

By the Council for Lifelong Learning and Committee on Workforce & Technical Skills and Representatives McGriff, Murman, Greenstein and Lynn

1 A bill to be entitled
2 An act relating to services for persons who
3 have disabilities; amending ss. 20.15, 20.171,
4 229.003, 229.004, and 229.0073, F.S.;
5 conforming organizational provisions to the
6 transfer of the Division of Vocational
7 Rehabilitation and the Division of Blind
8 Services from the Department of Labor and
9 Employment Security to the Department of
10 Education; providing for establishment and
11 oversight of the divisions within the
12 reorganized state education system; amending s.
13 413.20, F.S.; revising definitions under pt. II
14 of ch. 413, F.S., relating to vocational
15 rehabilitation programs; creating s. 413.201,
16 F.S.; providing that the Department of
17 Education is the designated state agency for
18 implementing federal vocational rehabilitation
19 requirements; creating s. 413.202, F.S.;
20 providing that the Division of Vocational
21 Rehabilitation is the designated administrative
22 unit for such implementation; creating s.
23 413.203, F.S.; providing legislative intent and
24 procedure with respect to conflicting laws;
25 creating s. 413.206, F.S.; requiring the
26 Division of Vocational Rehabilitation to
27 develop a 5-year plan relating to general
28 vocational rehabilitation programs; providing
29 requirements for the contents of the plan;
30 requiring annual reports; creating s. 413.207,
31 F.S.; providing quality assurance and

1 performance requirements for the Division of
2 Vocational Rehabilitation; creating s. 413.208,
3 F.S.; providing for service providers' quality
4 assurance and fitness for their
5 responsibilities; amending s. 413.23, F.S.;
6 revising provisions relating to the federally
7 required state plan for administration of
8 vocational rehabilitation services; amending s.
9 413.395, F.S.; clarifying reporting
10 requirements of the Florida Independent Living
11 Council; revising references to conform to
12 changes made by the act; amending s. 413.405,
13 F.S.; renaming the Rehabilitation Advisory
14 Council as the Florida Rehabilitation Council;
15 revising council membership and duties;
16 requiring the council to submit reports to the
17 Governor, Legislature, and United States
18 Secretary of Education; amending ss. 11.45,
19 90.6063, 215.311, 394.75, 395.404, 410.0245,
20 410.604, 413.034, 413.051, 413.064, 413.066,
21 413.067, 413.091, 413.092, 413.401, 413.445,
22 413.615, and 944.012, F.S.; revising language
23 and references to conform to changes made by
24 the act; requiring the Office of Program Policy
25 Analysis and Government Accountability to
26 conduct a review of the progress of the
27 Division of Vocational Rehabilitation and to
28 prepare a report; repealing pt. III of ch. 413,
29 F.S., and s. 445.024(8), F.S., relating to
30 creation and duties of the Occupational Access
31

1 and Opportunity Commission; providing an
2 effective date.

3

4 Be It Enacted by the Legislature of the State of Florida:

5

6 Section 1. Subsection (3) of section 20.15, Florida
7 Statutes, is amended to read:

8 20.15 Department of Education.--There is created a
9 Department of Education.

10 (3) DIVISIONS.--The following divisions of the
11 Department of Education are established:

12 (a) Division of Community Colleges.

13 (b) Division of Public Schools and Community
14 Education.

15 (c) Division of Universities.

16 (d) Division of Workforce Development.

17 (e) Division of Professional Educators.

18 (f) Division of Administration.

19 (g) Division of Financial Services.

20 (h) Division of Support Services.

21 (i) Division of Technology.

22 (j) Division of Blind Services.

23 (k) Division of Vocational Rehabilitation.

24 Section 2. Paragraph (b) of subsection (4) and
25 paragraph (c) of subsection (5) of section 20.171, Florida
26 Statutes, are amended to read:

27 20.171 Department of Labor and Employment
28 Security.--There is created a Department of Labor and
29 Employment Security. The department shall operate its programs
30 in a decentralized fashion.

31 (4)

1 (b) The assistant secretary is responsible for
2 developing, monitoring, and enforcing policy and managing
3 major technical programs and supervising the Bureau of Appeals
4 of the Division of Unemployment Compensation. The
5 responsibilities and duties of the position include, but are
6 not limited to, the following functional areas:

7 1. Workers' compensation management and policy
8 implementation.

9 2. Unemployment compensation management and policy
10 implementation.

11 ~~3. Blind services management and policy~~
12 ~~implementation.~~

13 3.4. Oversight of the five field offices and any local
14 offices.

15 (5) The following divisions are established and shall
16 be headed by division directors who shall be supervised by and
17 shall be responsible to the Assistant Secretary for Programs
18 and Operations:

19 ~~(c) Division of Vocational Rehabilitation.~~

20 Section 3. Paragraph (i) of subsection (5) of section
21 229.003, Florida Statutes, is amended to read:

22 229.003 Florida education governance reorganization.--

23 (5) Effective July 1, 2001:

24 (i) Notwithstanding the provisions of s. 20.15, the
25 Commissioner of Education and the Secretary of the Florida
26 Board of Education shall work together to commence the
27 reorganization of the Department of Education in accordance
28 with s. 229.0073, which shall include an Office of the
29 Commissioner of Education comprised of the general areas of
30 operation that are common to all delivery sectors and, in
31 addition, shall include:

1 1. The creation of an Office of Technology and
2 Information Services, an Office of Workforce and Economic
3 Development, an Office of Educational Facilities and SMART
4 Schools Clearinghouse, and an Office of Student Financial
5 Assistance.

6 2. The creation of a Division of Colleges and
7 Universities.

8 3. The creation of a Division of Community Colleges.

9 4. The creation of a Division of Public Schools.

10 5. The creation of a Division of Independent
11 Education.

12 6. The creation of a Division of Vocational
13 Rehabilitation.

14 7. The creation of a Division of Blind Services.

15 ~~8.6.~~ The merger of the powers, duties, and staffs of
16 the State Board of Independent Colleges and Universities and
17 the State Board of Nonpublic Career Education, except as
18 relating to any independent nonprofit college or university
19 whose students are eligible to receive the William L. Boyd,
20 IV, Florida resident access grants pursuant to s. 240.605,
21 into a single Commission for Independent Education
22 administratively housed within the Division of Independent
23 Education.

24 Section 4. Paragraphs (e) and (f) are added to
25 subsection (4) of section 229.004, Florida Statutes, to read:

26 229.004 Florida Board of Education.--

27 (4) The board, through its secretary, with the
28 Commissioner of Education, shall be responsible for:

29 (e) The work of the director of the Division of
30 Vocational Rehabilitation to establish and maintain optimal
31 efficiency of a Division of Vocational Rehabilitation within

1 the guidelines of s. 229.0073 and part II of chapter 413 and
2 to achieve the mission and goals of part II of chapter 413.

3 (f) The work of the director of the Division of Blind
4 Services to establish and maintain optimal efficiency of a
5 Division of Blind Services within the guidelines of s.
6 229.0073 and part I of chapter 413 and to achieve the mission
7 and goals of part I of chapter 413.

8 Section 5. Paragraphs (e) and (f) are added to
9 subsection (4) of section 229.0073, Florida Statutes, to read:

10 229.0073 Reorganization of the Department of
11 Education.--Effective July 1, 2001, notwithstanding the
12 provisions of s. 20.15, the secretary's Education
13 Reorganization Workgroup is established to direct and provide
14 oversight for the reorganization of Florida's K-20 Department
15 of Education. The workgroup shall be comprised of the
16 Secretary of the Florida Board of Education, the Commissioner
17 of Education, the Governor or his designee, the Chancellor of
18 Colleges and Universities, the Chancellor of Community
19 Colleges, the Chancellor of Public Schools, and the Executive
20 Director of Independent Education, who shall consult with the
21 legislative members of the Education Governance Reorganization
22 Transition Task Force. The reorganization shall:

23 (4) Establish the following divisions within the
24 department:

25 (e) Division of Vocational Rehabilitation.--The
26 designated administrative unit for the state's vocational
27 rehabilitation program.

28 (f) Division of Blind Services.--The designated
29 administrative unit for services to blind persons.

30 Section 6. Section 413.20, Florida Statutes, is
31 amended to read:

1 413.20 Definitions.--As used in this part, the term:

2 (1) "Act" means the Rehabilitation Act of 1973, as
3 amended.

4 (2) "Activity of daily living" means an activity
5 required on a frequent basis that permits an individual to
6 secure or maintain independence. Such activities include, but
7 are not limited to, personal home care, transportation,
8 personal assistance services, housekeeping, shopping,
9 attending school, communication, and employment.

10 (3) "Assessment for determining eligibility and
11 vocational rehabilitation needs" means a review of existing
12 data to determine whether an individual is eligible for
13 vocational rehabilitation services and to assign the priority,
14 and, to the extent additional data is necessary to make such
15 determination and assignment, a preliminary assessment of such
16 data, including the provision of goods and services during
17 such assessment. If additional data is necessary, the division
18 must make a comprehensive assessment of the unique strengths,
19 resources, priorities, concerns, abilities, capabilities,
20 interests, and informed choice needs, including the need for
21 supported employment, of an eligible individual to make a
22 determination of the goals, objectives, nature, and scope of
23 vocational rehabilitation services to be included in the
24 individualized plan for employment ~~written rehabilitation~~
25 ~~program of the individual.~~

26 (4) "Center for independent living" means a
27 consumer-controlled, community-based, cross-disability,
28 nonresidential, private, nonprofit organization designed and
29 operated within a local community by persons who have
30 disabilities to provide an array of independent living
31 services.

1 (5) "Community rehabilitation program" means a program
2 that provides directly or facilitates the provision of one or
3 more services to persons who have disabilities to enable them
4 to maximize their opportunities for employment, including
5 career advancement.

6 ~~(6)(5)~~ "Department" means the Department of Education
7 ~~Labor and Employment Security.~~

8 ~~(7)(6)~~ "Disability" means a physical or mental
9 impairment that constitutes or results in a substantial
10 impediment to employment.

11 ~~(8)(7)~~ "Division" means the Division of Vocational
12 Rehabilitation of the Department of Education ~~Labor and~~
13 ~~Employment Security.~~

14 ~~(8) "Emergency medical evacuation system" means a~~
15 ~~division approved transportation system that provides timely~~
16 ~~skilled emergency care and movement of persons believed to~~
17 ~~have suffered brain or spinal cord injuries.~~

18 (9) "Employment outcome" means, with respect to an
19 individual, entering or retaining full-time or, if
20 appropriate, part-time competitive employment in the
21 integrated labor market to the greatest extent practicable,
22 supported employment, or any other type of employment,
23 including self-employment, telecommuting, or business
24 ownership, that is consistent with an individual's strengths,
25 resources, priorities, concerns, abilities, capabilities,
26 interests, and informed choice ~~or satisfying any other~~
27 ~~vocational outcome the secretary may determine to be~~
28 ~~consistent with the act.~~

29 (10) "Extended services" means one or more ongoing
30 support services and other appropriate services needed to
31 support and maintain a person who has a most significant

1 ~~severe~~ disability in supported employment and to assist an
2 eligible person in maintaining integrated and competitive
3 employment. Extended services are based upon a determination
4 of the needs of the eligible person as specified in the
5 person's individualized plan for employment ~~written~~
6 ~~rehabilitation program~~ and are provided by a state agency, a
7 nonprofit private organization, an employer, or any other
8 appropriate resource after the person has made the transition
9 from support provided by the department.

10 (11) "Independent living core services" means
11 informational and referral services; independent living skills
12 training; peer counseling, including cross-disability peer
13 counseling; and individual and systems advocacy.

14 (12) "Independent living services" means any
15 appropriate rehabilitation service that will enhance the
16 ability of a person who has a severe disability to live
17 independently, to function within her or his family and
18 community and, if appropriate, to secure and maintain
19 employment. Services may include, but are not limited to,
20 psychological counseling and psychotherapeutic counseling;
21 independent living care services; community education and
22 related services; housing assistance; physical and mental
23 restoration; personal attendant care; transportation; personal
24 assistance services; interpretive services for persons who are
25 deaf; recreational activities; services to family members of
26 persons who have severe disabilities; vocational and other
27 training services; telecommunications services; sensory and
28 other technological aids and devices; appropriate preventive
29 services to decrease the needs of persons assisted under the
30 program; and other rehabilitation services appropriate for the
31

1 independent living needs of a person who has a severe
2 disability.

3 (13) "Limiting disability" means a physical condition
4 that constitutes, contributes to, or, if not corrected, will
5 result in an impairment of one or more activities of daily
6 living but does not result in an individual qualifying as a
7 person who has a disability.

8 (14) "Occupational license" means any license, permit,
9 or other written authority required by any governmental unit
10 to be obtained in order to engage in an occupation.

11 (15) "Ongoing support services" means services
12 provided at a twice-monthly minimum to persons who have a most
13 significant disability ~~severe disabilities~~, to:

14 (a) Make an assessment regarding the employment
15 situation at the worksite of each individual in supported
16 employment or, under special circumstances at the request of
17 the individual, offsite.

18 (b) Based upon the assessment, provide for the
19 coordination or provision of specific intensive services, at
20 or away from the worksite, that are needed to maintain the
21 individual's employment stability.

22
23 The ongoing support services may consist of, but are not
24 limited to, the provision of skilled job trainers who
25 accompany the individual for intensive job-skill training at
26 the worksite, job development and placement, social skills
27 training, followup services, and facilitation of natural
28 supports at the worksite.

29 (16) "Person who has a disability" means an individual
30 who has a physical or mental impairment that, for the
31 individual, constitutes or results in a substantial impediment

1 to employment and who can therefore benefit in terms of an
2 employment outcome from vocational rehabilitation services.
3 The term encompasses the terms "person who has a significant
4 disability" and ~~term~~ "person who has a most significant ~~severe~~
5 disability."

6 (17) "Person who has a significant ~~severe~~ disability"
7 means an individual who has a disability that is a severe
8 physical or mental impairment that seriously limits one or
9 more functional capacities, such as mobility, communication,
10 self-care, self-direction, interpersonal skills, work
11 tolerance, or work skills, in terms of an employment outcome;
12 whose vocational rehabilitation may be expected to require
13 multiple vocational rehabilitation services over an extended
14 period of time; and who has one or more physical or mental
15 disabilities resulting from amputation, arthritis, autism,
16 blindness, burn injury, cancer, cerebral palsy, cystic
17 fibrosis, deafness, head injury, heart disease, hemiplegia,
18 hemophilia, respiratory or pulmonary dysfunction, mental
19 retardation, mental illness, multiple sclerosis, muscular
20 dystrophy, musculoskeletal disorder, neurological disorder,
21 including stroke and epilepsy, paraplegia, quadriplegia, or
22 other spinal cord condition, sickle-cell anemia, specific
23 learning disability, end-stage renal disease, or another
24 disability or a combination of disabilities that is
25 determined, after an assessment for determining eligibility
26 and vocational rehabilitation needs, to cause comparable
27 substantial functional limitation.

28 (18) "Person who has a most significant disability"
29 means a person who has a significant disability who meets the
30 designated administrative unit's criteria for a person who has
31 a most significant disability.

1 (19)~~(18)~~ "Personal assistance services" means a range
2 of services, provided by one or more persons, designed to
3 assist a person who has a disability to perform daily living
4 activities on or off the job that the individual would
5 typically perform if the individual did not have a disability.
6 Such services shall be designed to increase the individual's
7 control in life and ability to perform everyday activities on
8 or off the job.

9 (20)~~(19)~~ "Physical and mental restoration" means any
10 medical, surgical, or therapeutic treatment necessary to
11 correct or substantially modify a physical or mental condition
12 that is stable or slowly progressive and constitutes an
13 impediment to employment, but is of such nature that the
14 treatment can ~~such correction or modification may~~ reasonably
15 be expected to correct or modify ~~eliminate or reduce~~ such
16 impediment to employment within a reasonable length of time,
17 including, but not limited to, medical, psychiatric, dental,
18 and surgical treatment, nursing services, hospital care in
19 connection with surgery or treatment, convalescent home care,
20 drugs, medical and surgical supplies, and prosthetic and
21 orthotic devices.

22 (21) "Program" means an agency, organization, or
23 institution, or a unit of an agency, organization, or
24 institution, that provides directly or facilitates the
25 provision of vocational rehabilitation services as one of its
26 major functions.

27 (22)~~(20)~~ "Rehabilitation" means those events and
28 processes occurring after injury and progressing to ultimate
29 stabilization and maximum possible recovery.

30 ~~(21)~~ "~~Rehabilitation center~~" ~~means a division-approved~~
31 ~~facility providing intermediate care that stresses~~

1 ~~rehabilitation for persons who have brain or spinal cord~~
2 ~~injuries.~~

3 (23)~~(22)~~ "Rehabilitation service" means any service,
4 provided directly or indirectly through public or private
5 agencies, found by the division to be necessary to enable a
6 person who has a limiting disability to engage in competitive
7 employment.

8 (24)~~(23)~~ "Rules" means rules adopted ~~made~~ by the
9 department ~~and promulgated~~ in the manner prescribed by law.

10 ~~(24)~~ "Secretary" means ~~the secretary of the Department~~
11 ~~of Labor and Employment Security.~~

12 (25) "State plan" means the state plan approved by the
13 Federal Government as qualifying for federal funds under the
14 Rehabilitation Act of 1973, as amended. However, the term
15 "state plan," as used in ss. 413.39-413.401, means the State
16 Plan for Independent Living Rehabilitative Services under
17 Title VII(A) of the Rehabilitation Act of 1973, as amended.

18 (26) "Supported employment" means competitive work in
19 integrated working settings for persons who have severe
20 disabilities and for whom competitive employment has not
21 traditionally occurred or for whom competitive employment has
22 been interrupted or is intermittent as a result of a severe
23 disability. Persons who have severe disabilities requiring
24 supported employment need intensive supported employment
25 services or extended services in order to perform such work.

26 (27) "Supported employment services" means ongoing
27 support services and other appropriate services needed to
28 support and maintain a person who has a severe disability in
29 supported employment. Supported employment services are based
30 upon a determination of the needs of the eligible individual
31 as specified in the person's individualized written

1 rehabilitation program. The services are provided singly or in
2 combination and are organized and made available in such a way
3 as to assist eligible individuals in entering or maintaining
4 integrated, competitive employment. The services are provided
5 for a period of time not to extend beyond 18 months, but can
6 be extended under special circumstances with the consent of
7 the individual to achieve the objectives of the rehabilitation
8 plan.

9 (28) "Third-party coverage" means any claim for, right
10 to receive payment for or any coverage for, the payment of any
11 vocational rehabilitation and related services.

12 (29) "Third-party payment" means any and all payments
13 received or due as a result of any third-party coverage.

14 (30) "Transition services" means a coordinated set of
15 activities for a student, designed within an outcome-oriented
16 process, that promote movement from school to postschool
17 activities, including postsecondary education; vocational
18 training; integrated employment; including supported
19 employment; continuing and adult education; adult services;
20 independent living; or community participation. The
21 coordinated set of activities must be based upon the
22 individual student's needs, taking into account the student's
23 preferences and interests, and must include instruction,
24 community experiences, the development of employment and other
25 postschool adult living objectives, and, when appropriate,
26 acquisition of daily living skills and functional vocational
27 evaluation.

28 (31) "Transitional living facility" means a
29 state-approved facility as defined and licensed pursuant to
30 chapter 400 and division-approved in accord with this part.

31

1 ~~(32) "Trauma center" means a state approved acute care~~
2 ~~facility that provides diagnosis and treatment of persons who~~
3 ~~have brain or spinal cord injuries.~~

4 ~~(33) "Traumatic injury" means:~~

5 ~~(a) A lesion to the spinal cord or cauda equina with~~
6 ~~evidence of significant involvement of two of the following~~
7 ~~deficits or dysfunctions:~~

8 ~~1. Motor deficit.~~

9 ~~2. Sensory deficit.~~

10 ~~3. Bowel and bladder dysfunction; or~~

11 ~~(b) An insult to the skull, brain, or its covering,~~
12 ~~resulting from external trauma which produces an altered state~~
13 ~~of consciousness or anatomic motor, sensory, cognitive, or~~
14 ~~behavioral deficits.~~

15 (32)~~(34)~~ "Vocational rehabilitation" and "vocational
16 rehabilitation services" mean any service, provided directly
17 or through public or private instrumentalities, to enable an
18 individual or group of individuals to achieve an employment
19 outcome, including, but not limited to, medical and vocational
20 diagnosis, an assessment for determining eligibility and
21 vocational rehabilitation needs by qualified personnel;
22 counseling, guidance, and work-related placement services;
23 vocational and other training services; physical and mental
24 restoration services; maintenance for additional costs
25 incurred while participating in rehabilitation; interpreter
26 services for individuals who are deaf; recruitment and
27 training services to provide new employment opportunities in
28 the fields of rehabilitation, health, welfare, public safety,
29 law enforcement, and other appropriate service employment;
30 occupational licenses; tools, equipment, and initial stocks
31 and supplies; transportation; telecommunications, sensory, and

1 other technological aids and devices; rehabilitation
2 technology services; referral services designed to secure
3 needed services from other agencies; transition services;
4 on-the-job or other related personal assistance services; and
5 supported employment services.

6 ~~(33)(35)~~ "Vocational rehabilitation and related
7 services" means any services that are provided or paid for by
8 the division.

9 Section 7. Section 413.201, Florida Statutes, is
10 created to read:

11 413.201 Designated state agency.--Effective on the
12 effective date of this act, for the purposes of effecting
13 compliance with the Vocational Rehabilitation Act of 1973, as
14 amended, the Department of Education is designated the
15 official state agency.

16 Section 8. Section 413.202, Florida Statutes, is
17 created to read:

18 413.202 Designated administrative unit.--Effective on
19 the effective date of this act, for the purposes of effecting
20 compliance with the Vocational Rehabilitation Act of 1973, as
21 amended, the Division of Vocational Rehabilitation is
22 designated as the administrative unit.

23 Section 9. Section 413.203, Florida Statutes, is
24 created to read:

25 413.203 Conflict of laws.--It is the intent of the
26 Legislature that the provisions of this part not conflict with
27 any federal statute or implementing regulation governing
28 federal grant-in-aid programs administered by the Division of
29 Vocational Rehabilitation. Wherever such a conflict is
30 asserted by the applicable agency of the Federal Government,
31 the Department of Education shall submit to the United States

1 Department of Education, or other applicable federal agency, a
2 request for a favorable policy interpretation of the
3 conflicting portions.

4 Section 10. Section 413.206, Florida Statutes, is
5 created to read:

6 413.206 Five-year plan.--The division shall, by
7 October 1, 2002, after identifying specific weaknesses in
8 service capacity and program performance and after consulting
9 with stakeholders, develop a 5-year plan that prioritizes any
10 additional initiatives for the provision of vocational
11 rehabilitation services, including privatization, according to
12 identified needs, and details the steps needed to effectively
13 implement those initiatives, consistent with federal
14 requirements. The plan shall provide that the division, to the
15 extent that it is cost-efficient and cost-effective and
16 increases employment outcomes for persons who have
17 disabilities, enter into local agreements or contracts with
18 community-based rehabilitation providers to be the service
19 providers for the vocational rehabilitation program, except
20 for those services and activities that are federally required.
21 The plan must ensure the full involvement of persons who have
22 disabilities in the comprehensive workforce development
23 system. The plan shall be submitted to the Governor, the
24 President of the Senate, and the Speaker of the House of
25 Representatives.

26 (1) The plan shall:

27 (a) Promote innovative contracts that upgrade or
28 enhance direct services to persons who have a disability.
29 Contracts shall be evaluated with respect to need and cost and
30 shall be performance-based.

31

1 (b) Include recommendations regarding specific
2 performance standards and measurable outcomes and shall
3 outline procedures for monitoring the implementation of the
4 plan. The division shall annually report to the Governor, the
5 President of the Senate, and the Speaker of the House of
6 Representatives the progress that has been made toward
7 achieving the objectives set forth in the plan.

8 (2) The division shall work with the employer
9 community to assist that community to better define, address,
10 and meet its business needs by employing qualified persons who
11 have a disability.

12 Section 11. Section 413.207, Florida Statutes, is
13 created to read:

14 413.207 Division of Vocational Rehabilitation; quality
15 assurance.--The Division of Vocational Rehabilitation shall
16 maintain an internal system of quality assurance, have proven
17 functional systems, perform due diligence, review provider
18 systems of quality assurance, and be subject to monitoring for
19 compliance with state and federal laws, rules, and
20 regulations.

21 Section 12. Section 413.208, Florida Statutes, is
22 created to read:

23 413.208 Service providers; quality assurance and
24 fitness for responsibilities.--The Division of Vocational
25 Rehabilitation shall certify providers of direct service and
26 ensure that they maintain an internal system of quality
27 assurance, have proven functional systems, and are subject to
28 a due-diligence inquiry as to their fitness to undertake
29 service responsibilities, regardless of whether a contract for
30 services is procured competitively or noncompetitively.

31

1 Section 13. Subsection (4) of section 413.23, Florida
2 Statutes, is amended to read:

3 413.23 Administration.--The division shall provide
4 vocational rehabilitation services to persons who have
5 disabilities determined to be eligible therefor and, in
6 carrying out the purposes of this part, is authorized, among
7 other things:

8 (4) To prepare a federally required state plan for
9 vocational rehabilitation, as required by the act. The state
10 plan must contain all of the elements required by s. 101 of
11 the act, including an assessment of the needs of persons who
12 have disabilities and how those needs may be most effectively
13 met. The division is authorized to make amendments to the
14 state plan considered necessary to maintain compliance with
15 the act and to implement such changes in order to qualify for
16 and maintain federal funding.After completion of the state
17 plan or making amendments to the state plan, the division must
18 distribute copies of the state plan to the Governor, the
19 President of the Senate,~~and~~ the Speaker of the House of
20 Representatives, and the United States Secretary of Education.

21 Section 14. Subsections (1) and (9) and paragraphs (c)
22 and (e) of subsection (11) of section 413.395, Florida
23 Statutes, are amended to read:

24 413.395 Florida Independent Living Council.--

25 (1) There is created the Florida Independent Living
26 Council to assist the division and the Division of Blind
27 Services of the Department of Education ~~Labor and Employment~~
28 ~~Security~~, as well as other state agencies and local planning
29 and administrative entities assisted under Title VII of the
30 act, in the expansion and development of statewide independent
31 living policies, programs, and concepts and to recommend

1 improvements for such programs and services. The council shall
2 function independently of the division and, unless the council
3 elects to incorporate as a not-for-profit corporation, is
4 assigned to the division for administrative purposes only. The
5 council may elect to be incorporated as a Florida corporation
6 not for profit and, upon such election, shall be assisted in
7 the incorporation by the division for the purposes stated in
8 this section. The appointed members of the council may
9 constitute the board of directors for the corporation.

10 (9) The chairperson of the council shall also serve as
11 a member of the Florida Rehabilitation ~~Advisory~~ Council.

12 (11) The council shall:

13 (c) Coordinate activities with the Florida
14 Rehabilitation ~~Advisory~~ Council and other councils that
15 address the needs of specific disability populations and
16 issues under other federal law.

17 (e) Submit to the Commissioner of the Federal
18 Rehabilitation Administration Services such periodic reports
19 as the commissioner may reasonably request and keep such
20 records, and afford access to such records, as the
21 commissioner finds necessary to verify such reports.

22 Section 15. Section 413.401, Florida Statutes, is
23 amended to read:

24 413.401 Eligibility for independent living
25 services.--Independent living services may be provided to any
26 person who has a significant ~~severe~~ disability and for whom a
27 reasonable expectation exists that independent living services
28 will significantly assist the individual to improve her or his
29 ability to function independently within the family or
30 community, or to engage in or continue in employment, and to
31 be able to function independently.

1 Section 16. Section 413.405, Florida Statutes, is
2 amended to read:

3 413.405 Florida Rehabilitation ~~Advisory~~
4 Council.--There is created the Florida Rehabilitation ~~Advisory~~
5 Council to assist the division in the planning and development
6 of statewide rehabilitation programs and services, to
7 recommend improvements to such programs and services, and to
8 perform the functions listed in this section.

9 (1) The council shall be composed of:

10 (a) At least one representative of the Independent
11 Living Council, which representative may be the chairperson or
12 other designee of the council.

13 (b) At least one representative of a parent training
14 and information center established pursuant to s. 631(c)(9) of
15 the Individuals with Disabilities Act, 20 U.S.C. s.
16 1431(c)(9).

17 (c) At least one representative of the client
18 assistance program established under s. 112 of the act.

19 (d) At least one vocational rehabilitation counselor
20 who has knowledge of and experience in vocational
21 rehabilitation services, who shall serve as an ex officio,
22 nonvoting member of the council if the counselor is an
23 employee of the department.

24 (e) At least one representative of community
25 rehabilitation program service providers.

26 (f) At least four representatives of business,
27 industry, and labor.

28 (g) Representatives of disability advocacy groups
29 representing a cross-section of:

30 1. Persons who have physical, cognitive, sensory, or
31 mental disabilities.

1 2. Parents, family members, guardians, advocates, or
2 authorized representatives of persons who have disabilities
3 and who find it difficult to or are unable due to their
4 disabilities to represent themselves.

5 (h) Current or former applicants for, or recipients
6 of, vocational rehabilitation services.

7 (i) The director of the division, who shall be an ex
8 officio member of the council.

9 (j) At least one representative of the state
10 educational agency responsible for the public education of
11 students who have a disability and who are eligible to receive
12 vocational rehabilitation services and services under the
13 Individuals with Disabilities Education Act.

14 (k) At least one representative of the board of
15 directors of Workforce Florida, Inc.

16 (2) Other persons who have disabilities,
17 representatives of state and local government, employers,
18 community organizations, and members of the former
19 Occupational Access and Opportunity Commission may be
20 considered for council membership.

21 ~~(3)~~(2) Total membership on the council, excluding
22 including ex officio members, shall be no fewer than 15 and no
23 more than 25 ~~not exceed 19~~ at any one time.

24 ~~(4)~~(3) Members of the council shall be appointed by
25 the Governor, who shall select members after soliciting
26 recommendations from representatives of organizations
27 representing a broad range of individuals who have
28 disabilities and organizations interested in those
29 individuals. In selecting members, the extent to which
30 minority populations are represented must be considered to the
31 greatest extent practicable.

1 ~~(5)(4)~~ A majority of council members shall be persons
2 who are:

3 (a) Individuals who have a physical or mental
4 impairment that substantially limits one or more of the
5 person's major life activities; who have a record of such an
6 impairment; or who are regarded as having such an impairment
7 ~~disabilities described in s. 7(8)(B) of the act.~~

8 (b) Not employed by the division.

9 ~~(6)(5)~~ The council shall select a chairperson from
10 among the membership of the council.

11 ~~(7)(6)~~ Each member of the council shall serve for a
12 term of not more than 3 years, except that:

13 (a) A member appointed to fill a vacancy occurring
14 prior to the expiration of the term for which a predecessor
15 was appointed shall be appointed for the remainder of such
16 term.

17 (b) The terms of service of the members initially
18 appointed shall be, as specified by the Governor, for such
19 fewer number of years as will provide for the expiration of
20 terms on a staggered basis.

21
22 No member of the council may serve more than two consecutive
23 full terms.

24 ~~(8)(7)~~ Any vacancy occurring in the membership of the
25 council shall be filled in the same manner as the original
26 appointment. A vacancy does not affect the power of the
27 remaining members to execute the duties of the council.

28 ~~(9)(8)~~ In addition to the other functions specified in
29 this section, the council shall, after consulting with the
30 board of directors of Workforce Florida, Inc.:

31

- 1 (a) Review, analyze, and advise the division regarding
2 the performance of the responsibilities of the division under
3 Title I of the act, particularly responsibilities relating to:
4 1. Eligibility, including order of selection.
5 2. The extent, scope, and effectiveness of services
6 provided.
7 3. Functions performed by state agencies that affect
8 or potentially affect the ability of individuals who have
9 disabilities to achieve rehabilitation goals and objectives
10 under Title I.
- 11 (b) In partnership with the division:
12 1. Develop, agree to, and review state goals and
13 priorities in accordance with 34 C.F.R. 361.29(c); and
14 2. Evaluate the effectiveness of the vocational
15 rehabilitation program and submit reports of progress to the
16 Governor, the President of the Senate, the Speaker of the
17 House of Representatives, and the United States Secretary of
18 Education in accordance with 34 C.F.R. 361.29(e).
- 19 ~~(c)(b)~~ Advise the department and the division and, ~~at~~
20 ~~the discretion of the department or division,~~ assist in the
21 preparation of ~~applications,~~ the state plan ~~the strategic~~
22 ~~plan,~~ and amendments to the plan plans, applications, reports,
23 needs assessments, and evaluations required by Title I.
- 24 ~~(d)(c)~~ To the extent feasible, conduct a review and
25 analysis of the effectiveness of, and consumer satisfaction
26 with:
27 1. The functions performed by state agencies and other
28 public and private entities responsible for performing
29 functions for individuals who have disabilities.
30 2. Vocational rehabilitation services:
31

1 a. Provided or paid for from funds made available
2 under the act or through other public or private sources.

3 b. Provided by state agencies and other public and
4 private entities responsible for providing vocational
5 rehabilitation services to individuals who have disabilities.

6 (e)~~(d)~~ Prepare and submit an annual report on the
7 status of vocational rehabilitation services in the state to
8 the Governor, the President of the Senate, the Speaker of the
9 House of Representatives, and the United States Secretary of
10 Education and the Commissioner of the Rehabilitative Services
11 Administration, established under s. 702 of the act, and make
12 the report available to the public.

13 (f)~~(e)~~ Coordinate with other councils within Florida,
14 including the Independent Living Council, the advisory panel
15 established under s. 613(a)(12) of the Individuals with
16 Disabilities Education Act, 20 U.S.C. s. 1413(a)(12), the
17 State Planning Council described in s. 124 of the
18 Developmental Disabilities Assistance and Bill of Rights Act,
19 42 U.S.C. s. 6024, ~~and~~ the state mental health planning
20 council established under s. 1916(e) of the Public Health
21 Service Act, 42 U.S.C. s. 300x-4(e), and the board of
22 directors of Workforce Florida, Inc.

23 (g)~~(f)~~ Advise the department and division and provide
24 for coordination and the establishment of working
25 relationships among the department, the division, the
26 Independent Living Council, and centers for independent living
27 in the state.

28 (h)~~(g)~~ Perform such other functions as the council
29 determines to be appropriate that are comparable to functions
30 performed by the council.

31

1 (10)~~(9)~~(a) The council shall prepare, in conjunction
2 with the division, a plan for the provision of such resources,
3 including at least four staff persons, as may be necessary to
4 carry out the functions of the council. The resource plan
5 shall, to the maximum extent possible, rely on the use of
6 resources in existence during the period of implementation of
7 the plan.

8 (b) If there is a disagreement between the council and
9 the division in regard to the resources necessary to carry out
10 the functions of the council as set forth in this section, the
11 disagreement shall be resolved by the Governor.

12 (c) The council shall, consistent with law, supervise
13 and evaluate such staff and other personnel as may be
14 necessary to carry out its functions.

15 (d) While assisting the council in carrying out its
16 duties, staff and other personnel shall not be assigned duties
17 by the division or any other state agency or office that would
18 create a conflict of interest.

19 (11)~~(10)~~ The council shall convene at least four
20 meetings each year. These meetings shall occur in such places
21 as the council deems necessary to conduct council business.
22 The council may conduct such forums or hearings as the council
23 considers appropriate. The meetings, hearings, and forums
24 shall be publicly announced. The meetings shall be open and
25 accessible to the public unless there is a valid reason for an
26 executive session. The council shall make a report of each
27 meeting which shall include a record of its discussions and
28 recommendations, all of which reports shall be made available
29 to the public.

30 (12)~~(11)~~ The council shall reimburse members of the
31 council for reasonable and necessary expenses of attending

1 council meetings and performing council duties, including
2 child care and personal assistance services, as provided in
3 and subject to the requirements of s. 112.061. The council may
4 pay reasonable compensation to a member of the council if such
5 member is not employed or must forfeit wages from other
6 employment for each day the member is engaged in performing
7 the duties of the council.

8 Section 17. Paragraph (a) of subsection (3) of section
9 11.45, Florida Statutes, is amended to read:

10 11.45 Definitions; duties; authorities; reports;
11 rules.--

12 (3) AUTHORITY FOR AUDITS AND OTHER ENGAGEMENTS.--

13 (a) The Auditor General may, pursuant to his or her
14 own authority, or at the direction of the Legislative Auditing
15 Committee, conduct audits or other engagements as determined
16 appropriate by the Auditor General of:

17 1. The accounts and records of any governmental entity
18 created or established by law.

19 2. The information technology programs, activities,
20 functions, or systems of any governmental entity created or
21 established by law.

22 3. The accounts and records of any charter school
23 created or established by law.

24 4. The accounts and records of any direct-support
25 organization or citizen support organization created or
26 established by law. The Auditor General is authorized to
27 require and receive any records from the direct-support
28 organization or citizen support organization, or from its
29 independent auditor.

30 5. The public records associated with any
31 appropriation made by the General Appropriations Act to a

1 nongovernmental agency, corporation, or person. All records of
2 a nongovernmental agency, corporation, or person with respect
3 to the receipt and expenditure of such an appropriation shall
4 be public records and shall be treated in the same manner as
5 other public records are under general law.

6 6. State financial assistance provided to any nonstate
7 entity.

8 7. The Tobacco Settlement Financing Corporation
9 created pursuant to s. 215.56005.

10 8. The Florida On-Line High School created pursuant to
11 s. 228.082.

12 9. Any purchases of federal surplus lands for use as
13 sites for correctional facilities as described in s. 253.037.

14 10. Enterprise Florida, Inc., including any of its
15 boards, advisory committees, or similar groups created by
16 Enterprise Florida, Inc., and programs. The audit report may
17 not reveal the identity of any person who has anonymously made
18 a donation to Enterprise Florida, Inc., pursuant to this
19 subparagraph. The identity of a donor or prospective donor to
20 Enterprise Florida, Inc., who desires to remain anonymous and
21 all information identifying such donor or prospective donor
22 are confidential and exempt from the provisions of s.
23 119.07(1) and s. 24(a), Art. I of the State Constitution. Such
24 anonymity shall be maintained in the auditor's report.

25 11. The Florida Development Finance Corporation or the
26 capital development board or the programs or entities created
27 by the board. The audit or report may not reveal the identity
28 of any person who has anonymously made a donation to the board
29 pursuant to this subparagraph. The identity of a donor or
30 prospective donor to the board who desires to remain anonymous
31 and all information identifying such donor or prospective

1 donor are confidential and exempt from the provisions of s.
2 119.07(1) and s. 24(a), Art. I of the State Constitution. Such
3 anonymity shall be maintained in the auditor's report.

4 12. The records pertaining to the use of funds from
5 voluntary contributions on a motor vehicle registration
6 application or on a driver's license application authorized
7 pursuant to ss. 320.023 and 322.081.

8 13. The records pertaining to the use of funds from
9 the sale of specialty license plates described in chapter 320.

10 14. The transportation corporations under contract
11 with the Department of Transportation that are acting on
12 behalf of the state to secure and obtain rights-of-way for
13 urgently needed transportation systems and to assist in the
14 planning and design of such systems pursuant to ss.
15 339.401-339.421.

16 15. The acquisitions and divestitures related to the
17 Florida Communities Trust Program created pursuant to chapter
18 380.

19 16. The Florida Water Pollution Control Financing
20 Corporation created pursuant to s. 403.1837.

21 17. The Florida Partnership for School Readiness
22 created pursuant to s. 411.01.

23 ~~18. The Occupational Access and Opportunity Commission~~
24 ~~created pursuant to s. 413.83.~~

25 18.19. The Florida Special Disability Trust Fund
26 Financing Corporation created pursuant to s. 440.49.

27 19.20. Workforce Florida, Inc., or the programs or
28 entities created by Workforce Florida, Inc., created pursuant
29 to s. 445.004.

30 20.21. The corporation defined in s. 455.32 that is
31 under contract with the Department of Business and

1 Professional Regulation to provide administrative,
2 investigative, examination, licensing, and prosecutorial
3 support services in accordance with the provisions of s.
4 455.32 and the practice act of the relevant profession.
5 ~~21.22.~~ The Florida Engineers Management Corporation
6 created pursuant to chapter 471.
7 ~~22.23.~~ The Investment Fraud Restoration Financing
8 Corporation created pursuant to chapter 517.
9 ~~23.24.~~ The books and records of any permitholder that
10 conducts race meetings or jai alai exhibitions under chapter
11 550.
12 ~~24.25.~~ The corporation defined in part II of chapter
13 946, known as the Prison Rehabilitative Industries and
14 Diversified Enterprises, Inc., or PRIDE Enterprises.
15 Section 18. Paragraph (b) of subsection (5) of section
16 90.6063, Florida Statutes, is amended to read:
17 90.6063 Interpreter services for deaf persons.--
18 (5) The appointing authority may channel requests for
19 qualified interpreters through:
20 (b) The Division of Vocational Rehabilitation Program
21 ~~Office~~ of the Department of Education ~~Labor and Employment~~
22 ~~Security~~; or
23 Section 19. Section 215.311, Florida Statutes, is
24 amended to read:
25 215.311 State funds; exceptions.--The provisions of s.
26 215.31 shall not apply to funds collected by and under the
27 direction and supervision of the Division of Blind Services of
28 the Department of Education ~~Labor and Employment Security~~ as
29 provided under ss. 413.011, 413.041, and 413.051; however,
30 nothing in this section shall be construed to except from the
31

1 provisions of s. 215.31 any appropriations made by the state
2 to the division.

3 Section 20. Subsection (5) of section 394.75, Florida
4 Statutes, is amended to read:

5 394.75 State and district substance abuse and mental
6 health plans.--

7 (5) The district plan shall address how substance
8 abuse and mental health services will be provided and how a
9 system of care for target populations will be provided given
10 the resources available in the service district. The plan must
11 include provisions for maximizing client access to the most
12 recently developed psychiatric medications approved by the
13 United States Food and Drug Administration, for developing
14 independent housing units through participation in the Section
15 811 program operated by the United States Department of
16 Housing and Urban Development, for developing supported
17 employment services through the Division of Vocational
18 Rehabilitation of the Department of Education ~~Labor and~~
19 ~~Employment Security~~, for providing treatment services to
20 persons with co-occurring mental illness and substance abuse
21 problems which are integrated across treatment systems, and
22 for providing services to adults who have a serious mental
23 illness, as defined in s. 394.67, and who reside in assisted
24 living facilities.

25 Section 21. Subsection (2) of section 395.404, Florida
26 Statutes, is amended to read:

27 395.404 Review of trauma registry data;
28 confidentiality and limited release.--

29 (2) Notwithstanding the provisions of s. 381.74, each
30 trauma center and acute care hospital shall submit severe
31 disability and head-injury registry data to the department as

1 ~~provided by rule in lieu of submitting such registry~~
2 ~~information to the Department of Labor and Employment~~
3 ~~Security~~. Each trauma center and acute care hospital shall
4 continue to provide initial notification of persons who have
5 severe disabilities and head injuries to the Department of
6 Health Labor and Employment Security within timeframes
7 provided in chapter 413. Such initial notification shall be
8 made in the manner prescribed by the Department of Health
9 ~~Labor and Employment Security~~ for the purpose of providing
10 timely vocational rehabilitation services to the severely
11 disabled or head-injured person.

12 Section 22. Paragraph (a) of subsection (1) of section
13 410.0245, Florida Statutes, is amended to read:

14 410.0245 Study of service needs; report; multiyear
15 plan.--

16 (1)(a) The Adult Services Program Office of the
17 Department of Children and Family Services shall contract for
18 a study of the service needs of the 18-to-59-year-old disabled
19 adult population served or waiting to be served by the
20 community care for disabled adults program. The Division of
21 Vocational Rehabilitation of the Department of Education Labor
22 ~~and Employment Security~~ and other appropriate state agencies
23 shall provide information to the Department of Children and
24 Family Services when requested for the purposes of this study.

25 Section 23. Subsection (2) of section 410.604, Florida
26 Statutes, is amended to read:

27 410.604 Community care for disabled adults program;
28 powers and duties of the department.--

29 (2) Any person who meets the definition of a disabled
30 adult pursuant to s. 410.603(2) is eligible to receive the
31 services of the community care for disabled adults program.

1 However, the community care for disabled adults program shall
2 operate within the funds appropriated by the Legislature.
3 Priority shall be given to disabled adults who are not
4 eligible for comparable services in programs of or funded by
5 the department or the Division of Vocational Rehabilitation of
6 the Department of Education ~~Labor and Employment Security~~; who
7 are determined to be at risk of institutionalization; and
8 whose income is at or below the existing institutional care
9 program eligibility standard.

10 Section 24. Subsection (1) of section 413.034, Florida
11 Statutes, is amended to read:

12 413.034 Commission established; membership.--

13 (1) There is created within the Department of
14 Management Services the Commission for Purchase from the Blind
15 or Other Severely Handicapped, to be composed of the secretary
16 of the Department of Management Services; the director of the
17 Division of Vocational Rehabilitation of the Department of
18 Education ~~Labor and Employment Security~~, who shall be an ex
19 officio member with voting rights; the director of the
20 Division of Blind Services of the Department of Education
21 ~~Labor and Employment Security~~; and four members to be
22 appointed by the Governor, which four members shall be an
23 executive director of a nonprofit agency for the blind, an
24 executive director of a nonprofit agency for other severely
25 handicapped persons, a representative of private enterprise,
26 and a representative of other political subdivisions. All
27 appointed members shall serve for terms of 4 years. Appointed
28 commission members shall serve subject to confirmation by the
29 Senate.

30
31

1 Section 25. Paragraph (a) of subsection (2) and
2 subsection (3) of section 413.051, Florida Statutes, are
3 amended to read:

4 413.051 Eligible blind persons; operation of vending
5 stands.--

6 (2) As used in this section:

7 (a) "Blind licensee" means any blind person trained
8 and licensed by the Division of Blind Services of the
9 Department of Education ~~Labor and Employment Security~~ to
10 operate a vending stand.

11 (3) Blind licensees shall be given the first
12 opportunity to participate in the operation of vending stands
13 on all state properties acquired after July 1, 1979, when such
14 facilities are operated under the supervision of the Division
15 of Blind Services of the Department of Education ~~Labor and~~
16 ~~Employment Security~~.

17 Section 26. Section 413.064, Florida Statutes, is
18 amended to read:

19 413.064 Rules.--The Department of Education ~~Labor and~~
20 ~~Employment Security~~ shall adopt all necessary rules pertaining
21 to the conduct of a solicitation for the benefit of blind
22 persons, including criteria for approval of an application for
23 a permit for such solicitation.

24 Section 27. Section 413.066, Florida Statutes, is
25 amended to read:

26 413.066 Revocation of permit.--Any failure on the part
27 of a person or organization holding a permit under the
28 provisions of ss. 413.061-413.068 to comply with the law or
29 with all rules promulgated by the Department of Education
30 ~~Labor and Employment Security~~ as authorized by s. 413.064
31

1 constitutes a ground for revocation of the permit by the
2 Division of Blind Services.

3 Section 28. Section 413.067, Florida Statutes, is
4 amended to read:

5 413.067 Penalty.--Any person who violates the
6 provisions of ss. 413.061-413.068 or any rule promulgated by
7 the Department of Education ~~Labor and Employment Security~~
8 pursuant thereto commits a misdemeanor of the second degree,
9 punishable as provided in s. 775.082 or s. 775.083.

10 Section 29. Subsection (1) of section 413.091, Florida
11 Statutes, is amended to read:

12 413.091 Identification cards.--

13 (1) The Division of Blind Services of the Department
14 of Education ~~Labor and Employment Security~~ is hereby empowered
15 to issue identification cards to persons known to be blind or
16 partially sighted, upon the written request of such
17 individual.

18 Section 30. Subsection (1) of section 413.092, Florida
19 Statutes, is amended to read:

20 413.092 Blind Babies Program.--

21 (1) The Blind Babies Program is created within the
22 Division of Blind Services of the Department of Education
23 ~~Labor and Employment Security~~ to provide community-based
24 early-intervention education to children from birth through 5
25 years of age who are blind or visually impaired, and to their
26 parents, families, and caregivers, through community-based
27 provider organizations. The division shall enlist parents,
28 ophthalmologists, pediatricians, schools, Infant and Toddlers
29 Early Intervention Programs, and therapists to help identify
30 and enroll blind and visually impaired children, as well as
31

1 their parents, families, and caregivers, in these educational
2 programs.

3 Section 31. Subsection (1) of section 413.445, Florida
4 Statutes, is amended to read:

5 413.445 Recovery of third-party payments for
6 vocational rehabilitation and related services.--

7 (1) As used in this section, "vocational
8 rehabilitation and related services" means any services that
9 ~~which~~ are provided or paid for by the Division of Vocational
10 Rehabilitation of the Department of Education ~~Labor and~~
11 ~~Employment Security~~.

12 Section 32. Subsection (12) of section 413.615,
13 Florida Statutes, is amended to read:

14 413.615 Florida Endowment for Vocational
15 Rehabilitation.--

16 (12) ANNUAL REPORT.--The board shall issue a report to
17 the Governor, the President of the Senate, the Speaker of the
18 House of Representatives, and the Commissioner of Education
19 ~~Secretary of Labor and Employment Security~~ by February 1 each
20 year, summarizing the performance of the endowment fund for
21 the previous fiscal year, summarizing the foundation's
22 fundraising activities and performance, and detailing those
23 activities and programs supported by the endowment principal
24 or earnings on the endowment principal or by bequests, gifts,
25 grants, donations, and other valued goods and services
26 received.

27 Section 33. Subsection (5) of section 944.012, Florida
28 Statutes, is amended to read:

29 944.012 Legislative intent.--The Legislature hereby
30 finds and declares that:

31

1 (5) In order to make the correctional system an
2 efficient and effective mechanism, the various agencies
3 involved in the correctional process must coordinate their
4 efforts. Where possible, interagency offices should be
5 physically located within major institutions and should
6 include representatives of the Florida State Employment
7 Service, the vocational rehabilitation programs of the
8 Department of Education ~~Labor and Employment Security~~, and the
9 Parole Commission. Duplicative and unnecessary methods of
10 evaluating offenders must be eliminated and areas of
11 responsibility consolidated in order to more economically
12 utilize present scarce resources.

13 Section 34. Before the 2005 Regular Session of the
14 Legislature, the Office of Program Policy Analysis and
15 Government Accountability shall conduct a review of and
16 prepare a report on the progress of the Division of Vocational
17 Rehabilitation of the Department of Education.

18 Section 35. (1) Part III of chapter 413, Florida
19 Statutes, consisting of sections 413.81, 413.82, 413.83,
20 413.84, 413.85, 413.86, 413.87, 413.88, 413.89, 413.90,
21 413.91, 413.92, and 413.93, Florida Statutes, is repealed.

22 (2) Subsection (8) of section 445.024, Florida
23 Statutes, is repealed.

24 Section 36. This act shall take effect upon becoming a
25 law.

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