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The 2007 Florida Statutes

TITLE IV

EXECUTIVE BRANCH

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14.01 Governor; residence; office; authority to protect life, liberty, and property.--The Governor shall reside at the head of government, and the Governor's office shall be in the capitol. The Governor may have such other offices within the state as he or she may deem necessary. The Governor may employ as many persons as he or she, in his or her discretion, may deem necessary to procure and secure protection to life, liberty, and property of the inhabitants of the state, also to protect the property of the state.

History.--ch. 1660, 1868; RS 68; GS 69; RGS 83; CGL 104; s. 1, ch. 65-54; s. 32, ch. 95-147.

14.02 Governor may preserve peace and order by military force.--The Governor may, in cases of insurrection or rebellion, violence, disorder or insecurity of life, liberty and property, support and preserve the public peace and order by the military force of the state.

History.--s. 1, ch. 1745, 1870; RS 69; GS 70; RGS 84; CGL 105.

14.021 Governor; promulgation and enforcement of emergency rules and regulations.--

(1) The Governor of Florida is hereby authorized and empowered to promulgate and enforce such emergency rules and regulations as are necessary to prevent, control, or quell violence, threatened or actual, during any emergency

lawfully declared by the Governor to exist. In order to protect the public welfare, persons and property of citizens against violence, public property damage, overt threats of violence, and to maintain peace, tranquillity, and good order in the state, these rules and regulations may control public parks, public buildings, or any other public facility in Florida and shall regulate the manner of use, the time of use, and persons using the facility during any emergency. These rules and regulations shall have the same force and effect as law during any emergency and shall affect such persons, public buildings, and public facilities as in the judgment of the Governor shall best provide a safeguard for protection of persons and property where danger, violence, and threats exist or are threatened among the citizens of Florida.

(2) Whenever the Governor shall promulgate emergency rules and regulations, such rules and regulations shall be published and posted during the emergency in the area affected, in addition to any other notice required by law.

(3) The Governor shall have emergency power to call upon the military forces of the state or any other law enforcement agency, state or county, to enforce the rules and regulations authorized by this law.

(4) The powers herein granted are supplemental to and in aid of powers now vested in the Governor of this state under the constitution, statutory laws, and police powers of said state.

(5) The provisions of this section shall continue in full force and effect until otherwise amended.

History.--ss. 1-4, 6, ch. 31389, 1956; s. 1, ch. 61-239; s. 1, ch. 65-95; ss. 10, 35, ch. 69-106; s. 18, ch. 78-95; s. 33, ch. 95-147.

14.022 Governor; emergency powers to quell violence.--

(1) The Governor of Florida is hereby authorized and empowered to take such measures and to do all and every act and thing which she or he may deem necessary in order to prevent overt threats of violence or violence, to the person or property of citizens of the state and to maintain peace, tranquillity, and good order in the state, and in any political subdivision thereof, and in any area of the state designated by the Governor.

(2) The Governor when, in her or his opinion, the facts warrant, shall, by proclamation, declare that, because of unlawful assemblage, violence, overt threats of violence, or otherwise, a danger exists to the person or property of any citizen or citizens of the state and that the peace and tranquillity of the state, or any political subdivision thereof, or any area of the state designated by the Governor, is threatened, and because thereof an emergency, with reference to said threats and danger, exists. In all such cases when the Governor shall issue a proclamation as herein provided she or he shall be and is hereby further authorized and empowered, to cope with said threats and danger, to order and direct any individual person, corporation, association, or group of persons to do any act which would in the Governor's opinion prevent danger to life, limb, or property, prevent a breach of the peace or the Governor may order such individual person, corporation, association, or group of persons to refrain from doing any act or thing which would, in the Governor's opinion, endanger life, limb, or property, or cause, or tend to cause, a breach of the peace, or endanger the peace and good order of society, and shall have full power by appropriate means to enforce such order or proclamation.

(3) The Governor, upon the issuance of a proclamation as provided for in subsection (2), is hereby authorized and empowered to take and exercise any, either, or all of the following actions, powers, and prerogatives:

- (a) Call out the military forces of the state (state militia) and order and direct said forces to take such action as in the Governor's judgment may be necessary to avert the threatened danger and to maintain peace and good order in the particular circumstances.
- (b) Order any sheriff or sheriffs of this state, pursuant to a proclamation as herein provided, to exercise fully the powers granted them, and each of them, under s. 30.15(1)(f) (suppress tumults, riots, and unlawful assemblies in their counties with force and strong hand when necessary) and to do all things necessary to maintain peace and good order.
- (c) Order and direct the State Highway Patrol, and each and every officer thereof, to do and perform such acts and services as the Governor may direct and in the Governor's judgment are necessary in the circumstances to maintain peace and good order.
- (d) Authorize, order or direct any state, county, or city official to enforce the provisions of such proclamation in each and every and all of the courts in the state by injunction, mandamus, or other appropriate legal action.
- (4) The Governor is hereby authorized and empowered to intervene in any situation where there exists violence, overt threats of violence to persons or property and take complete control thereof to prevent violence, or to quell violence or any disturbance or disorder which threatens the peace and good order of society.
- (5) The powers herein granted are supplemental to and in aid of powers now vested in the Governor under the constitution, statutory laws and police powers of said state.
- (6) The provisions of this section shall continue in full force and effect until otherwise amended.

History.--ss. 1-6, ch. 31390, 1956; s. 2, ch. 61-239; s. 2, ch. 65-95; ss. 10, 35, ch. 69-106; s. 18, ch. 78-95; s. 2, ch. 91-95; s. 34, ch. 95-147.

14.03 Governor's private secretary.--The Governor of this state may appoint and commission a fit and proper person to hold office during the pleasure of the Governor, as private secretary of the Governor, and as clerk for the executive department, and who shall attend daily, during office hours, at the capitol, and perform such duties in the office of the Governor as she or he may be directed by the Governor to perform.

History.--s. 3, ch. 3, 1845; RS 71; GS 72; RGS 86; CGL 107; s. 35, ch. 95-147.

14.055 Succession to office of Governor.--Upon vacancy in the office of Governor, the Lieutenant Governor shall become Governor. Upon vacancy in the office of Lieutenant Governor, the Governor shall appoint a successor who shall serve for the remainder of the term, provided that if after the appointment a vacancy occurs in the office of Governor with more than 28 months remaining in the term, at the next statewide general election the electors shall choose a Governor and Lieutenant Governor to fill the remainder of the term in the manner provided in s. 5, Art. IV of the State Constitution. Upon vacancy in the office of Governor and in the office of Lieutenant Governor, the Attorney General shall become Governor; if the office of Attorney General is vacant, the Chief Financial Officer shall become Governor; or if the office of Chief Financial Officer is vacant, the Commissioner of Agriculture shall become Governor. Except as otherwise provided in this section with respect to an appointed successor to the office of Lieutenant Governor, a successor under this section shall serve for the remainder of the term and shall receive all the rights, privileges, and emoluments of the Governor. In case a vacancy occurs in the office of Governor and provision is not

made in this section for filling the vacancy, the Speaker of the House of Representatives and the President of the Senate shall convene the Legislature by joint proclamation within 15 days for the purpose of choosing a person to serve as Governor for the remainder of the term. A successor shall be elected by a majority vote in a joint session of both houses.

History.--s. 1, ch. 70-171; s. 1, ch. 2003-171; s. 1, ch. 2006-53.

14.056 Succession as Acting Governor.--Upon impeachment of the Governor and until completion of trial thereof, or during the Governor's physical or mental incapacity, the Lieutenant Governor shall become Acting Governor. Upon impeachment or physical or mental incapacity of an Acting Governor, or upon vacancy in the office of the person serving as Acting Governor, the powers and duties of Acting Governor shall devolve upon the same officer as in the case of vacancy in the office of Governor. A successor shall serve until the disability of either the Lieutenant Governor or Governor ceases. Incapacity and restoration of capacity to serve as Acting Governor shall be determined in the same manner as in making such determinations for Governor. In any case in which succession as Acting Governor is not provided herein, the Speaker of the House and the President of the Senate shall convene the Legislature by joint proclamation within 15 days for the purpose of choosing a person to serve as Acting Governor. Such person shall be elected by a majority vote in a joint session of both houses.

History.--s. 2, ch. 70-171; s. 36, ch. 95-147.

14.057 Governor-elect; establishment of operating fund.--

(1) There is established an operating fund for the use of the Governor-elect during the period dating from the certification of his or her election by the Elections Canvassing Commission to his or her inauguration as Governor. The Governor-elect during this period may allocate the fund to travel, expenses, his or her salary, and the salaries of the Governor-elect's staff as he or she determines. Such staff may include, but not be limited to, a chief administrative assistant, a legal adviser, a fiscal expert, and a public relations and information adviser. The salary of the Governor-elect and each member of the Governor-elect's staff during this period shall be determined by the Governor-elect, except that the total expenditures chargeable to the state under this section, including salaries, shall not exceed the amount appropriated to the operating fund. The Executive Office of the Governor shall supply to the Governor-elect suitable forms to provide for the expenditure of the fund and suitable forms to provide for the reporting of all expenditures therefrom. The Chief Financial Officer shall release moneys from this fund upon the request of the Governor-elect properly filed.

(2) The Department of Management Services shall provide for the Governor-elect, the Governor-elect's staff, and the inauguration staff temporary office facilities in the capitol center for the period extending from the day of the certification of the Governor-elect's election by the Elections Canvassing Commission to the day of his or her inauguration.

(3) In the event an incumbent Governor is reelected for a second consecutive term the moneys appropriated hereby to the operating fund for the Governor-elect shall revert to the general revenue fund. An incumbent Governor reelected for a second consecutive term shall not be considered a Governor-elect for the purposes of expending the operating fund established in subsection (1).

History.--ss. 1, 2, 3, ch. 70-1006; s. 59, ch. 79-190; s. 137, ch. 92-279; s. 55, ch. 92-326; s. 37, ch. 95-147; s. 7, ch. 2003-261.

14.058 Inauguration expense fund.--There is established an inauguration expense fund for the use of the Governor-elect in planning and conducting the inauguration ceremonies. The Governor-elect shall appoint an inauguration coordinator and such staff as necessary to plan and conduct the inauguration. Salaries for the inauguration coordinator and the inauguration coordinator's staff shall be determined by the Governor-elect and shall be paid from the inauguration expense fund. The Executive Office of the Governor shall supply to the inauguration coordinator suitable forms to provide for the expenditure of the fund and suitable forms to provide for the reporting of all expenditures therefrom. The Chief Financial Officer shall release moneys from this fund upon the request of the inauguration coordinator properly filed.

History.--s. 4, ch. 70-1006; s. 60, ch. 79-190; s. 38, ch. 95-147; s. 8, ch. 2003-261.

14.06 Governor authorized to employ clerical assistance for departments of state.--The Governor of the state may employ clerical aid to work in any department of the state under the supervision and direction of the head of such department whenever in the judgment of the Governor such additional help is necessary for the proper conduct of the business and affairs of such department, and when the same has become necessary by reason of the increase in the business of such department and was not foreseen and adequately provided for in the general appropriations bill. The Governor is further authorized to employ such persons as may be required from time to time to make such investigations as may, in the judgment of the Governor, be necessary or expedient to efficiently conduct the affairs of the state government, especially to make investigation and report of matters concerning taxation and finance throughout the state.

History.--s. 1, ch. 11369, 1925; CGL 109.

14.2001 Votes by Governor and Cabinet.--Unless otherwise provided by law, in the event of a tie vote of the Governor and Cabinet acting in any capacity, the side on which the Governor voted shall be deemed to prevail. For purposes of any vote of the Governor and Cabinet acting in any capacity, action taken pursuant to that side of a tie vote on which the Governor voted satisfies the requirement that action be taken by a "majority" vote or a "simple majority" vote.

History.--s. 2, ch. 2003-6.

14.201 Executive Office of the Governor.--There is created the Executive Office of the Governor. The head of the Executive Office of the Governor is the Governor.

History.--s. 1, ch. 79-190.

14.2015 Office of Tourism, Trade, and Economic Development; creation; powers and duties.--

(1) The Office of Tourism, Trade, and Economic Development is created within the Executive Office of the Governor. The director of the Office of Tourism, Trade, and Economic Development shall be appointed by and serve at the pleasure of the Governor.

(2) The purpose of the Office of Tourism, Trade, and Economic Development is to assist the Governor in working with the Legislature, state agencies, business leaders, and economic development professionals to formulate and implement coherent and consistent policies and strategies designed to provide economic opportunities for all Floridians. To accomplish such purposes, the Office of Tourism, Trade, and Economic Development shall:

(a) Contract, notwithstanding the provisions of part I of chapter 287, with the direct-support organization created under s. 288.1229 to guide, stimulate, and promote the sports industry in the state, to promote the participation of Florida's citizens in amateur athletic competition, and to promote Florida as a host for national and international amateur athletic competitions.

(b) Monitor the activities of public-private partnerships and state agencies in order to avoid duplication and promote coordinated and consistent implementation of programs in areas including, but not limited to, tourism; international trade and investment; business recruitment, creation, retention, and expansion; workforce development; minority and small business development; and rural community development. As part of its responsibilities under this paragraph, the office shall work with Enterprise Florida, Inc., and Workforce Florida, Inc., to ensure that, to the maximum extent possible, there are direct linkages between the economic development and workforce development goals and strategies of the state.

(c) Facilitate the direct involvement of the Governor and the Lieutenant Governor in economic development and workforce development projects designed to create, expand, and retain Florida businesses and to recruit worldwide business, as well as in other job-creating efforts.

(d) Assist the Governor, in cooperation with Enterprise Florida, Inc., Workforce Florida, Inc., and the Florida Commission on Tourism, in preparing an annual report to the Legislature on the state of the business climate in Florida and on the state of economic development in Florida which will include the identification of problems and the recommendation of solutions. This report shall be submitted to the President of the Senate, the Speaker of the House of Representatives, the Senate Minority Leader, and the House Minority Leader by January 1 of each year, and it shall be in addition to the Governor's message to the Legislature under the State Constitution and any other economic reports required by law.

(e) Plan and conduct at least one meeting per calendar year of leaders in business, government, education, workforce development, and economic development called by the Governor to address the business climate in the state, develop a common vision for the economic future of the state, and identify economic development efforts to fulfill that vision.

(f)1. Administer the Florida Enterprise Zone Act under ss. 290.001-290.016, the community contribution tax credit program under ss. 220.183 and 624.5105, the tax refund program for qualified target industry businesses under s. 288.106, the tax-refund program for qualified defense contractors under s. 288.1045, contracts for transportation projects under s. 288.063, the sports franchise facility program under s. 288.1162, the professional golf hall of fame facility program under s. 288.1168, the expedited permitting process under s. 403.973, the Rural Community Development Revolving Loan Fund under s. 288.065, the Regional Rural Development Grants Program under s. 288.018, the Certified Capital Company Act under s. 288.99, the Florida State Rural Development Council, the Rural Economic Development Initiative, and other programs that are specifically assigned to the office by law, by the appropriations process, or by the Governor. Notwithstanding any other provisions of law, the office may expend interest earned from the investment of program funds deposited in the Grants and Donations Trust Fund to contract for the administration of the programs, or portions of the programs, enumerated in this paragraph or assigned to the office by law, by the appropriations process, or by the Governor. Such expenditures shall be subject to review under chapter 216.

2. The office may enter into contracts in connection with the fulfillment of its duties concerning the Florida First Business Bond Pool under chapter 159, tax incentives under chapters 212 and 220, tax incentives under the Certified

Capital Company Act in chapter 288, foreign offices under chapter 288, the Enterprise Zone program under chapter 290, the Seaport Employment Training program under chapter 311, the Florida Professional Sports Team License Plates under chapter 320, Spaceport Florida under chapter 331, Expedited Permitting under chapter 403, and in carrying out other functions that are specifically assigned to the office by law, by the appropriations process, or by the Governor.

(g) Administer the Black Business Loan Program, the purpose of which is to leverage state, local, and private funds to provide loans and loan guarantees to black business enterprises that cannot obtain capital through conventional lending institutions but that otherwise could compete successfully in the private sector.

(h) Serve as contract administrator for the state with respect to contracts with Enterprise Florida, Inc., the Florida Commission on Tourism, Space Florida, and all direct-support organizations under this act, excluding those relating to tourism. To accomplish the provisions of this act and applicable provisions of chapter 288, and notwithstanding the provisions of part I of chapter 287, the office shall enter into specific contracts with Enterprise Florida, Inc., the Florida Commission on Tourism, Space Florida, and other appropriate direct-support organizations. Such contracts may be multiyear and shall include specific performance measures for each year.

(i) Provide administrative oversight for the Office of Film and Entertainment, created under s. 288.1251, to develop, promote, and provide services to the state's entertainment industry and to administratively house the Florida Film and Entertainment Advisory Council created under s. 288.1252.

(j) Prepare and submit as a separate budget entity a unified budget request for tourism, trade, and economic development in accordance with chapter 216 for, and in conjunction with, Enterprise Florida, Inc., and its boards, the Florida Commission on Tourism and its direct-support organization, the Florida Black Business Investment Board, the Office of Film and Entertainment, and the direct-support organization created to promote the sports industry.

(k) Adopt rules, as necessary, to carry out its functions in connection with the administration of the Qualified Target Industry program, the Qualified Defense Contractor program, the Certified Capital Company Act, the Enterprise Zone program, and the Florida First Business Bond pool.

(3) The Chief Inspector General, as defined in s. 14.32:

(a) Shall advise public-private partnerships in their development, utilization, and improvement of internal control measures necessary to ensure fiscal accountability.

(b) May conduct, direct, and supervise audits relating to the programs and operations of public-private partnerships.

(c) Shall receive and investigate complaints of fraud, abuses, and deficiencies relating to programs and operations of public-private partnerships.

(d) May request and have access to any records, data, and other information of public-private partnerships that the Chief Inspector General deems necessary to carry out his or her responsibilities with respect to accountability.

(e) Shall monitor public-private partnerships for compliance with the terms and conditions of contracts with the Office of Tourism, Trade, and Economic Development and report noncompliance to the Governor.

(f) Shall advise public-private partnerships in the development, utilization, and improvement of performance measures for the evaluation of their operations.

(g) Shall review and make recommendations for improvements in the actions taken by public-private partnerships to meet performance standards.

(4) The director of the Office of Tourism, Trade, and Economic Development shall designate a position within the office to advocate and coordinate the interests of minority businesses. The person in this position shall report to the director and shall be the primary point of contact for the office on issues and projects important to the recruitment, creation, preservation, and growth of minority businesses.

(5) The director of the Office of Tourism, Trade, and Economic Development shall designate a position within the office to advocate and coordinate the interests of rural communities in the state. The person in this position shall report to the director and shall be the primary point of contact for the office on issues and projects important to the economic capacity of Florida's rural communities.

(6)(a) In order to improve the state's regulatory environment, the Office of Tourism, Trade, and Economic Development shall consider the impact of agency rules on businesses and serve as an advocate for businesses, particularly small businesses, in their dealings with state agencies.

(b) The office shall have powers and duties to:

1. Review proposed agency actions for impacts on small businesses and offer alternatives to mitigate such impacts, as provided in s. 120.54.

2. In consultation with the Governor's rules ombudsman, make recommendations to agencies on any existing and proposed rules for alleviating unnecessary or disproportionate adverse effects to businesses.

(c) Use of the services authorized in this subsection does not preclude a person or business from dealing directly with an agency.

(d) In carrying out its duties under this subsection, the Office of Tourism, Trade, and Economic Development may consult with state agency personnel appointed to serve as economic development liaisons under s. 288.021.

(7) The Office of Tourism, Trade, and Economic Development shall develop performance measures, standards, and sanctions for each program it administers under this act and, in conjunction with the applicable entity, for each program for which it contracts with another entity under this act. The performance measures, standards, and sanctions shall be developed in consultation with the legislative appropriations committees and the appropriate substantive committees, and are subject to the review and approval process provided in s. 216.177. The approved performance measures, standards, and sanctions shall be included and made a part of the strategic plan for the Office of Film and Entertainment and each contract entered into for delivery of programs authorized by this act.

(8) The Office of Tourism, Trade, and Economic Development shall ensure that the contract between the Florida Commission on Tourism and the commission's direct-support organization contains a provision to provide the data on the visitor counts and visitor profiles used in revenue estimating, employing the same methodology used in fiscal year 1995-1996 by the Department of Commerce. The Office of Tourism, Trade, and Economic Development and the Florida

Commission on Tourism must advise and consult with the Consensus Estimating Conference principals before making any changes in methodology used or information gathered.

(9) The Director of the Office of Tourism, Trade, and Economic Development shall serve as the state protocol officer. In consultation with the Governor and other governmental officials, the Director of the Office of Tourism, Trade, and Economic Development shall develop, maintain, publish, and distribute the state protocol manual.

(10) The Legislature authorizes the Office of Tourism, Trade, and Economic Development to provide assistance and facilities to the Organization of American States in establishing and maintaining a regional headquarters in this state.

History.--s. 2, ch. 96-320; s. 19, ch. 97-95; ss. 3, 59, ch. 97-278; ss. 33, 38, ch. 98-46; s. 1, ch. 98-257; s. 2, ch. 99-244; s. 1, ch. 99-251; s. 51, ch. 2000-165; s. 1, ch. 2001-106; ss. 68, 69, ch. 2002-402; s. 5, ch. 2003-400; s. 3, ch. 2004-242; s. 4, ch. 2004-243; s. 1, ch. 2005-152; s. 50, ch. 2006-60; s. 10, ch. 2006-291; s. 1, ch. 2007-157.

14.2019 Statewide Office for Suicide Prevention.--

(1) The Statewide Office for Suicide Prevention is created as a unit of the Office of Drug Control within the Executive Office of the Governor.

(2) The statewide office shall, within available resources:

(a) Develop a network of community-based programs to improve suicide prevention initiatives. The network shall identify and work to eliminate barriers to providing suicide prevention services to individuals who are at risk of suicide. The network shall consist of stakeholders advocating suicide prevention, including, but not limited to, not-for-profit suicide prevention organizations, faith-based suicide prevention organizations, law enforcement agencies, first responders to emergency calls, suicide prevention community coalitions, schools and universities, mental health agencies, substance abuse treatment agencies, health care providers, and school personnel.

(b) Prepare and implement the statewide plan with the advice of the Suicide Prevention Coordinating Council.

(c) Increase public awareness concerning topics relating to suicide prevention.

(d) Coordinate education and training curricula in suicide prevention efforts for law enforcement personnel, first responders to emergency calls, health care providers, school employees, and other persons who may have contact with persons at risk of suicide.

(3) Contingent upon a specific appropriation, the director of the Office of Drug Control shall employ a coordinator for the Statewide Office for Suicide Prevention who shall work under the direction of the director to achieve the goals and objectives set forth in this section.

(4) The Statewide Office for Suicide Prevention may seek and accept grants or funds from any federal, state, or local source to support the operation and defray the authorized expenses of the office and the Suicide Prevention Coordinating Council. Revenues from grants shall be deposited in the Grants and Donations Trust Fund within the Executive Office of the Governor. In accordance with s. 216.181(11), the Executive Office of the Governor may request changes to the approved operating budget to allow the expenditure of any additional grant funds collected pursuant to this subsection.

(5) Agencies under the control of the Governor or the Governor and Cabinet are directed, and all others are encouraged, to provide information and support to the Statewide Office for Suicide Prevention as requested.

History.--s. 1, ch. 2007-46.

14.20195 Suicide Prevention Coordinating Council; creation; membership; duties.--There is created within the Statewide Office for Suicide Prevention a Suicide Prevention Coordinating Council. The council shall develop strategies for preventing suicide.

(1) **SCOPE OF ACTIVITY.**--The Suicide Prevention Coordinating Council is a coordinating council as defined in s. 20.03 and shall:

(a) Advise the Statewide Office for Suicide Prevention regarding the development of a statewide plan for suicide prevention, with the guiding principle being that suicide is a preventable problem. The statewide plan must:

1. Align and provide direction for statewide suicide prevention initiatives.
2. Establish partnerships with state and private agencies for the purpose of promoting public awareness of suicide prevention.
3. Address specific populations in this state who are at risk for suicide.
4. Identify ways to improve access to crisis services for individuals in acute situations.
5. Identify resources to support the implementation of the statewide plan.

(b) Assemble an ad hoc advisory committee comprised of members from outside the council, if necessary, in order for the council to receive advice and assistance in carrying out its responsibilities.

(c) Make findings and recommendations regarding suicide prevention programs and activities. The council shall prepare an annual report and present it to the Governor, the President of the Senate, and the Speaker of the House of Representatives by January 1, 2008, and each year thereafter. The annual report must describe the status of existing and planned initiatives identified in the statewide plan for suicide prevention and any recommendations arising therefrom.

(2) **MEMBERSHIP.**--The Suicide Prevention Coordinating Council shall consist of 28 voting members.

(a) Fourteen members shall be appointed by the director of the Office of Drug Control and shall represent the following organizations:

1. The Substance Abuse and Mental Health Corporation described in s. 394.655.
2. The Florida Association of School Psychologists.
3. The Florida Sheriffs Association.

4. The Suicide Prevention Action Network USA.
5. The Florida Initiative of Suicide Prevention.
6. The Florida Suicide Prevention Coalition.
7. The Alzheimer's Association.
8. The Florida School Board Association.
9. Volunteer Florida.
10. The state chapter of AARP.
11. The Florida Alcohol and Drug Abuse Association.
12. The Florida Council for Community Mental Health.
13. The Florida Counseling Association.
14. NAMI Florida.

(b) The following state officials or their designees shall serve on the coordinating council:

1. The Secretary of Elderly Affairs.
2. The ¹State Surgeon General.
3. The Commissioner of Education.
4. The Secretary of Health Care Administration.
5. The Secretary of Juvenile Justice.
6. The Secretary of Corrections.
7. The executive director of the Department of Law Enforcement.
8. The executive director of the Department of Veterans' Affairs.
9. The Secretary of Children and Family Services.
10. The director of the Agency for Workforce Innovation.

(c) The Governor shall appoint four additional members to the coordinating council. The appointees must have expertise that is critical to the prevention of suicide or represent an organization that is not already represented on the coordinating council.

(d) For the members appointed by the director of the Office of Drug Control, seven members shall be appointed to initial terms of 3 years, and seven members shall be appointed to initial terms of 4 years. For the members appointed by the Governor, two members shall be appointed to initial terms of 4 years, and two members shall be appointed to initial terms of 3 years. Thereafter, such members shall be appointed to terms of 4 years. Any vacancy on the coordinating council shall be filled in the same manner as the original appointment, and any member who is appointed to fill a vacancy occurring because of death, resignation, or ineligibility for membership shall serve only for the unexpired term of the member's predecessor. A member is eligible for reappointment.

(e) The director of the Office of Drug Control shall be a nonvoting member of the coordinating council and shall act as chair.

(f) Members of the coordinating council shall serve without compensation. Any member of the coordinating council who is a public employee is entitled to reimbursement for per diem and travel expenses as provided in s. 112.061.

(3) MEETINGS.--The coordinating council shall meet at least quarterly or upon the call of the chair. The council meetings may be held via teleconference or other electronic means.

History.--s. 2, ch. 2007-46.

¹**Note.**--Chapter 2007-40 redesignated the Secretary of Health as the State Surgeon General.

14.202 Administration Commission.--There is created as part of the Executive Office of the Governor an Administration Commission composed of the Governor and Cabinet. The Governor is chair of the commission. The Governor or Chief Financial Officer may call a meeting of the commission promptly each time the need therefor arises. Unless otherwise provided herein, affirmative action by the commission shall require the approval of the Governor and at least two other members of the commission. The commission shall adopt rules pursuant to ss. 120.536 (1) and 120.54 to implement provisions of law conferring duties upon it.

History.--s. 1, ch. 79-190; s. 39, ch. 95-147; s. 6, ch. 98-200; s. 3, ch. 2003-6.

14.204 Agency for Enterprise Information Technology.--The Agency for Enterprise Information Technology is created within the Executive Office of the Governor. The head of the agency shall be the Governor and Cabinet, which shall take action by majority vote consisting of at least three affirmative votes with the Governor on the prevailing side. The agency shall be a separate budget entity that is not subject to control, supervision, or direction by the Executive Office of the Governor in any manner, including, but not limited to, purchasing, transactions involving real or personal property, personnel, or budgetary matters.

(1) The executive director of the agency shall be appointed by the Governor and Cabinet, is subject to confirmation by the Senate, and shall serve at the pleasure of the Governor and Cabinet. The executive director shall be the chief information officer of the state and the executive sponsor for all enterprise information technology projects. The executive director must have a degree from an accredited postsecondary institution, and at least 7 years of executive-level experience in managing information technology organizations.

(2) The agency shall have the following duties and responsibilities:

(a) Develop and implement strategies for the design, delivery, and management of the enterprise information

technology services established in law.

(b) Monitor the delivery and management of the enterprise information technology services as established in law.

(c) Make recommendations to the agency head and the Legislature concerning other information technology services that should be designed, delivered, and managed at the enterprise level as defined in s. 282.0041(8).

(d) Plan and establish policies for managing proposed statutorily authorized enterprise information technology services, which includes developing business cases that, when applicable, include the components identified in s. 287.0574; establishing and coordinating project-management teams; establishing formal risk-assessment and mitigation processes; and providing for independent monitoring of projects for recommended corrective actions.

(e) Not earlier than July 1, 2008, define the architecture standards for enterprise information technology and develop implementation approaches for statewide migration to those standards.

(f) Develop and publish a strategic enterprise information technology plan that identifies and recommends strategies for how enterprise information technology will deliver effective and efficient government services to state residents and improve the operations of state agencies.

(3) The agency shall operate in such a manner as to ensure participation and representation of state agencies and the Agency Chief Information Officers Council established in s. 282.315.

History.--s. 1, ch. 2007-105.

14.23 State-Federal relations.--

(1) **LEGISLATIVE INTENT.**--It is the intent of the Legislature to establish mechanisms through which the legislative and executive branches of state government can work together in a cooperative alliance, to strengthen the state's relationship with our Congressional Delegation and with federal executive branch agencies, to improve our position in relation to federal legislative initiatives which have a fiscal impact or substantive policy impact on the state, and to establish and maintain a viable network and communications structure to facilitate the transmittal of essential information between state and federal officials, and to take all necessary steps to maximize the receipt of various federal funds by the State of Florida. Florida's Congressional Delegation is, in this regard, the most important linkage in representing Florida's interests in the nation's capital. Therefore, the mechanisms and resources created herein, for the furtherance of the state's intergovernmental efforts, shall include the Congressional Delegation and be available to meet its needs.

(2) CREATION OF THE OFFICE OF STATE-FEDERAL RELATIONS.--

(a) There is created, within the Executive Office of the Governor, the Office of State-Federal Relations for the State of Florida, hereinafter referred to as the "office," to be located in Washington, D.C. The office shall represent both the legislative and executive branches of state government. The Legislature shall have direct access to the staff of the office.

(b) The duties of the office shall be determined by the Governor, in consultation with the President of the Senate and the Speaker of the House of Representatives, and shall include, but not be limited to, the following:

1. To provide legislative and administrative liaison between state and federal officials and agencies and with Congress.
2. To provide grants assistance and advice to state agencies.
3. To assist in the development and implementation of strategies for the evaluation and management of the state's federal legislative program and intergovernmental efforts.
4. To facilitate the activities of Florida officials traveling to Washington, D.C., in the performance of their official duties.

(c) The head of the office shall be the director, who shall be appointed by and serve at the pleasure of the Governor.

(3) COOPERATION.--For the purpose of centralizing the state-federal relations efforts of the state, state agencies and their representatives shall cooperate and coordinate their state-federal efforts and activities with the office. State agencies which have representatives headquartered in Washington, D.C., are encouraged to station their representatives in the office.

(4)(a) NOMINATIONS TO FEDERAL REGIONAL FISHERIES MANAGEMENT COUNCILS.--The Governor is prohibited from nominating for appointment to any one of the federal fisheries management councils established under 16 U.S.C. ss. 1801 et seq., as amended, the name of any person who is, or who has been at any time during the 24 months preceding such nomination, a lobbyist for any entity of any kind whatsoever whose interests are or could be affected by actions or decisions of such fisheries management councils.

(b) For purposes of this section, the term "lobbyist" means any natural person who is required to register pursuant to s. 11.045 or the equivalent federal statute and who, for compensation, seeks, or sought during the preceding 24 months, to influence the governmental decisionmaking of a reporting individual or procurement employee, as those terms are defined under s. 112.3148, or his or her agency, to encourage the passage, defeat, or modification of any proposal or recommendation by such reporting individual or procurement employee or his or her agency.

History.--ss. 5, 6, ch. 77-419; s. 9, ch. 79-190; s. 1, ch. 95-303; s. 1, ch. 98-188.

14.24 Florida Commission on the Status of Women.--

(1) There is established in the Office of the Attorney General the Florida Commission on the Status of Women, consisting of 22 members. The Speaker of the House of Representatives, the President of the Senate, the Attorney General, and the Governor shall each appoint four members, and the Chief Financial Officer and the Commissioner of Agriculture shall each appoint three members, for a term of 4 years. The members appointed shall include persons who represent rural and urban interests and the ethnic and cultural diversity of the state's population. No member shall serve more than 8 consecutive years on the commission. A vacancy shall be filled for the remainder of the unexpired term in the same manner as the original appointment.

(2) The commission shall meet once in the first, second, and fourth quarters of each year and upon the call of the chairperson or two other officers. Annually, at the meeting in the first quarter, officers consisting of a chairperson, vice chairperson, secretary, and treasurer shall be elected. Each officer shall serve until a successor is elected and qualified. No officer shall serve more than two consecutive terms in the same office.

- (3) Members of the commission shall serve without compensation, but shall be reimbursed for per diem and travel expenses in accordance with s. 112.061.
- (4) It shall be the duty of the commission to study the changing and developing roles of women in American society. The study shall include, but not be limited to, the following areas:
- (a) The socioeconomic factors that influence the status of women.
 - (b) The development of individual potential.
 - (c) The encouragement of women to utilize their capabilities and assume leadership roles.
 - (d) The coordination of efforts of numerous women's organizations interested in the welfare of women.
 - (e) The identification and recognition of contributions made by women to the community, state, and nation.
 - (f) The implementation of paragraphs (a)-(e) where working conditions, financial security, and legal status of both sexes are improved.
- (5) The commission may apply for and accept funds, grants, gifts, and services from the state, the government of the United States or any of its agencies, or any other public or private source for the purpose of defraying clerical and administrative costs as may be necessary in carrying out its duties under this section.
- (6) Beginning January 1, 1993, the commission shall report annually on January 1 to the Governor, the Attorney General, the Cabinet, the Speaker of the House of Representatives, the President of the Senate, and the minority leaders of the House and Senate on the study carried out under the provisions of this section.

History.--ss. 1, 2, ch. 91-77; s. 4, ch. 91-429; s. 4, ch. 2003-6.

14.25 Florida State Commission on Hispanic Affairs. --

- (1) It is the intent of the Legislature to provide a means by which the state may obtain a comprehensive and ongoing study relating to those citizens of Florida who are of an Hispanic origin. The commission created by this act is not an executive department or agency for purposes of assignment under s. 6 of Art. IV of the State Constitution, nor is it an agency within the legislative intent of chapter 216 or chapter 287.
- (2)(a) There is created within the Executive Office of the Governor a Florida State Commission on Hispanic Affairs. The commission shall consist of 15 members appointed by the Governor and broadly representative of the interests and needs of persons in this state who are of Hispanic origin, including, but not limited to, such areas as education, social services, commerce, and general culture and the arts.
- (b) The commission shall annually designate one of its members to serve as chairperson. The duties of the chairperson shall include responsibility for the administration of the commission.
- (c) Members of the commission shall serve without compensation, but shall be reimbursed for per diem and travel expenses in accordance with s. 112.061.

(d) Members shall serve for terms of 4 years, except that, of those initially appointed, seven shall serve for terms of 2 years and eight shall serve for terms of 4 years. A vacancy shall be filled for the remainder of the unexpired term in the same manner as the original appointment.

(e) The Executive Office of the Governor shall provide administrative support and service to the commission. The commission shall not be subject to control, supervision, or direction by the Executive Office of the Governor.

(f) The commission shall have the authority to employ an executive director and such other personnel as may be necessary to carry out the provisions of this section.

(3)(a) The commission shall secure staff assistance and utilize clerical resources, materials, and other support services of the Executive Office of the Governor and other executive agencies and coordinate and consult with existing legislative staff, in order that minimum costs and maximum expertise be achieved.

(b) The commission shall utilize the talents, expertise, and resources within the state, and especially those of the university system, to whatever extent practicable.

(c) The commission may procure information and assistance from the state or any subdivision, municipal corporation, public officer, governmental department, or agency thereof. All agencies, officers, and political subdivisions of the state or municipal corporations shall give the commission all relevant information and reasonable assistance on any matters of research within their knowledge or control. In the case of a refusal to honor a request for information or request to any person, the commission may make application to any circuit court in this state, which shall have jurisdiction to order the witness to appear before the commission or to produce evidence, if so ordered, or to give testimony concerning the matter in question. Failure to obey the order may be punished by the court as contempt.

(d) The commission may apply for and accept funds, grants, gifts, and services from the state, the government of the United States or any of its agencies, or any other public or private source and is authorized to use funds derived from these sources to defray clerical and administrative costs as may be necessary for carrying out the commission's assigned duties.

(4)(a) It is the duty of the commission to carry out an ongoing study on the problems and needs of those citizens of Florida who predominantly speak the Spanish language. The study shall include, but not be limited to, the following areas:

1. A survey of existing programs within the educational system of the state, including such areas as teacher training, resource availability, and transportation of students, with recommendations for the extension and improvement of such programs.

2. A survey of the needs of such persons in the areas of social services and commerce, with recommendations regarding types of family and community services that would be useful in aiding such persons in adapting to, and functioning within, an English-speaking society.

3. A survey of the general cultural and artistic interests and needs of such persons and of the contributions such persons can make to the people of Florida, with recommendations for meeting those needs and fostering and encouraging those interests and contributions.

(b) The commission shall prepare an annual report based on the study carried out under the provisions of paragraph (4)(a), to be presented to the Governor no later than January 1, with copies to the Speaker of the House of Representatives and President of the Senate. The report shall include specific suggestions for necessary legislation and specific recommendations for any necessary administrative or regulatory reform.

History.--ss. 1, 2, 3, 4, ch. 77-233; ss. 1, 2, 3, ch. 78-297; s. 6, ch. 79-190; s. 1, ch. 82-46; s. 2, ch. 83-265; ss. 1, 2, ch. 87-71; s. 5, ch. 91-429.

Note.--Former ss. 13.9964, 13.9965, 13.9966, and 13.9967.

14.26 Citizen's Assistance Office.--

(1) There is created in the Executive Office of the Governor the Citizen's Assistance Office. The head of the Citizen's Assistance Office shall be appointed by and shall serve at the pleasure of the Governor.

(2) The Citizen's Assistance Office may:

(a) Investigate, on complaint or on its own motion, any administrative action of any state agency, the administration of which is under the direct supervision of the Governor, regardless of the finality of the administrative action.

(b) Request, and shall be given by any state agency, such assistance and information as may be necessary for the performance of its duties.

(c) Examine the records and reports of any state agency, the administration of which is under the direct supervision of the Governor, not made specifically confidential by law when the office determines that it is necessary.

(d) Coordinate individual state agency complaint-handling activities.

(3) The Citizen's Assistance Office shall make quarterly reports to the Governor, which shall include:

(a) The number of investigations and complaints made during the preceding quarter and the disposition of such investigations.

(b) Recommendations in the form of suggested legislation or suggested procedures for the alleviation of problems disclosed by investigations.

(c) A report including statistics which reflect the types of complaints made and an assessment as to the cause of the complaints.

(d) Such other information as the Executive Office of the Governor shall require.

(4) The Citizen's Assistance Office shall refer consumer-oriented complaints to the Division of Consumer Services of the Department of Agriculture and Consumer Services.

(5) The Citizen's Assistance Office shall perform such other duties as the Executive Office of the Governor shall direct.

History.--s. 7, ch. 79-190.

14.27 Florida Commission on African-American Affairs.--

(1) There is established in the Executive Office of the Governor the Florida Commission on African-American Affairs. The commission shall consist of 15 members appointed by the Governor. Members shall be of African-American origin; shall be professionally, socially, and economically diverse; and shall be representative of the geographic regions of the state. Each member shall serve a term of 4 years; however, for the purpose of providing staggered terms, of the initial appointments, seven members shall be appointed to a 2-year term and eight members shall be appointed to a 4-year term. Any vacancy on the commission shall be filled in the same manner as the original appointment, and any member appointed to fill a vacancy occurring because of death, resignation, or ineligibility for membership shall serve only for the unexpired term of the member's predecessor. The Governor shall appoint the chair from among the members of the commission.

(2) The commission shall meet at least once each quarter. All meetings are subject to the call of the chair. Eight members shall constitute a quorum.

(3) Members of the commission shall serve without compensation, but may be reimbursed for per diem and travel expenses pursuant to s. 112.061. The Executive Office of the Governor shall provide staff and facilities for the commission.

(4) It shall be the role of the commission to develop specific strategies and plans to address the economic, social, educational, health, and welfare needs of African Americans in the state. Pursuant thereto, the commission's duties shall include, but not be limited to:

(a) Studying the changing and developing roles of African Americans in American society. The study shall be ongoing, with reports submitted periodically as needed with the annual report submitted to the Governor under paragraph (b), and shall include, but not be limited to, the following areas:

1. The socioeconomic factors that influence the status of African Americans.
2. The encouragement of African Americans to utilize their existing resources and abilities to strive for leadership roles.
3. The coordination of efforts of numerous African-American organizations interested in the welfare of African Americans.
4. The identification and recognition of contributions made by African Americans to the community, state, and nation.

(b) Submitting an annual report to the Governor on the status of African Americans in the state which includes, but is not limited to, an assessment of the following areas: education, economic development, criminal justice, housing, and health.

(c) Reviewing state agency functional plans, legislative budget requests, and the master plans and policies of the State Board of Education, other educational boards, panels, and commissions appointed by the Governor, and local

school boards for their impact on African Americans.

(d) Reviewing various judicial matters that are affecting African Americans.

(e) Reviewing past and current legislation that may have a significant impact on African Americans.

(f) Examining any other issues relevant to African Americans that are presented by the Governor or that are a result of findings made by the commission.

(5) The commission shall analyze the responsiveness of state government to the needs of the state's African-American citizens and the appropriateness of that response and may submit a plan for any recommended restructuring and change to the Governor, the President of the Senate, and the Speaker of the House of Representatives at any time it deems appropriate.

(6) All executive branch state agencies are hereby instructed, and all other state agencies are hereby requested, to aid and assist the commission in any way that helps it accomplish its purposes.

(7) The commission may apply for and accept funds, grants, gifts, and services from the state, the Federal Government or any of its agencies, or any other public or private source for the purpose of defraying clerical and administrative costs as may be necessary in carrying out its duties under this section.

History.--ss. 1, 2, ch. 93-138.

14.28 Executive clemency.--All records developed or received by any state entity pursuant to a Board of Executive Clemency investigation shall be confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution. However, such records may be released upon the approval of the Governor.

History.--s. 6, ch. 93-405; s. 1, ch. 95-356; s. 2, ch. 96-406.

14.29 Florida Commission on Community Service.--

(1) It is the intent of the Legislature to provide a means by which the state may develop a coordinated, unified plan in response to the National and Community Service Trust Act of 1993. Toward this end, the state may establish policies and procedures relating to the expenditure of funds to develop and facilitate community outreach initiatives. Such efforts shall be geared towards promoting community service in conjunction with any existing programs in an effort to address the state's human, educational, environmental, and public safety needs by fostering greater civic responsibility.

(2) There is established the Florida Commission on Community Service, which is assigned to the Executive Office of the Governor. The commission shall be administratively housed within the Executive Office of the Governor, but it shall independently exercise the responsibilities assigned herein or as required to comply with the terms and conditions of the National and Community Service Trust Act of 1993. The commission shall serve as an advisory board to the Governor and Cabinet, the Legislature, and appropriate state agencies and entities on matters relating to volunteerism and community service.

(3)(a) The commission shall consist of no less than 15 and no more than 25 voting members to be appointed on a

bipartisan basis by the Governor and confirmed by the Senate. Any number of nonvoting members may be appointed by the Governor. Voting members may represent one, or any combination of the following categories, so long as each of the respective categories is represented:

1. A representative of a community-based agency or organization.
2. The Commissioner of Education or designee thereof.
3. A representative of local labor organizations.
4. A representative of local government.
5. A representative of business.
6. An individual between the ages of 16 and 25, inclusive, who is a participant in or a supervisor of a service program for school-age youth, or of a campus-based or national service program.
7. A representative of a national service program.
8. An individual with expertise in the educational, training, and developmental needs of youth, particularly disadvantaged youth.
9. An individual with experience in promoting service and volunteerism among older adults.

Other voting members may include educators; experts in the delivery of human educational, environmental, or public safety services; representatives of Indian tribes; out-of-school or at-risk youth; and representatives of programs that are administered by or receive assistance under the Domestic Volunteer Service Act of 1973, as amended. However, the preceding list shall not be construed as an exhaustive one.

(b) Not more than 50 percent plus one of the voting members of the commission may be aligned with the same political party. In addition, the number of voting members of the commission who are officers or employees of the state may not exceed 25 percent, reduced to the nearest whole number, of the total membership of the commission.

(4) Members of the commission shall serve for terms of 3 years. Members may be reappointed for successive terms. A vacancy shall be filled for the remainder of the unexpired term in the same manner as the original appointment.

(5) The commission shall meet at the call of its chair or at the request of a majority of its total voting membership, but shall meet at least biannually. A majority of the total voting membership shall constitute a quorum, and the affirmative vote of a majority of a quorum is necessary to take official action.

(6) Members of the commission shall serve without compensation, but voting members shall be reimbursed for per diem and travel expenses in accordance with s. 112.061.

(7) The commission shall:

(a) Annually elect a chair and a vice chair. To be eligible to serve as chair, an individual must be a voting member of

the commission.

(b) Employ an executive director, who shall be initially designated by the Governor, to carry out the provisions of this section. The executive director shall report directly to the commission. The executive director shall be the chief administrative officer of the commission and shall be responsible for appointing all employees and staff members of the commission, who shall serve under the executive director's direction and control.

(c) Prepare an annual report detailing its activities during the preceding year and, to the extent possible, compile and synthesize any reports that it accepted on behalf of the Governor. The commission's report shall be presented to the Governor no later than January 15, with copies to the President of the Senate and the Speaker of the House of Representatives. The report shall also include specific recommendations for any necessary legislative, administrative, or regulatory reform, and the commission's assessment of the state of volunteerism in Florida.

(8) The commission may:

(a) Secure assistance from all state departments and agencies in order for the commission to avail itself of expertise at minimal cost.

(b) Procure information and assistance from the state or any political subdivision, municipal corporation, public officer, or governmental department or agency thereof.

(c) Apply for and accept funds, grants, gifts, and services from local, state, or federal government, or from any of their agencies, or any other public or private source and is authorized to use funds derived from these sources to defray administrative costs, implement programs as may be necessary to carry out the commission's charge, and assist agencies, institutions, and individuals in the implementation of programs pursuant to the Florida Volunteer and Community Service Act of 2001. The commission may also authorize Volunteer Florida, Inc., the commission's nonprofit direct-support organization, to assist in securing training, technical assistance, and other support needed to accomplish the intent and purposes of the Florida Volunteer and Community Service Act of 2001.

(d) Contract for necessary goods and services.

(9) The commission may establish a direct-support organization which is:

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

(b) Organized and operated exclusively to receive, hold, invest, and administer property and funds and to make expenditures to or for the benefit of the program.

(c) An organization which the commission, after review, has certified to be operating in a manner consistent with the goals of the program and in the best interests of the state.

(10) The direct-support organization shall operate under written contract with the commission. The contract must provide for:

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

(b) Submission of an annual budget for the approval of the commission. The budget must comply with rules adopted by the commission.

(c) Certification by the commission that the direct-support organization is complying with the terms of the contract and in a manner consistent with the goals and purposes of the commission and in the best interest of the state. Such certification must be made annually and reported in the official minutes of a meeting of the commission.

(d) The reversion to the commission, or the state if the commission ceases to exist, of moneys and property held in trust by the direct-support organization if the direct-support organization is no longer approved to operate for the commission or the commission ceases to exist.

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

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

(11) The members of the direct-support organization's board of directors must include members of the commission.

(12) The commission may authorize a direct-support organization to use its property (except money), facilities, and personal services, subject to the provisions of this section. A direct-support organization that does not provide equal employment opportunities to all persons regardless of race, color, religion, sex, age, or national origin may not use the property, facilities, or personal services of the commission. For the purposes of this subsection, the term "personal services" includes full-time personnel and part-time personnel as well as payroll processing.

(13) The commission shall adopt rules prescribing the procedures by which the direct-support organization is governed and any conditions with which the direct-support organization must comply to use property, facilities, or personal services of the commission.

(14) Moneys of the direct-support organization may be held in a separate depository account in the name of the direct-support organization and subject to the provisions of the contract with the commission. Such moneys may include membership fees, private donations, income derived from fundraising activities, and grants applied for and received by the direct-support organization.

(15) The direct-support organization shall provide for an annual financial audit in accordance with s. 215.981.

History.--s. 1, ch. 94-221; s. 1311, ch. 95-147; s. 2, ch. 95-196; s. 2, ch. 2001-84; s. 20, ch. 2001-266; s. 3, ch. 2002-1.

14.295 Florida Volunteer and Community Service Act of 2001.--

(1) This act may be cited as the "Florida Volunteer and Community Service Act of 2001."

(2) It 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. Toward this end, the Executive Office of the

Governor may establish policies and procedures which provide for the expenditure of funds to develop and facilitate initiatives by public agencies, scholastic institutions, private institutions, and individuals that establish and implement programs that encourage and reward volunteerism.

(3) Initiatives and programs developed pursuant to this act shall have the following purposes and objectives:

- (a) To place increased priority on citizen participation and volunteerism as a means of addressing the increasingly complex problems facing Florida's communities.
- (b) To encourage local community leaders to implement strategies that expand civic participation based on the fact that volunteers represent a valuable and much-needed asset within communities.
- (c) To promote the concept and practice of corporate citizenship, particularly in communities where such initiatives are less developed.
- (d) To build the enthusiasm, dedication, and combined expertise of individual citizens and public and private systems to find new and creative ways to effectively use volunteerism and community service as a strategy to meet the challenges facing Florida's communities both now and in the future.
- (e) To foster the alignment of community volunteer resources with the goals of the state.
- (f) To implement policy and administrative changes that encourage and enable individuals to participate in volunteer and community service activities.
- (g) To encourage nonprofit agencies to interweave volunteers into the fabric of their service delivery as a means of increasing the effectiveness and efficiency of their services.
- (h) To support and promote volunteer service to all citizens as an effective means to address community needs and foster a collective commitment to lifelong community service.
- (i) To recognize National Volunteer Week as a time to encourage all citizens of Florida to participate in local service projects.
- (j) To recognize the value of individual volunteers and volunteer and service organizations and programs and to honor and celebrate the success of volunteers.
- (k) To encourage volunteer and service efforts to point children in the right direction and to endow them with the character and competence they need to achieve success in life. In order to accomplish this, the citizens of Florida are encouraged to support America's Promise, the Alliance for Youth, and Florida's Promise for Youth through volunteerism and citizen service, to help ensure that children in Florida have the following five fundamental resources in their lives:
 1. An ongoing relationship with a caring adult.
 2. Safe places with structured activities during after-school hours.

3. A healthy start.
4. A marketable skill through effective education.
5. An opportunity to give back through community service.

History.--s. 1, ch. 2001-84.

14.31 Florida Faith-based and Community-based Advisory Council.--

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

(a) Compassionate groups of individuals have selflessly aided this state in serving our most vulnerable residents and our most debilitated neighborhoods.

(b) Inspired by faith and civic commitment, these organizations have accomplished much in changing the lives of thousands and resurrecting neighborhoods torn by the strife of crime and poverty.

(c) It is essential that this state cooperate with these organizations in order to provide an opportunity to participate on an equal basis, regardless of each organization's orientation, whether faith-based or secular.

(2) LEGISLATIVE INTENT.--It is therefore the intent of the Legislature to recognize the contributions of these organizations and to encourage opportunities for faith-based and community-based organizations to work cooperatively with government entities in order to deliver services more effectively. The Legislature further intends that the purpose of the council is to advise the Governor and the Legislature 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.

(3) ESTABLISHMENT OF THE COUNCIL.--

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

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

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

1. Seventeen members appointed by and serving at the pleasure of the Governor.
2. Four members appointed by and serving at the pleasure of the President of the Senate.
3. Four members appointed by and serving at the pleasure of the Speaker of the House of Representatives.

(d) Council members shall serve 4-year terms, except that the initial terms shall be staggered as follows:

1. The Governor shall appoint six members for a term of 3 years, six members for a term of 2 years, and five members for a term of 1 year.

2. The President of the Senate shall appoint two members for a term of 3 years and two members for a term of 2 years.

3. The Speaker of the House of Representatives shall appoint two members for a term of 3 years and two members for a term of 2 years.

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

(4) MEETINGS; ORGANIZATION.--

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

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

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

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

(5) SCOPE OF ACTIVITIES.--The council shall review and recommend in a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives:

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

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

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

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

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

- (f) How best to encourage private charitable giving to support faith-based and community-based initiatives.
- (g) How best to bring concerns, ideas, and policy options to the Governor and Legislature for assisting, strengthening, and replicating successful faith-based and other community-based programs.
- (h) How best to develop and implement strategic initiatives to strengthen the institutions of families and communities in this state.
- (i) How best to showcase and herald innovative grassroots nonprofit organizations and civic initiatives.
- (j) How best to eliminate unnecessary legislative, regulatory, and other bureaucratic barriers that impede effective faith-based and other community-based efforts to address social problems.
- (k) How best to monitor implementation of state policy affecting faith-based and other community-based organizations.
- (l) How best to ensure that the efforts of faith-based and other community-based organizations meet objective criteria for performance and accountability.

(6) RESTRICTED ACTIVITIES.--The council may not make any recommendation that conflicts 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.

(7) REPORT.--By February 1 of each year, the council shall prepare a written report for the Governor, the President of the Senate, and the Speaker of the House of Representatives containing an accounting of its activities and recommended 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-based organizations to the full extent permitted by law.

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

History.--s. 1, ch. 2006-9.

14.32 Office of Chief Inspector General.--

(1) There is created in the Executive Office of the Governor the Office of Chief Inspector General. The Chief Inspector General shall be responsible for promoting accountability, integrity, and efficiency in the agencies under the jurisdiction of the Governor. The Chief Inspector General shall be appointed by and serve at the pleasure of the Governor.

(2) The Chief Inspector General shall:

(a) Initiate, supervise, and coordinate investigations, recommend policies, and carry out other activities designed to deter, detect, prevent, and eradicate fraud, waste, abuse, mismanagement, and misconduct in government.

- (b) Investigate, upon receipt of a complaint or for cause, any administrative action of any agency, the administration of which is under the direct supervision of the Governor, regardless of the finality of the administrative action.
 - (c) Request such assistance and information as may be necessary for the performance of the duties of the Chief Inspector General.
 - (d) Examine the records and reports of any agency the administration of which is under the direct supervision of the Governor.
 - (e) Coordinate complaint-handling activities with agencies.
 - (f) Coordinate the activities of the Whistle-blower's Act pursuant to chapter 112 and maintain the whistle-blower's hotline to receive complaints and information concerning the possible violation of law or administrative rules, mismanagement, fraud, waste, abuse of authority, malfeasance, or a substantial or specific danger to the health, welfare, or safety of the public.
 - (g) Report expeditiously to and cooperate fully with the Department of Law Enforcement, the Department of Legal Affairs, and other law enforcement agencies when there are recognizable grounds to believe that there has been a violation of criminal law or that a civil action should be initiated.
 - (h) Act as liaison with outside agencies and the Federal Government to promote accountability, integrity, and efficiency in state government.
 - (i) Act as liaison and monitor the activities of the inspectors general in the agencies under the Governor's jurisdiction.
 - (j) Review, evaluate, and monitor the policies, practices, and operations of the Executive Office of the Governor.
 - (k) Conduct special investigations and management reviews at the request of the Governor.
- (3) The Chief Inspector General shall serve as the inspector general for the Executive Office of the Governor.

History.--s. 9, ch. 94-235.

14.325 Council on State Agency Inspectors General.--

- (1) For purposes of this section:
- (a) "State agency" has the same meaning as defined in s. 20.055(1)(a).
 - (b) "Council" means the Council on State Agency Inspectors General, which is a council as defined in s. 20.03.
- (2) To enhance public trust in government and provide leadership in the promotion of accountability and integrity in state agencies, there is created the Council on State Inspectors General in the Office of Chief Inspector General within the Executive Office of the Governor.
- (3) The council shall consist of five members:

- (a) The Chief Inspector General, who shall serve as chair.
- (b) Four inspectors general from other state agencies, appointed by the Governor or his or her designee.
- (4) A member of the council may not delegate his or her membership to a designee.
- (5) A quorum shall consist of at least three members.
- (6) The council shall convene at least monthly for the purpose of developing recommendations relating to the creation of an independent review process for investigations and audits conducted by state agency inspectors general.
- (7) The review process developed and recommended by the council shall, at a minimum:
 - (a) Offer entities contracting with state agencies and individuals substantially affected by the findings, conclusions, or recommendations a meaningful opportunity to challenge in writing the findings, conclusions, and recommendations contained in a state agency inspector general's final report.
 - (b) Specifically identify the entities and individuals entitled to submit a response, and identify the circumstances under which the entity's response must be attached to the state agency inspector general's final report.
 - (c) Provide a hearing process entitling entities contracting with state agencies and individuals substantially affected by the findings, conclusions, or recommendations with an opportunity to present to the Chief Inspector General any additional material relevant to the state agency inspector general's final report. The review process must permit the Chief Inspector General to independently investigate the state agency inspector general's report and the original investigation.
 - (d) Identify ancillary issues to be addressed, including, but not limited to, public records concerns, special conditions for whistle-blower's investigations, and exemptions for specific categories of audits or investigations.
- (8) On or before January 1, 2007, the council shall issue a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives containing its recommendations and proposed state agency inspector general review process. The report may contain suggested statutory amendments, proposals for administrative rulemaking to be implemented pursuant to ss. 120.536(1) and 120.54, and any other guidelines, procedures, and suggestions relevant to the creation of a state agency inspector general review process.
- (9) Administrative support for the council shall be provided by the Office of Chief Inspector General.
- (10) This section is repealed June 30, 2007.

History.--s. 1, ch. 2006-219.

14.33 Medal of Heroism.--

- (1) The Governor may award a Medal of Heroism of appropriate design, with ribbons and appurtenances, to a law enforcement, correctional, or correctional probation officer, as defined in s. 943.10(14); a firefighter, as defined in s. 112.191(1)(b); an emergency medical technician, as defined in s. 401.23(11); or a paramedic, as defined in s. 401.23

(17). A recipient must have distinguished himself or herself conspicuously by gallantry and intrepidity, must have risked his or her life deliberately above and beyond the call of duty while performing duty in his or her respective position, and must have engaged in hazardous or perilous activities to preserve lives with the knowledge that such activities might result in great personal harm.

(2) A candidate or person seeking to nominate a candidate for the award must make written application to the Governor. The Governor may refer an application to any public or private entity for advice and recommendations regarding the application.

History.--s. 1, ch. 2003-51.

14.34 Governor's Medal of Merit.--

(1) The Governor may present, in the name of the State of Florida, a medal to be known as the "Governor's Medal of Merit," which shall bear a suitable inscription and ribbon of appropriate design, to:

(a) Any legal resident of this state who has rendered exceptional meritorious service to the citizens of this state;

(b) Any legal resident of this state who is serving under honorable conditions on active duty as a member of the United States Armed Forces, the Florida National Guard, or the United States Reserve Forces and has rendered exceptional meritorious service to the citizens of this state while on active duty; or

(c) Any legal resident of this state who has been honorably discharged from active duty as a member of the United States Armed Forces, the Florida National Guard, or the United States Reserve Forces and, while on active duty, rendered exceptional meritorious service to the citizens of this state.

As used in this subsection, the term "exceptional meritorious service" means acts of bravery above and beyond the level of duty normally required by that person's respective military or civilian position.

(2)(a) In the event of the death of an individual who has been chosen to receive the Governor's Medal of Merit, the medal shall be presented to a designated representative of the chosen recipient.

(b) The Governor's Medal of Merit may only be presented to an individual once.

(3) The Executive Office of the Governor, in consultation with the Adjutant General and other appropriate entities, may adopt rules pursuant to ss. 120.536(1) and 120.54 to implement this section.

History.--s. 1, ch. 2004-228.