

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 4167 Florida Faith-based and Community-based Advisory Council

SPONSOR(S): Ford and others

TIED BILLS: **IDEN./SIM. BILLS:** SB 898

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Government Operations Subcommittee	12 Y, 0 N	McDonald	Williamson
2) Health & Human Services Committee			
3) State Affairs Committee			

SUMMARY ANALYSIS

In November 2004, Governor Bush signed an Executive Order creating the Governor's Faith-Based and Community Advisory Board. The board's mission was to help state government coordinate efforts to utilize and expand opportunities for faith-based and community-based organizations to address social needs in Florida's communities. The 25-member, Governor-appointed board served as a policy advisor to the Governor on policies, priorities, and objectives for the state's comprehensive effort to enlist, equip, enable empower, and expand the work of faith-based, volunteer, and other community organizations to the full extent permitted by law.

In 2006, the Legislature codified in statute the advisory board as the Florida Faith-based and Community-based Advisory Council (council) and assigned it to, and administratively housed it in, the Executive Office of the Governor. The codification of the council included modification of membership appointment and of responsibilities. Additionally, it provided for the abolishment of the council on June 30, 2011, unless reviewed and saved from repeal by the Legislature.

The language repealing the Florida Faith-based and Community-based Advisory Council on June 30, 2011, is removed by the bill. The Council will remain authorized in law until future amendment by the Legislature.

The bill has no fiscal impact on state or local governments. It does have an indeterminate but potentially positive impact on the private sector. See "Fiscal Comments."

The bill takes effect upon becoming a law.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Background

In November 2004, Governor Bush signed an Executive Order¹ creating the Governor's Faith-Based and Community Advisory Board. The board's mission was to help state government coordinate efforts to utilize and expand opportunities for faith-based and community-based organizations to address social needs in Florida's communities. The 25-member, Governor-appointed board served as a policy advisor to the Governor on policies, priorities, and objectives for the state's comprehensive effort to enlist, equip, enable, empower, and expand the work of faith-based, volunteer, and other community organizations to the full extent permitted by law.

In 2006, the Legislature codified in statute the advisory board as the Florida Faith-based and Community-based Advisory Council (council) and assigned it to, and administratively housed it in, the Executive Office of the Governor. The codification of the council included modification of membership appointment and responsibilities. Additionally, it provided for the abolishment of the council on June 30, 2011, unless reviewed and saved from repeal by the Legislature.²

Present Situation

Provisions of Law Governing the Council

The purpose of the council is to advise the Governor and the Legislature on policies, priorities, and objectives for the state's effort "to enlist, equip, enable, empower, and expand the work of faith-based, volunteer, and other community organizations to the full extent permitted by law."³

The council consists of 25 members, with 17 appointed by the Governor, four appointed by the President of the Senate, and four appointed by the Speaker of the House of Representatives. Members are appointed for four year terms and serve without compensation, but may receive reimbursement for per diem and travel expenses. The council must meet at least quarterly.⁴

The activities of the council are specified and an annual report must be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives that contains an accounting of the council's activities and recommended policies, priorities, and objectives for the state's efforts to facilitate the involvement of faith-based, volunteer, and other community-based organizations.⁵

The council is prohibited from recommending any public program that conflicts with the Establishment Clause of the First Amendment to the United States Constitution or Article 1, Section 3 of the State Constitution.⁶

Activities of the Council

Past activities of the council have included the following:

- Reviewing the state's process for notifying community organizations of funding resources which helped bring about the addition of a web portal in the Vendor Bid System of MyFloridaMarketplace specifically designed to house grant and contract opportunities for Florida non-profits.

¹ Executive Order No. 04-245, November 18, 2004. This Executive Order was amended by Executive Order No. 05-24, February 1, 2005, which incorporated by reference all of the first order, extended the time for a written report of the advisory board, and provided a January 1, 2007, expiration date for the order.

² Chapter 2006-9, L.O.F.; codified as s. 14.31, F.S.

³ Section 14.31(2), F.S.

⁴ Section 14.31(3) and (4)(a), F.S.

⁵ Section 14.31(5), F.S.

⁶ Section 14.31(6), F.S.

- Holding meetings with key local community leaders to gather information on effective programs and partnerships for service which led to the development of a resource guide or toolkit on positive collaboration in a variety of service areas affecting a community and the building of effective partnerships that is shared with all communities throughout the state.
- Building a strong network of faith-based organizations, community groups, foundations, and civic, grass roots, and local and state leaders.
- Providing outreach support to state agencies and their specific programs by notifying local groups and organizations of these programs and encouraging their participation. Programs such as juvenile mentoring programs, anti-drug coalitions, suicide prevention, strengthening family initiatives, adoption initiatives, and family and community outreach initiatives.
- Supporting the creation and maintenance of long-term recovery organizations working in communication and cooperation with both government and non-government response agencies to help communities recover more quickly from natural disasters.⁷

Activities outlined for 2011 include the following:

- Promoting Florida's efforts to strengthen systems to better recruit families to meet the needs of children and youth awaiting adoption by providing information to and assisting faith-based and community-based groups in their efforts to match families to children and youth awaiting adoption.
- Identifying and recognizing outstanding programs where faith-based and community-based organizations are working well and effectively with local government entities with the intent of identifying models for replication.
- Partnering with the state to encourage and enlist the assistance of faith-based and community-based organizations to volunteer to assist inmates in the correctional system by providing educational mentoring and opportunities.⁸

Effect of Proposed Changes

The language repealing the Florida Faith-based and Community-based Advisory Council on June 30, 2011, is removed by the bill. As such, the council will remain authorized in law until future amendment by the Legislature.

B. SECTION DIRECTORY:

Section 1. Repeals subsection (8) of section 14.31, F.S., abrogating the repeal of provisions creating and governing the Florida Faith-based and Community-based Advisory Council.

Section 2. Provides an effective date of upon becoming a law.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

See "Fiscal Comments."

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

⁷ Florida Faith-Based and Community-Base Advisory Council, *2010 Annual Report & Recommendations*, submitted February 1, 2010.

⁸ Florida Faith-Based and Community-Base Advisory Council, *2011 Annual Report & Recommendations*, submitted February 1, 2011.

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Indeterminate. Depending upon the recommendations of the council and legislative and executive implementation of those recommendations, faith-based and community-based organizations may be able to obtain governmental contracts for the provision of services, or may benefit from the reduction of barriers to the provision of such services.

D. FISCAL COMMENTS:

The 25 members of the council serve without compensation but may be reimbursed for per diem and travel expenses pursuant to s. 112.061, F.S. According to the Florida Commission on Community Service, the council members often pay for their own travel, their respective organizations pay for their travel, or travel is paid from other sources, if available.

Currently, staffing and operation of the council is provided by the Governor's Commission on Volunteerism and Community Service which is administratively housed in the Executive Office of the Governor.

There are no specific funds provided for the activities of the council. According to the Florida Commission on Community Service, the council receives funds from different sources which vary depending upon the availability of funding.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

No applicable. This bill does not appear to require counties or municipalities to spend funds or take an action requiring the expenditure of funds; reduce the authority that counties or municipalities have to raise revenues in the aggregate; or reduce the percentage of a state tax shared with counties or municipalities.

2. Other:

The section of law creating the council expressly prohibits the council from making any recommendation that is in conflict with the Establishment Clause of the First Amendment to the United States Constitution or the public funding provision of s. 3, Art. I of the State Constitution.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

None.