

By the Committee on Education; and Senator Mitchell

304-2040B-02

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. 413.401,
13 F.S.; revising references to conform to changes
14 made by the act; amending s. 413.405, F.S.;
15 renaming the Rehabilitation Advisory Council as
16 the Florida Rehabilitation Council; revising
17 council membership and duties; requiring the
18 council to submit reports to the Governor,
19 Legislature, and United States Secretary of
20 Education; amending ss. 11.45, 90.6063,
21 215.311, 394.75, 395.404, 410.0245, 410.604,
22 413.034, 413.051, 413.064, 413.066, 413.067,
23 413.091, 413.092, 413.445, 413.615, 944.012,
24 F.S.; revising provisions and references to
25 conform to changes made by the act; requiring
26 the Office of Program Policy Analysis and
27 Government Accountability to conduct a review
28 of the progress of the Division of Vocational
29 Rehabilitation and to prepare a report;
30 repealing pt. III of ch. 413, F.S., and s.
31 445.024(8), F.S., relating to creation and

1 duties of the Occupational Access and
2 Opportunity Commission; providing an effective
3 date.

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

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

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

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

13 (a) Division of Community Colleges.

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

16 (c) Division of Universities.

17 (d) Division of Workforce Development.

18 (e) Division of Professional Educators.

19 (f) Division of Administration.

20 (g) Division of Financial Services.

21 (h) Division of Support Services.

22 (i) Division of Technology.

23 (j) Division of Blind Services.

24 (k) Division of Vocational Rehabilitation.

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

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

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

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

10 2. Unemployment compensation management and policy
11 implementation.

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

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

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

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

21 Section 3. Paragraph (i) of subsection (5) of section
22 229.003, Florida Statutes, is amended to read:

23 229.003 Florida education governance reorganization.--

24 (5) Effective July 1, 2001:

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

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

8 2. The creation of a Division of Colleges and
9 Universities.

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

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

12 5. The creation of a Division of Independent
13 Education.

14 6. The creation of a Division of Vocational
15 Rehabilitation.

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

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

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

28 229.004 Florida Board of Education.--

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

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1 (e) The work of the director of the Division of
2 Vocational Rehabilitation to establish and maintain optimal
3 efficiency of a Division of Vocational Rehabilitation within
4 the guidelines of s. 229.0073 and part II of chapter 413 and
5 to achieve the mission and goals of part II of chapter 413.

6 (f) The work of the director of the Division of Blind
7 Services to establish and maintain optimal efficiency of a
8 Division of Blind Services within the guidelines of s.
9 229.0073 and part I of chapter 413 and to achieve the mission
10 and goals of part I of chapter 413.

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

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

26 (4) Establish the following divisions within the
27 department:

28 (e) Division of Vocational Rehabilitation.--The
29 designated administrative unit for the state's vocational
30 rehabilitation program.

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

3 Section 6. Section 413.20, Florida Statutes, is
4 amended to read:

5 413.20 Definitions.--As used in this part, the term:

6 (1) "Act" means the Rehabilitation Act of 1973, as
7 amended.

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

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

30 (4) "Center for independent living" means a
31 consumer-controlled, community-based, cross-disability,

1 nonresidential, private, nonprofit organization designed and
2 operated within a local community by persons who have
3 disabilities to provide an array of independent living
4 services.

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

10 (6)(5) "Department" means the Department of Education
11 Labor and Employment Security.

12 (7)(6) "Disability" means a physical or mental
13 impairment that constitutes or results in a substantial
14 impediment to employment.

15 (8)(7) "Division" means the Division of Vocational
16 Rehabilitation of the Department of Education Labor and
17 Employment Security.

18 ~~(8) "Emergency medical evacuation system" means a~~
19 ~~division-approved transportation system that provides timely~~
20 ~~skilled emergency care and movement of persons believed to~~
21 ~~have suffered brain or spinal cord injuries.~~

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

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1 ~~vocational outcome the secretary may determine to be~~
2 ~~consistent with the act.~~

3 (10) "Extended services" means one or more ongoing
4 support services and other appropriate services needed to
5 support and maintain a person who has a most significant
6 ~~severe~~ disability in supported employment and to assist an
7 eligible person in maintaining integrated and competitive
8 employment. Extended services are based upon a determination
9 of the needs of the eligible person as specified in the
10 person's individualized written rehabilitation program and are
11 provided by a state agency, a nonprofit private organization,
12 an employer, or any other appropriate resource after the
13 person has made the transition from support provided by the
14 department.

15 (11) "Independent living core services" means
16 informational and referral services; independent living skills
17 training; peer counseling, including cross-disability peer
18 counseling; and individual and systems advocacy.

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

1 training services; telecommunications services; sensory and
2 other technological aids and devices; appropriate preventive
3 services to decrease the needs of persons assisted under the
4 program; and other rehabilitation services appropriate for the
5 independent living needs of a person who has a severe
6 disability.

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

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

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

18 (a) Make an assessment regarding the employment
19 situation at the worksite of each individual in supported
20 employment or, under special circumstances at the request of
21 the individual, offsite.

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

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

3 (16) "Person who has a disability" means an individual
4 who has a physical or mental impairment that, for the
5 individual, constitutes or results in a substantial impediment
6 to employment and who can therefore benefit in terms of an
7 employment outcome from vocational rehabilitation services.
8 The term encompasses the terms "person who has a significant
9 disability" and ~~term~~ "person who has a most significant severe
10 disability."

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

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1 and vocational rehabilitation needs, to cause comparable
2 substantial functional limitation.

3 (18) "Person who has a most significant disability"
4 means a person who has a significant disability who meets the
5 designated administrative unit's criteria for a person who has
6 a most significant disability.

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

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

28 (21) "Program" means an agency, organization, or
29 institution, or a unit of an agency, organization, or
30 institution, that provides directly or facilitates the
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1 provision of vocational rehabilitation services as one of its
2 major functions.

3 (22)~~(20)~~ "Rehabilitation" means those events and
4 processes occurring after injury and progressing to ultimate
5 stabilization and maximum possible recovery.

6 ~~(21) "Rehabilitation center" means a division-approved~~
7 ~~facility providing intermediate care that stresses~~
8 ~~rehabilitation for persons who have brain or spinal cord~~
9 ~~injuries.~~

10 (23)~~(22)~~ "Rehabilitation service" means any service,
11 provided directly or indirectly through public or private
12 agencies, found by the division to be necessary to enable a
13 person who has a limiting disability to engage in competitive
14 employment.

15 (24)~~(23)~~ "Rules" means rules adopted ~~made~~ by the
16 department ~~and promulgated~~ in the manner prescribed by law.

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

19 (25) "State plan" means the state plan approved by the
20 Federal Government as qualifying for federal funds under the
21 Rehabilitation Act of 1973, as amended. However, the term
22 "state plan," as used in ss. 413.39-413.401, means the State
23 Plan for Independent Living Rehabilitative Services under
24 Title VII(A) of the Rehabilitation Act of 1973, as amended.

25 (26) "Supported employment" means competitive work in
26 integrated working settings for persons who have severe
27 disabilities and for whom competitive employment has not
28 traditionally occurred or for whom competitive employment has
29 been interrupted or is intermittent as a result of a severe
30 disability. Persons who have severe disabilities requiring
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1 supported employment need intensive supported employment
2 services or extended services in order to perform such work.

3 (27) "Supported employment services" means ongoing
4 support services and other appropriate services needed to
5 support and maintain a person who has a severe disability in
6 supported employment. Supported employment services are based
7 upon a determination of the needs of the eligible individual
8 as specified in the person's individualized written
9 rehabilitation program. The services are provided singly or in
10 combination and are organized and made available in such a way
11 as to assist eligible individuals in entering or maintaining
12 integrated, competitive employment. The services are provided
13 for a period of time not to extend beyond 18 months, but can
14 be extended under special circumstances with the consent of
15 the individual to achieve the objectives of the rehabilitation
16 plan.

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

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

22 (30) "Transition services" means a coordinated set of
23 activities for a student, designed within an outcome-oriented
24 process, that promote movement from school to postschool
25 activities, including postsecondary education; vocational
26 training; integrated employment; including supported
27 employment; continuing and adult education; adult services;
28 independent living; or community participation. The
29 coordinated set of activities must be based upon the
30 individual student's needs, taking into account the student's
31 preferences and interests, and must include instruction,

1 community experiences, the development of employment and other
2 postschool adult living objectives, and, when appropriate,
3 acquisition of daily living skills and functional vocational
4 evaluation.

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

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

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

12 ~~(a) A lesion to the spinal cord or cauda equina with~~
13 ~~evidence of significant involvement of two of the following~~
14 ~~deficits or dysfunctions:~~

15 ~~1. Motor deficit.~~

16 ~~2. Sensory deficit.~~

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

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

22 (32)~~(34)~~ "Vocational rehabilitation" and "vocational
23 rehabilitation services" mean any service, provided directly
24 or through public or private instrumentalities, to enable an
25 individual or group of individuals to achieve an employment
26 outcome, including, but not limited to, medical and vocational
27 diagnosis, an assessment for determining eligibility and
28 vocational rehabilitation needs by qualified personnel;
29 counseling, guidance, and work-related placement services;
30 vocational and other training services; physical and mental
31 restoration services; maintenance for additional costs

1 incurred while participating in rehabilitation; interpreter
2 services for individuals who are deaf; recruitment and
3 training services to provide new employment opportunities in
4 the fields of rehabilitation, health, welfare, public safety,
5 law enforcement, and other appropriate service employment;
6 occupational licenses; tools, equipment, and initial stocks
7 and supplies; transportation; telecommunications, sensory, and
8 other technological aids and devices; rehabilitation
9 technology services; referral services designed to secure
10 needed services from other agencies; transition services;
11 on-the-job or other related personal assistance services; and
12 supported employment services.

13 (33)~~(35)~~ "Vocational rehabilitation and related
14 services" means any services that are provided or paid for by
15 the division.

16 Section 7. Section 413.201, Florida Statutes, is
17 created to read:

18 413.201 Designated state agency.--In order to comply
19 with the Vocational Rehabilitation Act of 1973, as amended,
20 the Department of Education is designated the official state
21 agency.

22 Section 8. Section 413.202, Florida Statutes, is
23 created to read:

24 413.202 Designated administrative unit.--In order to
25 comply with the Vocational Rehabilitation Act of 1973, as
26 amended, the Division of Vocational Rehabilitation is
27 designated as the administrative unit.

28 Section 9. Section 413.203, Florida Statutes, is
29 created to read:

30 413.203 Conflict of laws.--It is the intent of the
31 Legislature that the provisions of this part not conflict with

1 any federal statute or implementing regulation governing
2 federal grant-in-aid programs administered by the Division of
3 Vocational Rehabilitation. Wherever such a conflict is
4 asserted by the applicable agency of the Federal Government,
5 the Department of Education shall submit to the United States
6 Department of Education, or other applicable federal agency, a
7 request for a favorable policy interpretation of the
8 conflicting portions.

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

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

31 (1) The plan shall:

1 (a) Promote innovative contracts that upgrade or
2 enhance direct services to persons who have a disability.
3 Contracts shall be evaluated with respect to need and cost and
4 shall be performance-based.

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

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

16 Section 11. Section 413.207, Florida Statutes, is
17 created to read:

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

25 Section 12. Section 413.208, Florida Statutes, is
26 created to read:

27 413.208 Service providers; quality assurance and
28 fitness for responsibilities.--The Division of Vocational
29 Rehabilitation shall certify providers of direct service and
30 ensure that they maintain an internal system of quality
31 assurance, have proven functional systems, and are subject to

1 a due-diligence inquiry as to their fitness to undertake
2 service responsibilities, regardless of whether a contract for
3 services is procured competitively or noncompetitively.

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

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

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

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

27 413.395 Florida Independent Living Council.--

28 (1) There is created the Florida Independent Living
29 Council to assist the division and the Division of Blind
30 Services of the Department of Education ~~Labor and Employment~~
31 ~~Security~~, as well as other state agencies and local planning

1 and administrative entities assisted under Title VII of the
2 act, in the expansion and development of statewide independent
3 living policies, programs, and concepts and to recommend
4 improvements for such programs and services. The council shall
5 function independently of the division and, unless the council
6 elects to incorporate as a not-for-profit corporation, is
7 assigned to the division for administrative purposes only. The
8 council may elect to be incorporated as a Florida corporation
9 not for profit and, upon such election, shall be assisted in
10 the incorporation by the division for the purposes stated in
11 this section. The appointed members of the council may
12 constitute the board of directors for the corporation.

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

15 (11) The council shall:

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

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

25 Section 15. Section 413.401, Florida Statutes, is
26 amended to read:

27 413.401 Eligibility for independent living
28 services.--Independent living services may be provided to any
29 person who has a significant ~~severe~~ disability and for whom a
30 reasonable expectation exists that independent living services
31 will significantly assist the individual to improve her or his

1 ability to function independently within the family or
2 community, or to engage in or continue in employment, and to
3 be able to function independently.

4 Section 16. Section 413.405, Florida Statutes, is
5 amended to read:

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

12 (1) The council shall be composed of:

13 (a) At least one representative of the Independent
14 Living Council, which representative may be the chairperson or
15 other designee of the council.

16 (b) At least one representative of a parent training
17 and information center established pursuant to s. 631(c)(9) of
18 the Individuals with Disabilities Act, 20 U.S.C. s.
19 1431(c)(9).

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

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

27 (e) At least one representative of community
28 rehabilitation program service providers.

29 (f) At least four representatives of business,
30 industry, and labor.

31

1 (g) Representatives of disability advocacy groups
2 representing a cross-section of:

3 1. Persons who have physical, cognitive, sensory, or
4 mental disabilities.

5 2. Parents, family members, guardians, advocates, or
6 authorized representatives of persons who have disabilities
7 and who find it difficult to or are unable due to their
8 disabilities to represent themselves.

9 (h) Current or former applicants for, or recipients
10 of, vocational rehabilitation services.

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

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

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

20 (2) Other persons who have a disability,
21 representatives of state and local government, employers,
22 community organizations, and members of the former
23 Occupational Access and Opportunity Commission may be
24 considered for council membership.

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

28 (4)(3) Members of the council shall be appointed by
29 the Governor, who shall select members after soliciting
30 recommendations from representatives of organizations
31 representing a broad range of individuals who have

1 disabilities and organizations interested in those
2 individuals. In selecting members, the extent to which
3 minority populations are represented must be considered to the
4 greatest extent practicable.

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

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

12 (b) Not employed by the division.

13 ~~(6)(5)~~ The council shall select a chairperson from
14 among the membership of the council.

15 ~~(7)(6)~~ Each member of the council shall serve for a
16 term of not more than 3 years, except that:

17 (a) A member appointed to fill a vacancy occurring
18 prior to the expiration of the term for which a predecessor
19 was appointed shall be appointed for the remainder of such
20 term.

21 (b) The terms of service of the members initially
22 appointed shall be, as specified by the Governor, for such
23 fewer number of years as will provide for the expiration of
24 terms on a staggered basis.

25
26 No member of the council may serve more than two consecutive
27 full terms.

28 ~~(8)(7)~~ Any vacancy occurring in the membership of the
29 council shall be filled in the same manner as the original
30 appointment. A vacancy does not affect the power of the
31 remaining members to execute the duties of the council.

1 ~~(9)(8)~~ In addition to the other functions specified in
2 this section, the council shall, after consulting with the
3 board of directors of Workforce Florida, Inc.:

4 (a) Review, analyze, and advise the division regarding
5 the performance of the responsibilities of the division under
6 Title I of the act, particularly responsibilities relating to:

- 7 1. Eligibility, including order of selection.
- 8 2. The extent, scope, and effectiveness of services
9 provided.
- 10 3. Functions performed by state agencies that affect
11 or potentially affect the ability of individuals who have
12 disabilities to achieve rehabilitation goals and objectives
13 under Title I.

14 **(b)** In partnership with the division:

- 15 1. Develop, agree to, and review state goals and
16 priorities in accordance with 34 C.F.R. 361.29(c); and
- 17 2. Evaluate the effectiveness of the vocational
18 rehabilitation program and submit reports of progress to the
19 Governor, the President of the Senate, the Speaker of the
20 House of Representatives, and the United States Secretary of
21 Education in accordance with 34 C.F.R. 361.29(e).

22 ~~(c)(b)~~ Advise the department and the division and, ~~at~~
23 ~~the discretion of the department or division,~~ assist in the
24 preparation of ~~applications,~~ the state plan ~~the strategic~~
25 ~~plan,~~ and amendments to the plan plans, applications, reports,
26 needs assessments, and evaluations required by Title I.

27 ~~(d)(c)~~ To the extent feasible, conduct a review and
28 analysis of the effectiveness of, and consumer satisfaction
29 with:

30
31

1 1. The functions performed by state agencies and other
2 public and private entities responsible for performing
3 functions for individuals who have disabilities.

4 2. Vocational rehabilitation services:

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

7 b. Provided by state agencies and other public and
8 private entities responsible for providing vocational
9 rehabilitation services to individuals who have disabilities.

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

17 ~~(f)(e)~~ Coordinate with other councils within Florida,
18 including the Independent Living Council, the advisory panel
19 established under s. 613(a)(12) of the Individuals with
20 Disabilities Education Act, 20 U.S.C. s. 1413(a)(12), the
21 State Planning Council described in s. 124 of the
22 Developmental Disabilities Assistance and Bill of Rights Act,
23 42 U.S.C. s. 6024, ~~and~~ the state mental health planning
24 council established under s. 1916(e) of the Public Health
25 Service Act, 42 U.S.C. s. 300x-4(e), and the board of
26 directors of Workforce Florida, Inc.

27 ~~(g)(f)~~ Advise the department and division and provide
28 for coordination and the establishment of working
29 relationships among the department, the division, the
30 Independent Living Council, and centers for independent living
31 in the state.

1 (h)~~(g)~~ Perform such other functions as the council
2 determines to be appropriate that are comparable to functions
3 performed by the council.

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

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

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

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

22 (11)~~(10)~~ The council shall convene at least four
23 meetings each year. These meetings shall occur in such places
24 as the council deems necessary to conduct council business.
25 The council may conduct such forums or hearings as the council
26 considers appropriate. The meetings, hearings, and forums
27 shall be publicly announced. The meetings shall be open and
28 accessible to the public unless there is a valid reason for an
29 executive session. The council shall make a report of each
30 meeting which shall include a record of its discussions and
31

1 recommendations, all of which reports shall be made available
2 to the public.

3 (12)~~(11)~~ The council shall reimburse members of the
4 council for reasonable and necessary expenses of attending
5 council meetings and performing council duties, including
6 child care and personal assistance services, as provided in
7 and subject to the requirements of s. 112.061. The council may
8 pay reasonable compensation to a member of the council if such
9 member is not employed or must forfeit wages from other
10 employment for each day the member is engaged in performing
11 the duties of the council.

12 Section 17. Paragraph (a) of subsection (3) of section
13 11.45, Florida Statutes, is amended to read:

14 11.45 Definitions; duties; authorities; reports;
15 rules.--

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

17 (a) The Auditor General may, pursuant to his or her
18 own authority, or at the direction of the Legislative Auditing
19 Committee, conduct audits or other engagements as determined
20 appropriate by the Auditor General of:

21 1. The accounts and records of any governmental entity
22 created or established by law.

23 2. The information technology programs, activities,
24 functions, or systems of any governmental entity created or
25 established by law.

26 3. The accounts and records of any charter school
27 created or established by law.

28 4. The accounts and records of any direct-support
29 organization or citizen support organization created or
30 established by law. The Auditor General is authorized to
31 require and receive any records from the direct-support

1 organization or citizen support organization, or from its
2 independent auditor.

3 5. The public records associated with any
4 appropriation made by the General Appropriations Act to a
5 nongovernmental agency, corporation, or person. All records of
6 a nongovernmental agency, corporation, or person with respect
7 to the receipt and expenditure of such an appropriation shall
8 be public records and shall be treated in the same manner as
9 other public records are under general law.

10 6. State financial assistance provided to any nonstate
11 entity.

12 7. The Tobacco Settlement Financing Corporation
13 created pursuant to s. 215.56005.

14 8. The Florida On-Line High School created pursuant to
15 s. 228.082.

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

18 10. Enterprise Florida, Inc., including any of its
19 boards, advisory committees, or similar groups created by
20 Enterprise Florida, Inc., and programs. The audit report may
21 not reveal the identity of any person who has anonymously made
22 a donation to Enterprise Florida, Inc., pursuant to this
23 subparagraph. The identity of a donor or prospective donor to
24 Enterprise Florida, Inc., who desires to remain anonymous and
25 all information identifying such donor or prospective donor
26 are confidential and exempt from the provisions of s.
27 119.07(1) and s. 24(a), Art. I of the State Constitution. Such
28 anonymity shall be maintained in the auditor's report.

29 11. The Florida Development Finance Corporation or the
30 capital development board or the programs or entities created
31 by the board. The audit or report may not reveal the identity

1 of any person who has anonymously made a donation to the board
2 pursuant to this subparagraph. The identity of a donor or
3 prospective donor to the board who desires to remain anonymous
4 and all information identifying such donor or prospective
5 donor are confidential and exempt from the provisions of s.
6 119.07(1) and s. 24(a), Art. I of the State Constitution. Such
7 anonymity shall be maintained in the auditor's report.

8 12. The records pertaining to the use of funds from
9 voluntary contributions on a motor vehicle registration
10 application or on a driver's license application authorized
11 pursuant to ss. 320.023 and 322.081.

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

14 14. The transportation corporations under contract
15 with the Department of Transportation that are acting on
16 behalf of the state to secure and obtain rights-of-way for
17 urgently needed transportation systems and to assist in the
18 planning and design of such systems pursuant to ss.
19 339.401-339.421.

20 15. The acquisitions and divestitures related to the
21 Florida Communities Trust Program created pursuant to chapter
22 380.

23 16. The Florida Water Pollution Control Financing
24 Corporation created pursuant to s. 403.1837.

25 17. The Florida Partnership for School Readiness
26 created pursuant to s. 411.01.

27 ~~18. The Occupational Access and Opportunity Commission~~
28 ~~created pursuant to s. 413.83.~~

29 18.19. The Florida Special Disability Trust Fund
30 Financing Corporation created pursuant to s. 440.49.

31

1 ~~19.20.~~ Workforce Florida, Inc., or the programs or
2 entities created by Workforce Florida, Inc., created pursuant
3 to s. 445.004.

4 ~~20.21.~~ The corporation defined in s. 455.32 that is
5 under contract with the Department of Business and
6 Professional Regulation to provide administrative,
7 investigative, examination, licensing, and prosecutorial
8 support services in accordance with the provisions of s.
9 455.32 and the practice act of the relevant profession.

10 ~~21.22.~~ The Florida Engineers Management Corporation
11 created pursuant to chapter 471.

12 ~~22.23.~~ The Investment Fraud Restoration Financing
13 Corporation created pursuant to chapter 517.

14 ~~23.24.~~ The books and records of any permitholder that
15 conducts race meetings or jai alai exhibitions under chapter
16 550.

17 ~~24.25.~~ The corporation defined in part II of chapter
18 946, known as the Prison Rehabilitative Industries and
19 Diversified Enterprises, Inc., or PRIDE Enterprises.

20 Section 18. Subsection (5) of section 90.6063, Florida
21 Statutes, is amended to read:

22 90.6063 Interpreter services for deaf persons.--

23 (5) The appointing authority may channel requests for
24 qualified interpreters through:

25 (a) The Florida Registry of Interpreters for the Deaf;

26 (b) The Division of Vocational Rehabilitation Program
27 ~~Office~~ of the Department of Education ~~Labor and Employment~~
28 ~~Security~~; or

29 (c) Any other resource wherein the appointing
30 authority knows that qualified interpreters can be found.

31

1 Section 19. Section 215.311, Florida Statutes, is
2 amended to read:

3 215.311 State funds; exceptions.--The provisions of s.
4 215.31 shall not apply to funds collected by and under the
5 direction and supervision of the Division of Blind Services of
6 the Department of Education ~~Labor and Employment Security~~ as
7 provided under ss. 413.011, 413.041, and 413.051; however,
8 nothing in this section shall be construed to except from the
9 provisions of s. 215.31 any appropriations made by the state
10 to the division.

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

13 394.75 State and district substance abuse and mental
14 health plans.--

15 (5) The district plan shall address how substance
16 abuse and mental health services will be provided and how a
17 system of care for target populations will be provided given
18 the resources available in the service district. The plan must
19 include provisions for maximizing client access to the most
20 recently developed psychiatric medications approved by the
21 United States Food and Drug Administration, for developing
22 independent housing units through participation in the Section
23 811 program operated by the United States Department of
24 Housing and Urban Development, for developing supported
25 employment services through the Division of Vocational
26 Rehabilitation of the Department of Education ~~Labor and~~
27 ~~Employment Security~~, for providing treatment services to
28 persons with co-occurring mental illness and substance abuse
29 problems which are integrated across treatment systems, and
30 for providing services to adults who have a serious mental
31

1 illness, as defined in s. 394.67, and who reside in assisted
2 living facilities.

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

5 395.404 Review of trauma registry data;
6 confidentiality and limited release.--

7 (2) Notwithstanding the provisions of s. 381.74, each
8 trauma center and acute care hospital shall submit severe
9 disability and head-injury registry data to the department as
10 provided by rule ~~in lieu of submitting such registry~~
11 ~~information to the Department of Labor and Employment~~
12 ~~Security~~. Each trauma center and acute care hospital shall
13 continue to provide initial notification of persons who have
14 severe disabilities and head injuries to the Department of
15 Health ~~Labor and Employment Security~~ within timeframes
16 provided in chapter 413. Such initial notification shall be
17 made in the manner prescribed by the department ~~of Labor and~~
18 ~~Employment Security~~ for the purpose of providing timely
19 vocational rehabilitation services to the severely disabled or
20 head-injured person.

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

23 410.0245 Study of service needs; report; multiyear
24 plan.--

25 (1)(a) The Adult Services Program Office of the
26 Department of Children and Family Services shall contract for
27 a study of the service needs of the 18-to-59-year-old disabled
28 adult population served or waiting to be served by the
29 community care for disabled adults program. The Division of
30 Vocational Rehabilitation of the Department of Education ~~Labor~~
31 ~~and Employment Security~~ and other appropriate state agencies

1 shall provide information to the Department of Children and
2 Family Services when requested for the purposes of this study.

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

5 410.604 Community care for disabled adults program;
6 powers and duties of the department.--

7 (2) Any person who meets the definition of a disabled
8 adult pursuant to s. 410.603(2) is eligible to receive the
9 services of the community care for disabled adults program.
10 However, the community care for disabled adults program shall
11 operate within the funds appropriated by the Legislature.
12 Priority shall be given to disabled adults who are not
13 eligible for comparable services in programs of or funded by
14 the department or the Division of Vocational Rehabilitation of
15 the Department of Education ~~Labor and Employment Security~~; who
16 are determined to be at risk of institutionalization; and
17 whose income is at or below the existing institutional care
18 program eligibility standard.

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

21 413.034 Commission established; membership.--

22 (1) There is created within the Department of
23 Management Services the Commission for Purchase from the Blind
24 or Other Severely Handicapped, to be composed of the secretary
25 of the Department of Management Services; the director of the
26 Division of Vocational Rehabilitation of the Department of
27 Education ~~Labor and Employment Security~~, who shall be an ex
28 officio member with voting rights; the director of the
29 Division of Blind Services of the Department of Education
30 ~~Labor and Employment Security~~; and four members to be
31 appointed by the Governor, which four members shall be an

1 executive director of a nonprofit agency for the blind, an
2 executive director of a nonprofit agency for other severely
3 handicapped persons, a representative of private enterprise,
4 and a representative of other political subdivisions. All
5 appointed members shall serve for terms of 4 years. Appointed
6 commission members shall serve subject to confirmation by the
7 Senate.

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

11 413.051 Eligible blind persons; operation of vending
12 stands.--

13 (2) As used in this section:

14 (a) "Blind licensee" means any blind person trained
15 and licensed by the Division of Blind Services of the
16 Department of Education ~~Labor and Employment Security~~ to
17 operate a vending stand.

18 (3) Blind licensees shall be given the first
19 opportunity to participate in the operation of vending stands
20 on all state properties acquired after July 1, 1979, when such
21 facilities are operated under the supervision of the Division
22 of Blind Services of the Department of Education ~~Labor and~~
23 ~~Employment Security~~.

24 Section 26. Section 413.064, Florida Statutes, is
25 amended to read:

26 413.064 Rules.--The Department of Education ~~Labor and~~
27 ~~Employment Security~~ shall adopt all necessary rules pertaining
28 to the conduct of a solicitation for the benefit of blind
29 persons, including criteria for approval of an application for
30 a permit for such solicitation.

31

1 Section 27. Section 413.066, Florida Statutes, is
2 amended to read:

3 413.066 Revocation of permit.--Any failure on the part
4 of a person or organization holding a permit under the
5 provisions of ss. 413.061-413.068 to comply with the law or
6 with all rules promulgated by the Department of Education
7 ~~Labor and Employment Security~~ as authorized by s. 413.064
8 constitutes a ground for revocation of the permit by the
9 Division of Blind Services.

10 Section 28. Section 413.067, Florida Statutes, is
11 amended to read:

12 413.067 Penalty.--Any person who violates the
13 provisions of ss. 413.061-413.068 or any rule promulgated by
14 the Department of Education ~~Labor and Employment Security~~
15 pursuant thereto commits a misdemeanor of the second degree,
16 punishable as provided in s. 775.082 or s. 775.083.

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

19 413.091 Identification cards.--

20 (1) The Division of Blind Services of the Department
21 of Education ~~Labor and Employment Security~~ is hereby empowered
22 to issue identification cards to persons known to be blind or
23 partially sighted, upon the written request of such
24 individual.

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

27 413.092 Blind Babies Program.--

28 (1) The Blind Babies Program is created within the
29 Division of Blind Services of the Department of Education
30 ~~Labor and Employment Security~~ to provide community-based
31 early-intervention education to children from birth through 5

1 years of age who are blind or visually impaired, and to their
2 parents, families, and caregivers, through community-based
3 provider organizations. The division shall enlist parents,
4 ophthalmologists, pediatricians, schools, Infant and Toddlers
5 Early Intervention Programs, and therapists to help identify
6 and enroll blind and visually impaired children, as well as
7 their parents, families, and caregivers, in these educational
8 programs.

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

11 413.445 Recovery of third-party payments for
12 vocational rehabilitation and related services.--

13 (1) As used in this section, "vocational
14 rehabilitation and related services" means any services that
15 ~~which~~ are provided or paid for by the Division of Vocational
16 Rehabilitation of the Department of Education ~~Labor and~~
17 ~~Employment Security~~.

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

20 413.615 Florida Endowment for Vocational
21 Rehabilitation.--

22 (12) ANNUAL REPORT.--The board shall issue a report to
23 the Governor, the President of the Senate, the Speaker of the
24 House of Representatives, and the Commissioner of Education
25 ~~Secretary of Labor and Employment Security~~ by February 1 each
26 year, summarizing the performance of the endowment fund for
27 the previous fiscal year, summarizing the foundation's
28 fundraising activities and performance, and detailing those
29 activities and programs supported by the endowment principal
30 or earnings on the endowment principal or by bequests, gifts,
31

1 grants, donations, and other valued goods and services
2 received.

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

5 944.012 Legislative intent.--The Legislature hereby
6 finds and declares that:

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

19 Section 34. Before the 2005 Regular Session of the
20 Legislature, the Office of Program Policy Analysis and
21 Government Accountability shall conduct a review of and
22 prepare a report on the progress of the Division of Vocational
23 Rehabilitation of the Department of Education.

24 Section 35. (1) Part III of chapter 413, Florida
25 Statutes, consisting of sections 413.81, 413.82, 413.83,
26 413.84, 413.85, 413.86, 413.87, 413.88, 413.89, 413.90,
27 413.91, 413.92, and 413.93, Florida Statutes, is repealed.

28 (2) Subsection (8) of section 445.024, Florida
29 Statutes, is repealed.

30 Section 36. This act shall take effect upon becoming a
31 law.

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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
Senate Bill 2206

The committee substitute corrects additional cross references, limits total membership on the Florida Rehabilitation Council to 25, and amends statutes to conform with the transfer to the Department of Health of the programs related to brain and spinal cord injuries and other trauma.