

Bill No. SB 1232

Barcode 032474

585-1159A-06

Proposed Committee Substitute by the Committee on Governmental Oversight and Productivity

1                                   A bill to be entitled

2                   An act relating to the Florida Faith-based and

3                   Community-based Advisory Council; creating s.

4                   14.31, F.S.; providing legislative findings and

5                   intent; creating the Florida Faith-based and

6                   Community-based Advisory Council within the

7                   Executive Office of the Governor for certain

8                   purposes; providing for council membership;

9                   providing for terms of members; providing for

10                  successor appointments; providing for meetings

11                  and organization of the council; specifying

12                  serving without compensation; providing for per

13                  diem and travel expenses; specifying required

14                  activities of the council; specifying

15                  restricted activities; requiring a report to

16                  the Governor and Legislature; providing for

17                  future repeal and abolition of the council;

18                  providing an effective date.

19

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

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22                   Section 1. Section 14.31, Florida Statutes, is created

23 to read:

24                   14.31 Florida Faith-based and Community-based Advisory

25 Council.--

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

27                   (a) Compassionate groups of individuals have

28 selflessly aided this state in serving our most vulnerable

29 residents and our most debilitated neighborhoods.

30                   (b) Inspired by faith and civic commitment, these

31 organizations have accomplished much in changing the lives of

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1 thousands and resurrecting neighborhoods torn by the strife of  
2 crime and poverty.

3 (c) It is essential that this state cooperate with  
4 these organizations in order to create a level playing field,  
5 regardless of each organization's orientation, whether  
6 faith-based or secular.

7 (2) LEGISLATIVE INTENT.--It is therefore the intent of  
8 the Legislature to recognize the contributions of these  
9 organizations and to encourage opportunities for faith-based  
10 and community-based organizations to work cooperatively with  
11 government entities in order to deliver services more  
12 effectively. The Legislature further intends that the purpose  
13 of the council is to advise the Governor and the Legislature  
14 on policies, priorities, and objectives for the state's  
15 comprehensive effort to enlist, equip, enable, empower, and  
16 expand the work of faith-based, volunteer, and other community  
17 organizations to the full extent permitted by law.

18 (3) ESTABLISHMENT OF THE COUNCIL.--

19 (a) The Florida Faith-based and Community-based  
20 Advisory Council, an advisory council as defined in s.  
21 20.03(7), is established and assigned to the Executive Office  
22 of the Governor. The council shall be administratively housed  
23 within the Executive Office of the Governor.

24 (b) The council shall consist of 25 members. Council  
25 members may include, but need not be limited to,  
26 representatives from various faiths, faith-based  
27 organizations, community-based organizations, foundations,  
28 corporations, and municipalities.

29 (c) The council shall be composed of the following  
30 members:

31 1. Seventeen members appointed by and serving at the

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1 pleasure of the Governor.

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

4 3. Four members appointed by and serving at the  
5 pleasure of the Speaker of the House of Representatives.

6 (d) Council members shall be appointed to 4-year  
7 terms, except that the initial terms shall be staggered:

8 1. The Governor shall appoint six members for terms of  
9 3 years, six members for terms of 2 years, and five members  
10 for terms of 1 year.

11 2. The President of the Senate shall appoint two  
12 members for terms of 3 years and two members for terms of 2  
13 years.

14 3. The Speaker of the House of Representatives shall  
15 appoint two members for terms of 3 years and two members for  
16 terms of 2 years.

17 (e) A vacancy shall be filled by appointment by the  
18 original appointing authority for the unexpired portion of the  
19 term.

20 (4) MEETINGS; ORGANIZATION.--

21 (a) The first meeting of the council shall be held no  
22 later than August 1, 2006. Thereafter, the council shall meet  
23 at least once per quarter per calendar year. Meetings may be  
24 held via teleconference or other electronic means.

25 (b) The council shall annually elect from its  
26 membership one member to serve as chair of the council and one  
27 member to serve as vice chair.

28 (c) Thirteen members of the council shall constitute a  
29 quorum.

30 (d) Members of the council shall serve without  
31 compensation but are entitled to reimbursement for per diem

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1 and travel expenses pursuant to s. 112.061.

2 (5) SCOPE OF ACTIVITIES.--The council shall review and  
3 recommend in a report to the Governor and the Legislature:

4 (a) How faith-based and community-based organizations  
5 can best compete with other organizations for the delivery of  
6 state services, regardless of an organization's orientation,  
7 whether faith-based or secular.

8 (b) How best to develop and coordinate activities of  
9 faith-based and other community programs and initiatives,  
10 enhance such efforts in communities, and seek such resources,  
11 legislation, and regulatory relief as may be necessary to  
12 accomplish these objectives.

13 (c) How best to ensure that state policy decisions  
14 take into account the capacity of faith-based and other  
15 community initiatives to assist in the achievement of state  
16 priorities.

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

20 (e) How best to coordinate public awareness of  
21 faith-based and community nonprofit initiatives, such as  
22 demonstration pilot programs or projects, public-private  
23 partnerships, volunteerism, and special projects.

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

26 (g) How best to bring concerns, ideas, and policy  
27 options to the Governor and Legislature for assisting,  
28 strengthening, and replicating successful faith-based and  
29 other community programs.

30 (h) How best to develop and implement strategic  
31 initiatives to strengthen the institutions of families and

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1 communities in this state.

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

4 (j) How best to eliminate unnecessary legislative,  
5 regulatory, and other bureaucratic barriers that impede  
6 effective faith-based and other community efforts to address  
7 social problems.

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

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

13 (6) RESTRICTED ACTIVITIES.--The council may not make  
14 any recommendation that is in conflict with the Establishment  
15 Clause of the First Amendment to the United States  
16 Constitution or the public funding provision of s. 3, Art. I,  
17 of the State Constitution.

18 (7) REPORT.--By February 1, of each year, the council  
19 shall prepare a written report for the Governor, the President  
20 of the Senate, and the Speaker of the House of Representatives  
21 containing an accounting of its activities and recommended  
22 policies, priorities, and objectives for the state's  
23 comprehensive effort to enlist, equip, enable, empower, and  
24 expand the work of faith-based, volunteer, and other community  
25 organizations to the full extent permitted by law.

26 (8) EXPIRATION.--This section expires and the council  
27 is abolished June 30, 2011, unless reviewed and saved from  
28 repeal by the Legislature.

29 Section 2. This act shall take effect July 1, 2006.

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