

CHAMBER ACTION

1 The Health & Families Council recommends the following:

2
3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

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

20
21 Be It Enacted by the Legislature of the State of Florida:

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23 Section 1. Section 14.31, Florida Statutes, is created to
24 read:

25 14.31 Florida Faith-based and Community-based Advisory
26 Board.--

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

28 (a) Compassionate groups of individuals have selflessly
29 aided this state in serving our most vulnerable citizens and our
30 most debilitated neighborhoods.

31 (b) Inspired by faith and civic commitment, these
32 organizations have accomplished much in changing the lives of
33 thousands and resurrecting neighborhoods torn by the strife of
34 crime and poverty.

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

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

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

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

59 (2) LEGISLATIVE INTENT.--It is therefore the intent of the
 60 Legislature to recognize the contributions of faith-based and
 61 community-based organizations and to encourage opportunities for
 62 such organizations to partner with government entities to
 63 deliver services more effectively. The Legislature further
 64 intends that the purpose of the board is to advise the Governor
 65 and the Legislature on policies, priorities, and objectives for
 66 the state's comprehensive effort to enlist, equip, enable,
 67 empower, and expand the work of faith-based, volunteer, and
 68 other community organizations to the full extent permitted by
 69 law.

70 (3) ESTABLISHMENT OF THE BOARD.--

71 (a) The Florida Faith-based and Community-based Advisory
 72 Board is established and assigned to the Executive Office of the
 73 Governor. The board shall be administratively housed within the
 74 Executive Office of the Governor.

75 (b) The board shall consist of 25 members. Board members
 76 may include, but shall not be limited to, representatives from

77 various faiths, faith-based organizations, community-based
 78 organizations, foundations, corporations, and municipalities.

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

80 1. Seventeen members appointed by and serving at the
 81 pleasure of the Governor.

82 2. Four members appointed by and serving at the pleasure
 83 of the President of the Senate.

84 3. Four members appointed by and serving at the pleasure
 85 of the Speaker of the House of Representatives.

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

88 1. The Governor shall appoint six members for a term of 3
 89 years, six members for a term of 2 years, and five members for a
 90 term of 1 year.

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

93 3. The Speaker of the House of Representatives shall
 94 appoint two members for a term of 3 years and two members for a
 95 term of 2 years.

96 (e) A vacancy shall be filled by appointment by the
 97 original appointing authority for the unexpired portion of the
 98 term.

99 (4) MEETINGS; ORGANIZATION.--

100 (a) The first meeting of the board shall be held no later
 101 than August 1, 2005. Thereafter, the board shall meet at least
 102 once per quarter per calendar year. Meetings may be held via
 103 teleconference or other electronic means. The board shall work

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104 in partnership with the Volunteer Florida Foundation, Inc., in
105 noticing and coordinating all meetings of the board.

106 (b) The board shall annually elect from its membership one
107 member to serve as chair of the board and one member to serve as
108 vice chair.

109 (c) Thirteen members of the board shall constitute a
110 quorum.

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

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

115 (a) How government may deliver state services with a valid
116 governmental purpose on a neutral basis without regard to the
117 religious or secular perspective of faith-based and community-
118 based organizations.

119 (b) How best to develop and coordinate activities of
120 faith-based and other community-based programs and initiatives,
121 enhance such efforts in communities, and seek such resources,
122 legislation, and regulatory relief as may be necessary to
123 accomplish these objectives.

124 (c) How best to ensure that state policy decisions take
125 into account the capacity of faith-based and other community-
126 based initiatives to assist in the achievement of state
127 priorities.

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

131 (e) How best to coordinate public awareness of faith-based
 132 and community nonprofit initiatives, such as demonstration pilot
 133 programs or projects, public-private partnerships, volunteerism,
 134 and special projects.

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

137 (g) How best to bring concerns, ideas, and policy options
 138 to the Governor and Legislature for assisting, strengthening,
 139 and replicating successful faith-based and other community-based
 140 programs.

141 (h) How best to develop and implement strategic
 142 initiatives to strengthen the institutions of families and
 143 communities in this state.

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

146 (j) How best to eliminate unnecessary legislative,
 147 regulatory, and other bureaucratic barriers that impede
 148 effective faith-based and other community-based efforts to
 149 address social problems.

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

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

155 (6) RESTRICTED ACTIVITIES.--The board shall not recommend
 156 any public program that conflicts with the Establishment Clause
 157 of the First Amendment to the United States Constitution or s.
 158 3, Art. I of the State Constitution.

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

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

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