advise the Governor  
 61 and the Legislature on policies, priorities, and objectives for  
 62 the state's comprehensive effort to enlist, equip, enable,  
 63 empower, and expand the work of faith-based, volunteer, and  
 64 other community organizations to the full extent permitted by  
 65 law.

66 (3) ESTABLISHMENT OF THE BOARD.--

67 (a) The Florida Faith-based and Community-based Advisory  
 68 Board is established and assigned to the Executive Office of the  
 69 Governor. The board shall be administratively housed within the  
 70 Executive Office of the Governor.

71 (b) The board shall consist of 25 members. Board members  
 72 may include, but shall not be limited to, representatives from  
 73 various faiths, faith-based organizations, community-based  
 74 organizations, foundations, corporations, and municipalities.

75 (c) The board shall be composed of the following members:

76 1. Seventeen members appointed by and serving at the  
 77 pleasure of the Governor.

78 2. Four members appointed by and serving at the pleasure  
 79 of the President of the Senate.

80 3. Four members appointed by and serving at the pleasure  
 81 of the Speaker of the House of Representatives.

82 (d) Board members shall serve 4-year terms, except that  
 83 the initial terms shall be staggered:

84 1. The Governor shall appoint six members for a term of 3

85 years, six members for a term of 2 years, and five members for a  
 86 term of 1 year.

87 2. The President of the Senate shall appoint two members  
 88 for a term of 3 years and two members for a term of 2 years.

89 3. The Speaker of the House of Representatives shall  
 90 appoint two members for a term of 3 years and two members for a  
 91 term of 2 years.

92 (e) A vacancy shall be filled by appointment by the  
 93 original appointing authority for the unexpired portion of the  
 94 term.

95 (4) MEETINGS; ORGANIZATION.--

96 (a) The first meeting of the board shall be held no later  
 97 than August 1, 2005. Thereafter, the board shall meet at least  
 98 once per quarter per calendar year. The board shall work in  
 99 partnership with the Volunteer Florida Foundation, Inc., in  
 100 noticing and coordinating all meetings of the board.

101 (b) The board shall annually elect from its membership one  
 102 member to serve as chair of the board and one member to serve as  
 103 vice chair.

104 (c) Thirteen members of the board shall constitute a  
 105 quorum.

106 (d) Members of the board shall serve without compensation  
 107 but may be reimbursed for per diem and travel expenses pursuant  
 108 to s. 112.061.

109 (5) SCOPE OF ACTIVITIES.--The board shall determine:

110 (a) How government may deliver state services with a valid  
 111 governmental purpose on a neutral basis without regard to the  
 112 religious or secular perspective of faith-based and community-

113 based organizations.

114 (b) How best to develop and coordinate activities of  
 115 faith-based and other community-based programs and initiatives,  
 116 enhance such efforts in communities, and seek such resources,  
 117 legislation, and regulatory relief as may be necessary to  
 118 accomplish these objectives.

119 (c) How best to ensure that state policy decisions take  
 120 into account the capacity of faith-based and other community-  
 121 based initiatives to assist in the achievement of state  
 122 priorities.

123 (d) How best to identify and promote best practices across  
 124 state government relating to the delivery of services by faith-  
 125 based and other community-based organizations.

126 (e) How best to coordinate public awareness of faith-based  
 127 and community nonprofit initiatives, such as demonstration pilot  
 128 programs or projects, public-private partnerships, volunteerism,  
 129 and special projects.

130 (f) How best to encourage private charitable giving to  
 131 support faith-based and community-based initiatives.

132 (g) How best to bring concerns, ideas, and policy options  
 133 to the Governor and Legislature for assisting, strengthening,  
 134 and replicating successful faith-based and other community-based  
 135 programs.

136 (h) How best to develop and implement strategic  
 137 initiatives to strengthen the institutions of families and  
 138 communities in this state.

139 (i) How best to showcase and herald innovative grassroots  
 140 nonprofit organizations and civic initiatives.

141       (j) How best to eliminate unnecessary legislative,  
 142 regulatory, and other bureaucratic barriers that impede  
 143 effective faith-based and other community-based efforts to  
 144 address social problems.

145       (k) How best to monitor implementation of state policy  
 146 affecting faith-based and other community-based organizations.

147       (l) How best to ensure that the efforts of faith-based and  
 148 other community-based organizations meet objective criteria for  
 149 performance and accountability.

150       (6) RESTRICTED ACTIVITIES.--The board shall not recommend  
 151 any public program that conflicts with the Establishment Clause  
 152 of the First Amendment to the United States Constitution or s.  
 153 3, Art. I of the State Constitution.

154       (7) REPORT.--By February 1 of each year, the board shall  
 155 prepare a written report for the Governor, the President of the  
 156 Senate, and the Speaker of the House of Representatives  
 157 containing an accounting of its activities and recommended  
 158 policies, priorities, and objectives for the state's  
 159 comprehensive effort to enlist, equip, enable, empower, and  
 160 expand the work of faith-based, volunteer, and other community-  
 161 based organizations to the full extent permitted by law.

162       (8) REPEAL AND ABOLITION.--This section is repealed and  
 163 the board is abolished June 30, 2010, unless reviewed and saved  
 164 from repeal by the Legislature.

165       Section 2. This act shall take effect July 1, 2005.