

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. Meetings may be held via
 99 teleconference or other electronic means. The board shall work
 100 in partnership with the Volunteer Florida Foundation, Inc., in
 101 noticing and coordinating all meetings of the board.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

151 (6) RESTRICTED ACTIVITIES.--The board shall not recommend
152 any public program that conflicts with the Establishment Clause
153 of the First Amendment to the United States Constitution or s.
154 3, Art. I of the State Constitution.

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

HB 1373, Engrossed 1

2005

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

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