



236774

CHAMBER ACTION

<u>Senate</u>	.	<u>House</u>
Comm: WD	.	
4/22/2008	.	
	.	
	.	

1 The Committee on Criminal and Civil Justice Appropriations
2 (Joyner) recommended the following **amendment**:

3
4 **Senate Amendment (with title amendment)**

5 Delete everything after the enacting clause
6 and insert:

7 Section 1. Section 16.615, Florida Statutes, is amended to
8 read:

9 16.615 Council on the Social Status of Black Men and
10 Boys.--

11 (1) The Council on the Social Status of Black Men and Boys
12 is established within the Department of Legal Affairs and shall
13 consist of 19 members appointed as follows:

14 (a) Two members of the Senate who are not members of the
15 same political party, appointed by the President of the Senate
16 with the advice of the Minority Leader of the Senate.



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17 (b) Two members of the House of Representatives who are not
18 members of the same political party, appointed by the Speaker of
19 the House of Representatives with the advice of the Minority
20 Leader of the House of Representatives.

21 (c) The Secretary of Children and Family Services or his or
22 her designee.

23 (d) The director of the Mental Health Program Office within
24 the Department of Children and Family Services or his or her
25 designee.

26 (e) The State Surgeon General or his or her designee.

27 (f) The Commissioner of Education or his or her designee.

28 (g) The Secretary of Corrections or his or her designee.

29 (h) The Attorney General or his or her designee.

30 (i) The Secretary of Management Services or his or her
31 designee.

32 (j) The director of the Agency for Workforce Innovation or
33 his or her designee.

34 (k) A businessperson who is an African American, as defined
35 in s. 760.80(2)(a), ~~of black origin~~ appointed by the Governor.

36 (l) Two persons appointed by the President of the Senate
37 who are not members of the Legislature or employed by state
38 government. One of the appointees must be a clinical
39 psychologist.

40 (m) Two persons appointed by the Speaker of the House of
41 Representatives who are not members of the Legislature or
42 employed by state government. One of the appointees must be an
43 Africana studies professional.

44 (n) The deputy secretary for Medicaid in the Agency for
45 Health Care Administration or his or her designee.



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46 (o) The Secretary of Juvenile Justice or his or her
47 designee.

48 (2) Each member of the council shall be appointed to a 4-
49 year term; however, for the purpose of providing staggered terms,
50 of the initial appointments, 9 members shall be appointed to 2-
51 year terms and 10 members shall be appointed to 4-year terms. A
52 member of the council may be removed at any time by the member's
53 appointing authority who shall fill the vacancy on the council.

54 (3) (a) At the first meeting of the council each year, the
55 members shall elect a chair and a vice chair.

56 (b) A vacancy in the office of chair or vice chair shall be
57 filled by vote of the remaining members.

58 (4) (a) The council shall make a systematic study of the
59 conditions affecting black men and boys, including, but not
60 limited to, homicide rates, arrest and incarceration rates,
61 poverty, violence, drug abuse, death rates, disparate annual
62 income levels, school performance in all grade levels including
63 postsecondary levels, and health issues.

64 (b) The council shall propose measures to alleviate and
65 correct the underlying causes of the conditions described in
66 paragraph (a). These measures may consist of changes to the law
67 or systematic changes that can be implemented without legislative
68 action.

69 (c) The council may study other topics suggested by the
70 Legislature or as directed by the chair of the council.

71 (d) The council shall receive suggestions or comments
72 pertinent to the applicable issues from members of the
73 Legislature, governmental agencies, public and private
74 organizations, and private citizens.



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75 (e) The council shall monitor outcomes of the direct-
76 support organization created pursuant to s. 16.616.

77 (f) The council shall develop a strategic program and
78 funding initiative to establish local Councils on the Social
79 Status of Black Men and Boys.

80 (5) The council may:

81 (a) Access data held by any state agency which is otherwise
82 a public record.

83 (b) Make requests directly to the Joint Legislative
84 Auditing Committee for assistance in conducting research and for
85 the monitoring of outcomes by the Office of Program Policy
86 Analysis and Government Accountability.

87 (c) Request, through council members who are also
88 legislators, research assistance from the Office of Economic and
89 Demographic Research within the Legislature.

90 (d) Request information and assistance from the state or
91 any political subdivision, municipal corporation, public officer,
92 or governmental department thereof.

93 (e) Apply for and accept funds, grants, gifts, and services
94 from the state, the Federal Government or any of its agencies, or
95 any other public or private source for the purpose of defraying
96 clerical and administrative costs as may be necessary for
97 carrying out its duties under this section.

98 ~~(6)~~⁽⁵⁾ The Office of the Attorney General shall provide
99 staff and administrative support to the council.

100 ~~(7)~~⁽⁶⁾ The council shall meet quarterly and at other times
101 at the call of the chair or as determined by a majority of
102 council members and approved by the Attorney General.



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103 (8)~~(7)~~ Eleven of the members of the council shall
104 constitute a quorum, and an affirmative vote of a majority of the
105 members present is required for final action.

106 (9)~~(8)~~(a) The council shall issue its first annual report
107 by December 15, 2007, and by December 15 each following year,
108 stating the findings, conclusions, and recommendations of the
109 council. The council shall submit the report to the Governor, the
110 President of the Senate, the Speaker of the House of
111 Representatives, and the chairpersons of the standing committees
112 of jurisdiction in each chamber.

113 (b) The initial report must include the findings of an
114 investigation into factors causing black-on-black crime from the
115 perspective of public health related to mental health, other
116 health issues, cultural disconnection, and cultural identity
117 trauma.

118 (10)~~(9)~~ Members of the council shall serve without
119 compensation. Members are entitled to reimbursement for per diem
120 and travel expenses as provided in s. 112.061. State officers and
121 employees shall be reimbursed from the budget of the agency
122 through which they serve. Other members may be reimbursed by the
123 Department of Legal Affairs.

124 (11)~~(10)~~ The council and any subcommittees it forms are
125 ~~shall be~~ subject to the provisions of chapter 119, related to
126 public records, and the provisions of chapter 286, related to
127 public meetings.

128 (12)~~(11)~~ Each member of the council who is not otherwise
129 required to file a financial disclosure statement pursuant to s.
130 8, Art. II of the State Constitution or s. 112.3144, must file a
131 disclosure of financial interests pursuant to s. 112.3145.



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132 ~~(12) Notwithstanding subsection (6), the Attorney General~~
133 ~~shall:~~

134 ~~(a) Within 60 days after the effective date of this act,~~
135 ~~fix a date for the initial meeting of the council.~~

136 ~~(b) Notify each member of the council of the time, date,~~
137 ~~and place where the initial meeting will be held.~~

138 ~~(c) Make any other arrangements concerning the initial~~
139 ~~meeting of the council.~~

140 ~~(d) Serve as the presiding officer at the initial meeting~~
141 ~~of the council until a chair is elected.~~

142 ~~(13) This section expires July 1, 2012, unless reenacted by~~
143 ~~the Legislature.~~

144 Section 2. Section 16.616, Florida Statutes, is created to
145 read:

146 16.616 Direct-support organization.--

147 (1) The Department of Legal Affairs shall establish a
148 direct-support organization that is:

149 (a) A Florida not-for-profit corporation, incorporated
150 under the provisions of chapter 617, and approved by the
151 Secretary of State.

152 (b) Organized and operated exclusively to solicit funds;
153 request and receive grants, gifts, and bequests of money;
154 acquire, receive, hold, invest, and administer, in its own name,
155 property and funds; and make expenditures for the benefit of the
156 purposes as specified by this section.

157 (c) Certified by the department, after review, to be
158 operating in a manner consistent with the statutory goals of the
159 organization and in the best interests of the state.



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160 (2) The direct-support organization shall operate under
161 written contract with the Department of Legal Affairs. The
162 contract must provide for:

163 (a) Approval of the articles of incorporation and bylaws of
164 the direct-support organization by the department.

165 (b) Submission of an annual budget for approval by the
166 department.

167 (c) Certification by the department that the direct-support
168 organization is complying with the terms of the contract in a
169 manner consistent with the statutory goals and purposes and in
170 the best interests of the state. Such certification must be made
171 annually.

172 (d) The reversion to the department of moneys and property
173 held in trust by the direct-support organization if the direct-
174 support organization is no longer approved to operate or ceases
175 to exist.

176 (e) The disclosure of material provisions of the contract
177 and the distinction between the board of directors and the
178 direct-support organization to donors of gifts, contributions, or
179 bequests, as well as on all promotional and fundraising
180 publications.

181 (f) An annual financial audit in accordance with s.
182 215.981.

183 (g) The fiscal year of the direct-support organization, to
184 begin July 1 of each year and end June 30 of the following year.

185 (h) An appointment of the board of directors to be made
186 pursuant to this section.

187 (i) The authority of the board of directors of the direct-
188 support organization to hire an executive director.



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189 (3) The board of directors of the direct-support
190 organization shall consist of 13 members. Each member of the
191 board of directors shall be appointed to a 4-year term; however,
192 for the purpose of providing staggered terms, the Speaker of the
193 House of Representatives and the President of the Senate shall
194 each initially appoint two members to serve a 2-year term, and
195 the Attorney General and the chair of the Council on the Social
196 Status of Black Men and Boys shall each initially appoint one
197 member to serve a 2-year term. All subsequent appointments shall
198 be for 4-year terms. Any vacancy that occurs shall be filled in
199 the same manner as the original appointment and shall be for the
200 unexpired term of that seat. The board of directors shall be
201 appointed as follows:

202 (a) Two members of the Council on the Social Status of
203 Black Men and Boys, appointed by the council chair.

204 (b) Three members appointed by the Attorney General.

205 (c) Four members appointed by the Speaker of the House of
206 Representatives.

207 (d) Four members appointed by the President of the Senate.

208 (4) In conjunction with the Council on the Social Status of
209 Black Men and Boys, and funded exclusively by the direct-support
210 organization, the direct-support organization shall form
211 strategic partnerships to foster the development of community and
212 private-sector resources and shall act as a liaison with state
213 agencies, other state governments, and the public and private
214 sectors on matters that relate to underlying conditions that
215 affect black men and boys to bring about an environment that
216 promotes the values of learning, family, prosperity, unity, and
217 self-worth. To that end, the direct-support organization is
218 charged with the following duties:



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219 (a) Develop a strategic program and funding initiative to
220 implement the 5000 Role Models of Excellence in Broward, Palm
221 Beach, Duval, Orange, and Hillsborough Counties. The strategic
222 program and funding initiative shall be reported to the
223 Legislature by February 15, 2009.

224 (b) Develop a strategic program and funding initiative to
225 implement the Reading 4 Success Program by the 100 Black Men of
226 Florida in Broward, Miami-Dade, Palm Beach, Duval, Orange,
227 Pinellas, and Hillsborough Counties. The strategic program and
228 funding initiative shall be reported to the Legislature by
229 February 15, 2009.

230 (c) Develop a strategic program and funding initiative to
231 implement the One Church, One Child program statewide. The
232 strategic program and funding initiative shall be reported to the
233 Legislature by February 15, 2009.

234 (d) Develop a strategic program and funding initiative to
235 implement the Mapping the Future for Black Males Program within
236 community colleges identified by the Council on the Social Status
237 of Black Men and Boys. The strategic program and funding
238 initiative shall be reported to the Legislature by February 15,
239 2009.

240 (e) Develop a public awareness and marketing campaign
241 showcasing programs funded by the direct-support organization, as
242 well as other opportunities to implement the statutory duties of
243 the direct-support organization and the Council on the Social
244 Status of Black Men and Boys, pursuant to s. 16.615(4). The
245 campaign should also encourage the idea that each one of us has a
246 responsibility to make a difference in the community.



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247 (f) Fund the clerical and administrative costs of the
248 Council on the Social Status of Black Men and Boys, as may be
249 necessary for carrying out the council's duties under s. 16.615.

250 (5) The direct-support organization may:

251 (a) Develop a strategic program and funding initiative to
252 implement a health-screening program using mobile screening
253 services.

254 (b) Hold a statewide Black Policy Summit in conjunction
255 with a university in this state.

256 (c) Create a compendium of intervention programs in each
257 county, which can be used to determine how to maximize existing
258 resources and address underserved populations or unmet needs.

259 (6) The direct-support organization shall consider the
260 participation of counties, in addition to those specified in
261 subsection (4), demonstrating a willingness to participate and an
262 ability to be successful in any programs funded by the direct-
263 support organization.

264 Section 3. This act shall take effect July 1, 2008.

265
266 ===== T I T L E A M E N D M E N T =====

267 And the title is amended as follows:

268 Delete everything before the enacting clause
269 and insert:

270 A bill to be entitled
271 An act relating to the Council on the Social Status of
272 Black Men and Boys; amending s. 16.615, F.S.; deleting
273 obsolete provisions; providing additional duties and
274 powers of the council; removing certain duties of the
275 Attorney General; deleting a provision that discontinues
276 the council under certain conditions; creating s. 16.616,



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277 F.S.; creating a direct-support organization; specifying
278 duties and requiring a contract; providing contract
279 requirements; providing for appointment of members of the
280 board of directors; providing for initial appointments;
281 requiring the direct-support organization to form
282 strategic partnerships for specified purposes, including
283 in specified counties; requiring certain reports;
284 providing additional duties and powers of the direct-
285 support organization; requiring the direct-support
286 organization to consider the participation of certain
287 other counties; providing an effective date.