

1                                   A bill to be entitled  
2       An act relating to the Office of Drug Control; amending s.  
3       14.2019, F.S.; placing the Statewide Office for Suicide  
4       Prevention within the Department of Children and Family  
5       Services; redirecting revenues from grants to the Grants  
6       and Donations Trust Fund within the department; amending  
7       s. 14.20195, F.S.; naming the director of the Statewide  
8       Office for Suicide Prevention as chair and a nonvoting  
9       member of the Suicide Prevention Coordinating Council;  
10      providing for the appointment of members of the council by  
11      the director of the Statewide Office for Suicide  
12      Prevention; amending s. 311.115, F.S.; conforming  
13      provisions to changes made by the act; placing the Seaport  
14      Security Standards Advisory Council within the Executive  
15      Office of the Governor; providing for the appointment of  
16      the chair of the Seaport Security Standards Advisory  
17      Council by the Governor; amending ss. 311.12, 311.123, and  
18      397.331, F.S.; conforming provisions to changes made by  
19      the act; repealing s. 397.332, F.S., relating to creation  
20      of the Office of Drug Control; amending s. 397.333, F.S.;  
21      placing the Statewide Drug Policy Advisory Council within  
22      the Department of Health; revising the membership of the  
23      council; directing the Department of Health to provide  
24      staff support for the advisory council; amending s.  
25      943.031, F.S.; naming the Policy Coordinator of the Public  
26      Safety Unit of the Governor's Office of Planning and  
27      Budgeting, or a designee, as a member of the Florida  
28      Violent Crime and Drug Control Council and the Drug

29 Control Strategy and Criminal Gang Committee within the  
 30 council; conforming provisions to changes made by the act;  
 31 amending s. 943.042, F.S.; conforming provisions to  
 32 changes made by the act; providing an effective date.

33  
 34 Be It Enacted by the Legislature of the State of Florida:

35  
 36 Section 1. Subsections (1), (3), (4), and (5) of section  
 37 14.2019, Florida Statutes, are amended to read:

38 14.2019 Statewide Office for Suicide Prevention.—

39 (1) The Statewide Office for Suicide Prevention is created  
 40 ~~as a unit of the Office of Drug Control~~ within the Department of  
 41 Children and Family Services ~~Executive Office of the Governor.~~

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

47 (3)~~(4)~~ The Statewide Office for Suicide Prevention may  
 48 seek and accept grants or funds from any federal, state, or  
 49 local source to support the operation and defray the authorized  
 50 expenses of the office and the Suicide Prevention Coordinating  
 51 Council. Revenues from grants shall be deposited in the Grants  
 52 and Donations Trust Fund within the Department of Children and  
 53 Family Services ~~Executive Office of the Governor.~~ In accordance  
 54 with s. 216.181(11), the Executive Office of the Governor may  
 55 request changes to the approved operating budget to allow the  
 56 expenditure of any additional grant funds collected pursuant to

57 | this subsection.

58 |       (4)~~(5)~~ Agencies under the control of the Governor or the  
 59 | Governor and Cabinet are directed, and all others are  
 60 | encouraged, to provide information and support to the Statewide  
 61 | Office for Suicide Prevention as requested.

62 |       Section 2. Paragraphs (a), (d), and (e) of subsection (2)  
 63 | of section 14.20195, Florida Statutes, are amended to read:

64 |       14.20195 Suicide Prevention Coordinating Council;  
 65 | creation; membership; duties.—There is created within the  
 66 | Statewide Office for Suicide Prevention a Suicide Prevention  
 67 | Coordinating Council. The council shall develop strategies for  
 68 | preventing suicide.

69 |       (2) MEMBERSHIP.—The Suicide Prevention Coordinating  
 70 | Council shall consist of 28 voting members.

71 |       (a) Thirteen members shall be appointed by the director of  
 72 | the Statewide Office for Suicide Prevention ~~Office of Drug~~  
 73 | ~~Control~~ and shall represent the following organizations:

- 74 |       1. The Florida Association of School Psychologists.
- 75 |       2. The Florida Sheriffs Association.
- 76 |       3. The Suicide Prevention Action Network USA.
- 77 |       4. The Florida Initiative of Suicide Prevention.
- 78 |       5. The Florida Suicide Prevention Coalition.
- 79 |       6. The American Foundation of Suicide Prevention.
- 80 |       7. The Florida School Board Association.
- 81 |       8. The National Council for Suicide Prevention.
- 82 |       9. The state chapter of AARP.
- 83 |       10. The Florida Alcohol and Drug Abuse Association.
- 84 |       11. The Florida Council for Community Mental Health.

85 12. The Florida Counseling Association.

86 13. NAMI Florida.

87 (d) ~~For the~~ Members appointed by the director of the  
 88 Statewide Office for Suicide Prevention ~~Office of Drug Control,~~  
 89 ~~seven members shall be appointed to initial terms of 3 years,~~  
 90 ~~and seven members shall be appointed to initial terms of 4~~  
 91 ~~years. For the members appointed by the Governor, two members~~  
 92 ~~shall be appointed to initial terms of 4 years, and two members~~  
 93 ~~shall be appointed to initial terms of 3 years. Thereafter, such~~  
 94 ~~members~~ shall be appointed to terms of 4 years. Any vacancy on  
 95 the coordinating council shall be filled in the same manner as  
 96 the original appointment, and any member who is appointed to  
 97 fill a vacancy occurring because of death, resignation, or  
 98 ineligibility for membership shall serve only for the unexpired  
 99 term of the member's predecessor. A member is eligible for  
 100 reappointment.

101 (e) The director of the Statewide Office for Suicide  
 102 Prevention ~~Office of Drug Control~~ shall be a nonvoting member of  
 103 the coordinating council and shall act as chair.

104 Section 3. Section 311.115, Florida Statutes, is amended  
 105 to read:

106 311.115 Seaport Security Standards Advisory Council.—The  
 107 Seaport Security Standards Advisory Council is created within  
 108 ~~under~~ the Executive Office of the Governor ~~Office of Drug~~  
 109 ~~Control~~. The council shall serve as an advisory council as  
 110 provided in s. 20.03(7).

111 (1) The members of the council shall be appointed by the  
 112 Governor and consist of the following:

- 113 (a) Two seaport directors.
- 114 (b) Two seaport security directors.
- 115 (c) One representative of seaport tenants.
- 116 (d) One representative of seaport workers.
- 117 (e) One member from the Department of Law Enforcement.
- 118 (f) One member from the Office of Motor Carrier Compliance  
119 of the Department of Transportation.
- 120 (g) One member from the Office of the Attorney General.
- 121 (h) One member from the Department of Agriculture and  
122 Consumer Services.
- 123 (i) One member from the Office of Tourism, Trade, and  
124 Economic Development.
- 125 ~~(j) One member from the Office of Drug Control.~~
- 126 (j)~~(k)~~ One member from the Fish and Wildlife Conservation  
127 Commission.
- 128 (k)~~(l)~~ The Director of the Division of Emergency  
129 Management, or his or her designee.
- 130 (2) In addition to the members designated in subsection  
131 (1), the council may invite a representative of the United  
132 States Coast Guard to attend and participate in council meetings  
133 as an ex officio, nonvoting member of the council.
- 134 (3) Members of the council shall be appointed to 4-year  
135 terms. A vacancy shall be filled by the Governor for the balance  
136 of the unexpired term.
- 137 (4) The council chair shall be designated by the Governor  
138 from among the appointed members of the council ~~shall be chaired~~  
139 ~~by the member from the Office of Drug Control.~~
- 140 (5) At least every 4 years after January 15, 2007, the

141 Governor ~~Office of Drug Control~~ shall convene the council to  
 142 review the minimum security standards referenced in s. 311.12(1)  
 143 for applicability to and effectiveness in combating current  
 144 narcotics and terrorism threats to the state's seaports. All  
 145 sources of information allowed by law shall be used in assessing  
 146 the applicability and effectiveness of the standards.

147 (6) Council members shall serve without pay, but shall be  
 148 entitled to per diem and travel expenses for attendance at  
 149 officially called meetings as provided in s. 112.061.

150 (7) The council shall consult with the appropriate area  
 151 maritime security committees to assess possible impacts to  
 152 commerce and trade contained in the council's nonclassified  
 153 recommendations and findings.

154 (8) The recommendations and findings of the council shall  
 155 be transmitted to the Governor, the President of the Senate, and  
 156 the Speaker of the House of Representatives.

157 Section 4. Paragraph (a) of subsection (1), paragraph (b)  
 158 of subsection (3), subsections (8) and (10), and paragraph (d)  
 159 of subsection (11) of section 311.12, Florida Statutes, are  
 160 amended to read:

161 311.12 Seaport security.—

162 (1) SECURITY STANDARDS.—

163 (a) The statewide minimum standards for seaport security  
 164 applicable to seaports listed in s. 311.09 shall be those based  
 165 on the Florida Seaport Security Assessment 2000 and set forth in  
 166 the Port Security Standards Compliance Plan delivered to the  
 167 Speaker of the House of Representatives and the President of the  
 168 Senate on December 11, 2000. ~~The Office of Drug Control within~~

169 ~~the Executive Office of the Governor shall maintain a sufficient~~  
 170 ~~number of copies of the standards at its offices for~~  
 171 ~~distribution to the public and provide copies to each affected~~  
 172 ~~seaport upon request.~~

173 (3) SECURITY PLAN.—Each seaport listed in s. 311.09 shall  
 174 adopt and maintain a security plan specific to that seaport  
 175 which provides for a secure seaport infrastructure that promotes  
 176 the safety and security of state residents and visitors and the  
 177 flow of legitimate trade and travel.

178 (b) Each adopted or revised security plan must be reviewed  
 179 and approved by the ~~Office of Drug Control~~ and the Department of  
 180 Law Enforcement for compliance with federal facility security  
 181 assessment requirements under 33 C.F.R. s. 105.305 and the  
 182 minimum security standards established under subsection (1).  
 183 Within 30 days after completion, a copy of the written review  
 184 shall be delivered to the United States Coast Guard, the  
 185 Regional Domestic Security Task Force, and the Domestic Security  
 186 Oversight Council.

187 (8) WAIVER FROM SECURITY REQUIREMENTS.—The ~~Office of Drug~~  
 188 ~~Control~~ and the Department of Law Enforcement may modify or  
 189 waive any physical facility requirement or other requirement  
 190 contained in the minimum security standards upon a determination  
 191 that the purposes of the standards have been reasonably met or  
 192 exceeded by the seaport requesting the modification or waiver.  
 193 An alternate means of compliance must not diminish the safety or  
 194 security of the seaport and must be verified through an  
 195 extensive risk analysis conducted by the seaport director.

196 (a) Waiver requests shall be submitted in writing, along

PCB APC 11-06

ORIGINAL

2011

197 | with supporting documentation, to the ~~Office of Drug Control and~~  
 198 | ~~the~~ Department of Law Enforcement. The ~~office and the~~ department  
 199 | has ~~have~~ 90 days to jointly grant or reject the waiver, in whole  
 200 | or in part.

201 | (b) The seaport may submit any waivers that are not  
 202 | granted or are ~~jointly~~ rejected to the Domestic Security  
 203 | Oversight Council for review within 90 days. The council shall  
 204 | recommend that the ~~Office of Drug Control and the~~ Department of  
 205 | Law Enforcement grant the waiver or reject the waiver, in whole  
 206 | or in part. The ~~office and the~~ department shall give great  
 207 | weight to the council's recommendations.

208 | (c) A request seeking a waiver from the seaport law  
 209 | enforcement personnel standards established under s. 311.122(3)  
 210 | may not be granted for percentages below 10 percent.

211 | (d) Any modifications or waivers granted under this  
 212 | subsection shall be noted in the annual report submitted by the  
 213 | Department of Law Enforcement pursuant to subsection (10).

214 | (10) REPORTS.—The Department of Law Enforcement, ~~in~~  
 215 | ~~consultation with the Office of Drug Control,~~ shall annually  
 216 | complete a report indicating the observations and findings of  
 217 | all reviews, inspections, or other operations relating to the  
 218 | seaports conducted during the year and any recommendations  
 219 | resulting from such reviews, inspections, and operations. A copy  
 220 | of the report shall be provided to the Governor, the President  
 221 | of the Senate, the Speaker of the House of Representatives, the  
 222 | governing body of each seaport or seaport authority, and each  
 223 | seaport director. The report must include each director's  
 224 | response indicating what actions, if any, have been taken or are



225 | planned to be taken pursuant to the observations, findings, and  
 226 | recommendations reported by the department.

227 | (11) FUNDING.—

228 | (d) If funds are appropriated for seaport security, ~~the~~  
 229 | ~~Office of Drug Control,~~ the Department of Law Enforcement, and  
 230 | the Florida Seaport Transportation and Economic Development  
 231 | Council shall mutually determine the allocation of such funds  
 232 | for security project needs identified in the approved seaport  
 233 | security plans. Any seaport that receives state funds for  
 234 | security projects must enter into a joint participation  
 235 | agreement with the appropriate state entity and use the seaport  
 236 | security plan as the basis for the agreement.

237 | 1. If funds are made available over more than 1 fiscal  
 238 | year, the agreement must reflect the entire scope of the project  
 239 | approved in the security plan and, as practicable, allow for  
 240 | reimbursement for authorized projects over more than 1 year.

241 | 2. The agreement may include specific timeframes for  
 242 | completion of a security project and the applicable funding  
 243 | reimbursement dates. The agreement may also require a  
 244 | contractual penalty of up to \$1,000 per day to be imposed for  
 245 | failure to meet project completion dates if state funding is  
 246 | available. Any such penalty shall be deposited into the State  
 247 | Transportation Trust Fund and used for seaport security  
 248 | operations and capital improvements.

249 | Section 5. Subsection (1) of section 311.123, Florida  
 250 | Statutes, is amended to read:

251 | 311.123 Maritime domain security awareness training  
 252 | program.—

253 (1) The Florida Seaport Transportation and Economic  
 254 Development Council, in conjunction with the Department of Law  
 255 Enforcement ~~and the Office of Drug Control within the Executive~~  
 256 ~~Office of the Governor~~, shall create a maritime domain security  
 257 awareness training program to instruct all personnel employed  
 258 within a seaport's boundaries about the security procedures  
 259 required of them for implementation of the seaport security plan  
 260 required under s. 311.12(3).

261 Section 6. Subsection (2) of section 397.331, Florida  
 262 Statutes, is amended to read:

263 397.331 Definitions; legislative intent.—

264 (2) It is the intent of the Legislature to establish and  
 265 institutionalize a rational process for long-range planning,  
 266 information gathering, strategic decisionmaking, and funding for  
 267 the purpose of limiting substance abuse. The Legislature finds  
 268 that the creation of a ~~state Office of Drug Control and a~~  
 269 Statewide Drug Policy Advisory Council affords the best means of  
 270 establishing and institutionalizing such a process.

271 Section 7. Section 397.332, Florida Statutes, is repealed.

272 Section 8. Paragraphs (a), (b), and (c) of subsection (1)  
 273 of section 397.333, Florida Statutes, are amended to read:

274 397.333 Statewide Drug Policy Advisory Council.—

275 (1) (a) The Statewide Drug Policy Advisory Council is  
 276 created within the Department of Health ~~Executive Office of the~~  
 277 ~~Governor~~. The Surgeon General or his or her designee ~~director of~~  
 278 ~~the Office of Drug Control~~ shall be a nonvoting, ex officio  
 279 member of the advisory council and shall act as chairperson. The  
 280 director of the Office of Planning and Budgeting or his or her

281 designee shall be a nonvoting, ex officio member of the advisory  
 282 council. The department shall provide staff support for the  
 283 council. ~~The Office of Drug Control and the Office of Planning~~  
 284 ~~and Budgeting shall provide staff support for the advisory~~  
 285 ~~council.~~

286 (b) The following state officials shall be appointed to  
 287 serve on the advisory council:

- 288 1. The Attorney General, or his or her designee.
- 289 2. The executive director of the Department of Law  
 290 Enforcement, or his or her designee.
- 291 3. The Secretary of Children and Family Services, or his  
 292 or her designee.
- 293 ~~4. The State Surgeon General, or his or her designee.~~
- 294 ~~4.5.~~ The Secretary of Corrections, or his or her designee.
- 295 ~~5.6.~~ The Secretary of Juvenile Justice, or his or her  
 296 designee.
- 297 ~~6.7.~~ The Commissioner of Education, or his or her  
 298 designee.
- 299 ~~7.8.~~ The executive director of the Department of Highway  
 300 Safety and Motor Vehicles, or his or her designee.
- 301 ~~8.9.~~ The Adjutant General of the state as the Chief of the  
 302 Department of Military Affairs, or his or her designee.

303 (c) In addition, the Governor shall appoint 7 ~~11~~ members  
 304 of the public to serve on the advisory council. Of the 7 ~~11~~  
 305 appointed members, one member must have professional or  
 306 occupational expertise in drug enforcement, one member must have  
 307 professional or occupational expertise in substance abuse  
 308 prevention, one member must have professional or occupational

309 expertise in substance abuse treatment, and two members must  
 310 have professional or occupational expertise in faith-based  
 311 substance abuse treatment services. The remainder of the members  
 312 appointed should have professional or occupational expertise in,  
 313 or be generally knowledgeable about, issues that relate to drug  
 314 enforcement and substance abuse programs and services. The  
 315 members appointed by the Governor must, to the extent possible,  
 316 equitably represent all geographic areas of the state.

317 Section 9. Paragraph (g) of subsection (2), paragraph (a)  
 318 of subsection (5), and paragraph (a) of subsection (6) of  
 319 section 943.031, Florida Statutes, are amended to read:

320 943.031 Florida Violent Crime and Drug Control Council.—

321 (2) MEMBERSHIP.—The council shall consist of 14 members,  
 322 as follows:

323 (g) The Policy Coordinator of the Public Safety Unit of  
 324 the Governor's Office of Planning and Budgeting ~~director of the~~  
 325 ~~Office of Drug Control within the Executive Office of the~~  
 326 ~~Governor~~, or a designate.

327  
 328 The Governor, when making appointments under this subsection,  
 329 must take into consideration representation by geography,  
 330 population, ethnicity, and other relevant factors to ensure that  
 331 the membership of the council is representative of the state at  
 332 large. Designates appearing on behalf of a council member who is  
 333 unable to attend a meeting of the council are empowered to vote  
 334 on issues before the council to the same extent the designating  
 335 council member is so empowered.

336 (5) DUTIES OF COUNCIL.—The council shall provide advice

337 and make recommendations, as necessary, to the executive  
 338 director of the department.

339 (a) The council may advise the executive director on the  
 340 feasibility of undertaking initiatives which include, but are  
 341 not limited to, the following:

342 1. Establishing a program which provides grants to  
 343 criminal justice agencies that develop and implement effective  
 344 violent crime prevention and investigative programs and which  
 345 provides grants to law enforcement agencies for the purpose of  
 346 drug control, criminal gang, and illicit money laundering  
 347 investigative efforts or task force efforts that are determined  
 348 by the council to significantly contribute to achieving the  
 349 state's goal of reducing drug-related crime ~~as articulated by~~  
 350 ~~the Office of Drug Control~~, that represent significant criminal  
 351 gang investigative efforts, that represent a significant illicit  
 352 money laundering investigative effort, or that otherwise  
 353 significantly support statewide strategies developed by the  
 354 Statewide Drug Policy Advisory Council established under s.  
 355 397.333, subject to the limitations provided in this section.  
 356 The grant program may include an innovations grant program to  
 357 provide startup funding for new initiatives by local and state  
 358 law enforcement agencies to combat violent crime or to implement  
 359 drug control, criminal gang, or illicit money laundering  
 360 investigative efforts or task force efforts by law enforcement  
 361 agencies, including, but not limited to, initiatives such as:

- 362 a. Providing enhanced community-oriented policing.
- 363 b. Providing additional undercover officers and other
- 364 investigative officers to assist with violent crime

365 investigations in emergency situations.

366 c. Providing funding for multiagency or statewide drug  
 367 control, criminal gang, or illicit money laundering  
 368 investigative efforts or task force efforts that cannot be  
 369 reasonably funded completely by alternative sources and that  
 370 significantly contribute to achieving the state's goal of  
 371 reducing drug-related crime ~~as articulated by the Office of Drug~~  
 372 ~~Control~~, that represent significant criminal gang investigative  
 373 efforts, that represent a significant illicit money laundering  
 374 investigative effort, or that otherwise significantly support  
 375 statewide strategies developed by the Statewide Drug Policy  
 376 Advisory Council established under s. 397.333.

377 2. Expanding the use of automated fingerprint  
 378 identification systems at the state and local level.

379 3. Identifying methods to prevent violent crime.

380 4. Identifying methods to enhance multiagency or statewide  
 381 drug control, criminal gang, or illicit money laundering  
 382 investigative efforts or task force efforts that significantly  
 383 contribute to achieving the state's goal of reducing drug-  
 384 related crime ~~as articulated by the Office of Drug Control~~, that  
 385 represent significant criminal gang investigative efforts, that  
 386 represent a significant illicit money laundering investigative  
 387 effort, or that otherwise significantly support statewide  
 388 strategies developed by the Statewide Drug Policy Advisory  
 389 Council established under s. 397.333.

390 5. Enhancing criminal justice training programs which  
 391 address violent crime, drug control, illicit money laundering  
 392 investigative techniques, or efforts to control and eliminate

393 criminal gangs.

394 6. Developing and promoting crime prevention services and  
 395 educational programs that serve the public, including, but not  
 396 limited to:

397 a. Enhanced victim and witness counseling services that  
 398 also provide crisis intervention, information referral,  
 399 transportation, and emergency financial assistance.

400 b. A well-publicized rewards program for the apprehension  
 401 and conviction of criminals who perpetrate violent crimes.

402 7. Enhancing information sharing and assistance in the  
 403 criminal justice community by expanding the use of community  
 404 partnerships and community policing programs. Such expansion may  
 405 include the use of civilian employees or volunteers to relieve  
 406 law enforcement officers of clerical work in order to enable the  
 407 officers to concentrate on street visibility within the  
 408 community.

409 (6) DRUG CONTROL STRATEGY AND CRIMINAL GANG COMMITTEE.—

410 (a) The Drug Control Strategy and Criminal Gang Committee  
 411 is created within the Florida Violent Crime and Drug Control  
 412 Council, consisting of the following council members:

413 1. The Attorney General or a designate.

414 2. The designate of the executive director of the  
 415 Department of Law Enforcement.

416 3. The secretary of the Department of Corrections or a  
 417 designate.

418 4. The Policy Coordinator of the Public Safety Unit of the  
 419 Governor's Office of Planning and Budgeting, ~~director of the~~  
 420 ~~Office of Drug Control within the Executive Office of the~~

PCB APC 11-06

ORIGINAL

2011

421 ~~Governor~~ or a designate.

422 5. The state attorney, the two sheriffs, and the two  
423 chiefs of police, or their designates.

424 Section 10. Paragraph (a) of subsection (1) of section  
425 943.042, Florida Statutes, is amended to read:

426 943.042 Violent Crime Investigative Emergency and Drug  
427 Control Strategy Implementation Account.—

428 (1) There is created a Violent Crime Investigative  
429 Emergency and Drug Control Strategy Implementation Account  
430 within the Department of Law Enforcement Operating Trust Fund.  
431 The account shall be used to provide emergency supplemental  
432 funds to:

433 (a) State and local law enforcement agencies which are  
434 involved in complex and lengthy violent crime investigations, or  
435 matching funding to multiagency or statewide drug control or  
436 illicit money laundering investigative efforts or task force  
437 efforts that significantly contribute to achieving the state's  
438 goal of reducing drug-related crime ~~as articulated by the Office~~  
439 ~~of Drug Control~~, that represent a significant illicit money  
440 laundering investigative effort, or that otherwise significantly  
441 support statewide strategies developed by the Statewide Drug  
442 Policy Advisory Council established under s. 397.333;

443 Section 11. This act shall take effect July 1, 2011.