



Bill No. SB 136

Amendment No. \_\_\_\_

- 1 ~~Labor and Employment Security~~ the Advisory Council for the  
2 Blind to assist the division in the planning and development  
3 of statewide rehabilitation programs and services, to  
4 recommend improvements to such programs and services, and to  
5 perform the functions listed in this section. The council  
6 shall be composed of:
- 7 1. At least one representative of the Independent  
8 Living Council, who may be the chairperson or the  
9 chairperson's designee;
  - 10 2. At least one representative of a parent training  
11 and information center established pursuant to s. 631(c)(9) of  
12 the Individuals with Disabilities Act, 20 U.S.C. s.  
13 1431(c)(9);
  - 14 3. At least one representative of the client  
15 assistance program established under the act;
  - 16 4. At least one vocational rehabilitation counselor  
17 who has knowledge of and experience in vocational  
18 rehabilitation services for the blind, who shall be an ex  
19 officio, nonvoting member of the council if he or she is an  
20 employee of the department;
  - 21 5. At least one representative of community  
22 rehabilitation program service providers;
  - 23 6. Four representatives of business, industry, and  
24 labor;
  - 25 7. At least one representative of a disability  
26 advocacy group representing individuals who are blind;
  - 27 8. At least one parent, family member, guardian,  
28 advocate, or authorized representative of an individual who is  
29 blind, has multiple disabilities, and either has difficulties  
30 representing himself or herself or is unable, due to  
31 disabilities, to represent himself or herself;

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1           9. Current or former applicants for or recipients of  
2 vocational rehabilitation services; and

3           10. The director of the division, who shall be an ex  
4 officio member.

5           (b) Members of the council shall be appointed by the  
6 Governor, who shall select members after soliciting  
7 recommendations from representatives of organizations that  
8 represent a broad range of individuals who have disabilities  
9 and from organizations that are interested in such  
10 individuals.

11           (c) A majority of council members must be blind and  
12 must not be employed by the Division of Blind Services.

13           (d) The council shall select a chairperson from among  
14 its members.

15           (e) Each member of the council shall be appointed to  
16 serve for a term of not more than 3 years, except that:

17           1. A member who is appointed to fill a vacancy that  
18 occurs before the expiration of the term for which the  
19 member's predecessor was appointed shall be appointed for the  
20 remainder of the predecessor's term, and

21           2. The terms of service of the members who are  
22 initially appointed shall be of such duration, as specified by  
23 the Governor, as will provide for the terms to be staggered.

24           (f) A member may not serve more than two consecutive  
25 full terms.

26           (g) A vacancy in the membership of the council must be  
27 filled in the same manner as the original appointment. A  
28 vacancy does not affect the power of the remaining members to  
29 execute the duties of the council.

30           (h) In addition to other functions specified in this  
31 section, the council shall:

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- 1           1. Review, analyze, and advise the division regarding  
2 the performance of the division's responsibilities under Title  
3 I of the act, especially the responsibilities relating to:  
4           a. Eligibility, including order of selection;  
5           b. The extent, scope, and effectiveness of services  
6 provided; and  
7           c. Functions performed by state agencies which affect  
8 or potentially affect the ability of individuals who are blind  
9 to achieve rehabilitation goals and objectives under Title I.  
10          2. Advise the department and the division, and, at the  
11 discretion of the department or division, assist in the  
12 preparation of applications, the state plan, the strategic  
13 plan, and amendments to the plans, reports, needs assessments,  
14 and evaluations required by Title I.  
15          3. To the extent feasible, conduct a review and  
16 analysis of the effectiveness of, and consumer satisfaction  
17 with:  
18           a. The functions performed by state agencies and other  
19 public and private entities that are responsible for  
20 performing functions for individuals who are blind.  
21           b. Vocational rehabilitation services that are:  
22           (I) Provided or paid for from funds made available  
23 under the act or through other public or private sources.  
24           (II) Provided by state agencies and other public and  
25 private entities responsible for providing vocational  
26 rehabilitation services to individuals who are blind.  
27          4. Prepare an annual report on the status of  
28 vocational rehabilitation services for the blind in this  
29 state, submit the report to the Governor and the Commissioner  
30 of the Rehabilitative Services Administration, which is  
31 established under s. 702 of the act, and make the report

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1 available to the public.

2 5. Coordinate with other councils within this state,  
3 including the Independent Living Council, the advisory panel  
4 established under s. 613(a)(12) of the Individuals with  
5 Disabilities Education Act, 20 U.S.C. 1413(a)(12), the State  
6 Planning Council described in s. 124 of the Developmental  
7 Disabilities Assistance and Bill of Rights Act, 42 U.S.C. s.  
8 6024, and the state mental-health planning council established  
9 under s. 1916(e) of the Public Health Service Act, 42 U.S.C.  
10 300x-4(e).

11 6. Advise the department and division and provide for  
12 coordination and the establishment of working relationships  
13 among the department, the division, the Independent Living  
14 Council, and centers for independent living in the state.

15 7. Perform such other functions consistent with the  
16 purposes of the act which the council determines to be  
17 appropriate and which are comparable to functions performed by  
18 the council.

19 (i) The council shall prepare, in conjunction with the  
20 division, a plan for providing such resources, including such  
21 staff and other personnel, as are necessary to carry out the  
22 functions of the council. The resource plan must, to the  
23 maximum extent possible, rely on the use of resources in  
24 existence during the period of implementation of the plan.

25 2. If there is a disagreement between the council and  
26 the division with respect to the resources necessary to carry  
27 out the functions of the council as set forth in this section,  
28 the Governor shall resolve the disagreement.

29 3. The council shall, consistent with law, supervise  
30 and evaluate such staff and other personnel as are necessary  
31 for carrying out its functions.

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1           4. While assisting the council in carrying out its  
2 duties, staff and other personnel may not be assigned, by the  
3 division or by any other state agency or office, to perform  
4 duties that would create a conflict of interest.

5           (j) A council member may not cast a vote on any matter  
6 if a favorable vote of the council on that matter would  
7 provide financial advantage to that member or if it appears  
8 that, under state law, the member has a conflict of interest  
9 in that matter.

10          (k) The council shall convene at least four meetings  
11 each year. These meetings must occur in such places as the  
12 council considers necessary for the conduct of council  
13 business. The council may conduct such forums or hearings as  
14 the council considers appropriate. The meetings, hearings, and  
15 forums must be publicly announced and must be open and  
16 accessible to the public unless there is a valid reason under  
17 s. 119.15 for an executive session. The council shall make a  
18 record of each meeting, which must include a record of its  
19 discussions and recommendations, and all such records must be  
20 made available to the public.

21          (l) The council may reimburse members for reasonable  
22 and necessary expenses of attending council meetings and  
23 performing council duties, including costs of child care and  
24 personal assistance services, as provided in and subject to s.  
25 112.061. The council may pay reasonable compensation to a  
26 member of the council, if the member is not employed or must  
27 forfeit wages from other employment, for each day the member  
28 is engaged in performing the duties of the council. The  
29 council shall be advisory to the director of the Division of  
30 Blind Services, and the division shall provide necessary staff  
31 assistance to the council. The council shall consist of nine

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1 ~~members appointed by the Secretary of Labor and Employment~~  
2 ~~Security. At least three members shall be blind persons.~~  
3 ~~Appointment shall be for terms of 4 years. No person or~~  
4 ~~persons in the employ of the state shall be eligible for~~  
5 ~~membership on the council. Each member of the council shall~~  
6 ~~have been a citizen and elector of this state for not less~~  
7 ~~than 5 years immediately preceding the date of his or her~~  
8 ~~appointment. Council members may be replaced because of poor~~  
9 ~~attendance or lack of participation in the work of the~~  
10 ~~council. A vacancy shall be filled for the remainder of the~~  
11 ~~unexpired term in the same manner as an initial appointment.~~  
12 ~~The members shall elect from among the membership a~~  
13 ~~chairperson and a vice chairperson who shall each serve for a~~  
14 ~~term of 1 year. No member shall be elected to consecutive~~  
15 ~~terms as chairperson. Members shall receive no compensation~~  
16 ~~for their services, but shall be reimbursed for travel~~  
17 ~~expenses as provided in s. 112.061. The council shall meet at~~  
18 ~~the call of its chairperson, at the request of a majority of~~  
19 ~~its membership, at the request of the division, or at such~~  
20 ~~times as may be prescribed by its rules.~~

21  
22 (Redesignate subsequent sections.)

23  
24  
25 ===== T I T L E    A M E N D M E N T =====

26 And the title is amended as follows:

27        On page 1, line 2, delete that line

28  
29 and insert:

30        An act relating to services for the blind;  
31        amending s. 413.011, F.S.; providing

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1 definitions; providing the composition of the  
2 council; providing for appointments to the  
3 council; providing for terms of council  
4 members; providing functions of the council;  
5 providing for a plan of resources; providing  
6 for staff; providing for forums and hearings;  
7 providing for open meetings, with exceptions as  
8 specified; providing for the reimbursement of  
9 members' expenses; providing for the  
10 compensation of members, in specified  
11 circumstances;

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