

STORAGE NAME: h0047z.sa.doc
DATE: June 19, 2001

****AS PASSED BY THE LEGISLATURE****
CHAPTER #: 2001-84, Laws of Florida

HOUSE OF REPRESENTATIVES

STATE ADMINISTRATION FINAL ANALYSIS

BILL #: HB 47, 1st ENG
RELATING TO: Florida Volunteer and Community Service
SPONSOR(S): Representative(s) Bense and others
TIED BILL(S): None

ORIGINATING COMMITTEE(S)/COUNCIL(S)/COMMITTEE(S) OF REFERENCE:

- (1) STATE ADMINISTRATION YEAS 4 NAYS 0
- (2) FISCAL POLICY & RESOURCES YEAS 10 NAYS 0
- (3) COUNCIL FOR SMARTER GOVERNMENT YEAS 11 NAYS 0
- (4)
- (5)

I. SUMMARY:

On April 30, 2001, HB 47, 1st Engrossed, was ordered enrolled after passing both houses, as amended. HB 47, 1st Engrossed became law on May 30, 2001, as Chapter 2001-84, Laws of Florida (the "act"). The effective date of the act is May 30, 2001.

In 1993, Governor Lawton Chiles signed an executive order creating the Florida Commission on Community Service, as authorized by the federal National and Community Service Trust Act of 1993. In 1994, the Florida Legislature created the Florida Commission on Community Service (Commission). The Commission is assigned to the Executive Office of Governor, but independently exercises its statutory responsibilities.

This act establishes the "Florida Volunteer and Community Service Act of 2001," and provides that "[i]t is the intent of the Legislature to promote the development of better communities by fostering greater civic responsibility through volunteerism and service to the community." This act authorizes the Executive Office of the Governor to establish policies and procedures to provide for funds to facilitate initiatives by public agencies, schools, private institutions, and individuals to establish and implement programs to encourage and reward volunteerism.

This act lists initiatives and purposes for the "Florida Volunteer and Community Service Act of 2001." The list includes increasing the priority of volunteerism, encouraging local community leaders to expand volunteerism, promoting corporate citizenship, fostering the alignment of community service resources with the goals of the state, and encouraging non-profit organizations to use volunteers. This act also encourages the citizens of Florida to support national volunteer organizations, such as America's Promise and the Alliance for Youth.

This act requires the Commission to include its assessment of the state of volunteerism in Florida in its annual report; authorizes the Commission to assist agencies, institutions, and individuals in the implementation of this act; and, provides the authority to the Commission to authorize Volunteer Florida, Inc., to assist in securing training, technical assistance, and other support.

This act does not appear to have a fiscal impact on state or local governments.

II. SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

- | | | | |
|-----------------------------------|---|-----------------------------|---|
| 1. <u>Less Government</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. <u>Lower Taxes</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. <u>Individual Freedom</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. <u>Personal Responsibility</u> | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> |
| 5. <u>Family Empowerment</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a "no" above, please explain:

B. PRESENT SITUATION:

In 1993, Governor Lawton Chiles signed an executive order creating the Florida Commission on Community Service, as authorized by the federal National and Community Service Trust Act of 1993. In 1994, the Florida Legislature enacted s. 14.29, F.S., creating the Florida Commission on Community Service (Commission). The Commission is assigned to the Executive Office of Governor, but independently exercises its responsibilities under s. 14.29, F.S., and under the National and Community Service Trust Act of 1993.

The Commission's mission is to strengthen communities in Florida through volunteer service by, for example, coordinating and linking volunteer programs and community service programs throughout the state; providing training and technical assistance to volunteers and volunteer organizations in the state; and administering AmeriCorps and Learn and Serve programs in Florida.¹

The Commission works with national service organizations as well as state organizations, and is responsible for coordinating volunteers and donations in times of disaster in Florida. The Commission is one of the 50 state offices that make up the Florida State Emergency Response Team. Colin Powell's America's Promise program, the Alliance for Youth organization, Governor Jeb Bush's Mentoring Initiative and Points of Light Foundation, and the Corporation for National Service are some of the national and state programs that have joined with the Commission to encourage and support volunteerism.²

The Commission has established a direct-support organization, authorized by ss. 14.29(9)-(15), F.S. The direct-support organization is named Volunteer Florida, Inc., a non-profit corporation which receives, holds, invests, and administers property and funds and makes expenditures to or for the benefit of the program. The members of the direct-support organization's board of directors must include members of the Commission. The direct-support organization prepares an annual report that details its activities for the preceding year, compiles reports accepted on behalf of the governor, and includes specific recommendations for any necessary legislative, administrative, or regulatory reform.³

¹ Florida Commission on Community Service, <http://www.fccs.org/service%20programs/programsmain.htm> (2001).

² Florida Commission on Community Service, <http://www.fccs.org/partnerships/partnermain.htm> (2001).

³ *Id.*

C. EFFECT OF PROPOSED CHANGES:

This act creates an unnumbered section of the Florida Statutes that establishes the "Florida Volunteer and Community Service Act of 2001," and provides that "[i]t is the intent of the Legislature to promote the development of better communities by fostering greater civic responsibility through volunteerism and service to the community." This act authorizes the Executive Office of the Governor to establish policies and procedures to provide for funds to facilitate initiatives by public agencies, schools, private institutions, and individuals that establish and implement programs that encourage and reward volunteerism.

This act lists initiatives and purposes for the "Florida Volunteer and Community Service Act of 2001." The list includes increasing the priority of volunteerism, encouraging local community leaders to expand volunteerism, promoting corporate citizenship, fostering the alignment of community service resources with the goals of the state, and encouraging non-profit organizations to use volunteers. This act also encourages the citizens of Florida to support national volunteer organizations, such as Colin Powell's America's Promise and the Alliance for Youth.

This act amends s. 14.29, F.S., to: require the Commission to include its assessment of the state of volunteerism in Florida in its annual report; authorize the Commission to assist agencies, institutions, and individuals in the implementation of this act; and, provide the authority to the Commission to authorize Volunteer Florida, Inc., to assist in securing training, technical assistance, and other support.

D. SECTION-BY-SECTION ANALYSIS:

See "Effect of Proposed Changes."

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

This act does not appear to have a fiscal impact on state or local governments.

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

This act does not require counties or municipalities to spend funds or to take action requiring the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

This act does not reduce the authority that counties or municipalities have to raise revenues in the aggregate.

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

This act does not reduce the percentage of a state tax shared with counties or municipalities.

V. COMMENTS:

A. CONSTITUTIONAL ISSUES:

None.

B. RULE-MAKING AUTHORITY:

None.

C. OTHER COMMENTS:

An identical bill, HB 1835, was filed last year by Representative Wise (SB 1462 by Senator Webster), however, HB 1835 died in the Committee on Judiciary.

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

On March 19, 2001, the Council for Smarter Government heard HB 47 and adopted one amendment. This amendment removes "state" and inserts the "Executive Office of the Governor" as the entity that establishes policies and procedures regarding the expenditure of funds to promote volunteerism. HB 47, as amended, was reported out favorably. The amendment is traveling with the bill.

VII. SIGNATURES:

COMMITTEE ON STATE ADMINISTRATION:

Prepared by:

Jennifer D. Krell, J.D.

Staff Director:

J. Marleen Ahearn

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AS REVISED BY THE COMMITTEE ON FISCAL POLICY & RESOURCES:

Prepared by:

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Greg Turbeville

AS FURTHER REVISED BY THE COUNCIL FOR SMARTER GOVERNMENT:

Prepared by:

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Don Rubottom

FINAL ANALYSIS PREPARED BY THE COMMITTEE ON STATE ADMINISTRATION:

Prepared by:

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