

By Senator Wise

5-889A-03

1 A bill to be entitled
2 An act relating to blind services; providing a
3 short title; transferring the powers, duties,
4 records, personnel, property, and funds of the
5 Division of Blind Services within the
6 Department of Education to the Florida
7 Corporation for the Blind, which is created by
8 this act; amending s. 20.15, F.S.; deleting the
9 division from the Department of Education;
10 amending s. 413.011, F.S.; providing
11 legislative purpose and policy; creating the
12 Florida Corporation for the Blind; providing
13 for membership, terms, and meetings of the
14 board of directors and for the election of the
15 corporation chair; naming the corporation as
16 the designated state unit and the Department of
17 Management Services as the designated state
18 agency under the federal Rehabilitation Act of
19 1973; providing for corporate personnel,
20 including an executive director; requiring
21 background investigations of personnel;
22 providing powers and duties of the corporation,
23 including the duty to license blind individuals
24 under the federal Randolph-Sheppard Act;
25 exempting certain property from record and
26 inventory requirements and from bidding
27 requirements; creating a children's program;
28 providing purposes of the program; requiring an
29 annual report; providing for the resolution of
30 disputes; repealing the Advisory Council for
31 the Blind; creating s. 413.093, F.S.; providing

1 budgetary procedures for the corporation;
2 providing duties of the executive director of
3 the Florida Corporation for the Blind; creating
4 s. 413.094, F.S.; providing for management
5 flexibility in the corporation's allocation of
6 funds and the amendment of authorized
7 positions; creating s. 413.095, F.S.; providing
8 for the corporation to retain title to certain
9 real and personal property intended for use by
10 people who have visual impairments and certain
11 corporate personnel; allowing the corporation
12 to repossess, transfer, and dispose of such
13 property; amending s. 110.131, F.S., relating
14 to other-personal-services temporary
15 employment, s. 121.051, F.S., relating to
16 participation in the Florida Retirement System,
17 s. 215.311, relating to exceptions from s.
18 215.31, F.S., which apply to funds collected by
19 and under the direction of the division, s.
20 318.21, F.S., relating to the disposition of
21 civil penalties by county courts, s. 413.0115,
22 F.S., relating to the State Board of
23 Administration's authorization to invest a
24 portfolio, s. 413.012, F.S., relating to
25 prohibiting the disclosure of confidential
26 records and providing exemptions to the
27 prohibition, s. 413.013, F.S., relating to the
28 destruction of certain records, s. 413.014,
29 F.S., relating to community-based
30 rehabilitation programs, s. 413.041, F.S.,
31 relating to placing eligible blind persons in

1 vending facilities in public places, s.
2 413.051, F.S., the Little Randolph Sheppard
3 Act, s. 413.091, F.S., relating to the issuance
4 of identification cards to persons known to be
5 blind or partially sighted, s. 413.092, F.S.,
6 relating to the Blind Babies Program;
7 conforming provisions to the changes made by
8 this act; repealing ss. 413.061, 413.062,
9 413.063, 413.064, 413.065, 413.066, 413.067,
10 413.068, 413.069, F.S., relating to the
11 issuance of permits for soliciting funds on
12 behalf of blind persons; providing an effective
13 date.

14
15 Be It Enacted by the Legislature of the State of Florida:

16
17 Section 1. This act may be cited as the "Florida
18 Corporation for the Blind Act."

19 Section 2. The purpose of this act is to create a
20 public-private partnership by providing that a single
21 nonprofit corporation be established to provide administrative
22 services and to implement programs for persons in the state
23 who are blind and that no additional nonprofit corporation be
24 created for these purposes.

25 Section 3. (1) The powers, duties, records,
26 personnel, property, and unexpended balances of
27 appropriations, allocations, or other funds of the Division of
28 Blind Services of the Department of Education are transferred,
29 to the Florida Corporation for the Blind.

30 (2) Any contract or agreement concerning services for
31 the blind to which the Division of Blind Services is a party

1 and which is in effect before January 1, 2004, is binding upon
2 the Florida Corporation for the Blind to the same extent that
3 the contract or agreement was binding upon the division.

4 (3) All proceeds from claims filed with any agency,
5 including, but not limited to, the Social Security
6 Administration, which relate to the provision of services for
7 the blind shall be transferred to the corporation from any
8 agency that has received such proceeds.

9 Section 4. Subsection (3) of section 20.15, Florida
10 Statutes, is amended to read:

11 20.15 Department of Education.--There is created a
12 Department of Education.

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

15 (a) Division of Community Colleges.

16 (b) Division of Public Schools.

17 (c) Division of Colleges and Universities.

18 (d) Division of Vocational Rehabilitation.

19 ~~(e) Division of Blind Services.~~

20 Section 5. Subsection (6) of section 121.051, Florida
21 Statutes, is amended to read:

22 121.051 Participation in the system.--

23 (6) SEASONAL STATE EMPLOYMENT; BLIND VENDING FACILITY
24 OPERATORS.--

25 (a) Seasonal state employment shall be included under
26 this chapter, and the time limit and procedure for claiming
27 same as set forth in s. 122.07 shall continue under this
28 chapter for those members transferring to this system and for
29 all new members.

30 (b)1. All blind or partially sighted persons employed
31 or licensed by the Division of Blind Services as vending

1 facility operators on or after December 1, 1970, and prior to
2 July 1, 1996, are hereby declared to be state employees within
3 the meaning of this chapter, and all vending facility
4 operators licensed and employed during that period shall be
5 compulsory members of the Florida Retirement System in
6 compliance with this chapter for as long as the member is a
7 vending facility operator, except as provided in subparagraph
8 3.

9 2. Blindness shall not be deemed a retirement
10 disability within the provisions of this chapter for such
11 members as are contemplated by this paragraph.

12 3. Any vending facility operator as described in
13 subparagraph 1. may elect, on or before July 31, 1996, to
14 withdraw from the Florida Retirement System as provided in s.
15 413.051(11). The election to withdraw shall take effect as of
16 July 1, 1996, and the decision to withdraw is irrevocable. A
17 vending facility operator who withdraws from the Florida
18 Retirement System as provided in this subparagraph shall
19 retain all creditable service earned in the Florida Retirement
20 System through the month that retirement contributions ceased
21 to be reported, and no creditable service shall be earned as a
22 vending facility operator after such month. However, any such
23 person may participate in the Florida Retirement System in the
24 future if employed by a participating employer in a covered
25 position.

26 4. All blind or partially sighted persons employed or
27 licensed by the Florida Corporation for the Blind ~~Division of~~
28 ~~Blind Services~~ as vending facility operators on or after
29 January 1, 2004 ~~July 1, 1996~~, shall be independent contractors
30 within the meaning of this chapter and shall not be eligible
31 for membership in the Florida Retirement System.

1 Section 6. Section 215.311, Florida Statutes, is
2 amended to read:

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

12 Section 7. Subsection (4) of section 318.21, Florida
13 Statutes, is amended to read:

14 318.21 Disposition of civil penalties by county
15 courts.--All civil penalties received by a county court
16 pursuant to the provisions of this chapter shall be
17 distributed and paid monthly as follows:

18 (4) Of the additional fine assessed under s.
19 318.18(3)(e) for a violation of s. 316.1301, 40 percent must
20 be remitted to the Department of Revenue for deposit in the
21 Grants and Donations Trust Fund of the Florida Corporation for
22 the Blind ~~Division of Blind Services of the Department of~~
23 ~~Education~~, and 60 percent must be distributed pursuant to
24 subsections (1) and (2).

25 Section 8. Section 413.011, Florida Statutes, is
26 amended to read:

27 413.011 Florida Corporation for the Blind ~~Division of~~
28 ~~Blind Services~~, internal organizational structure ~~Advisory~~
29 ~~Council for the Blind~~--

30 (1) PURPOSE AND POLICY--

31

1 (a) Purpose.--The purpose of this act is to establish
2 a coordinated program of services which will be available to
3 individuals throughout this state who are blind. The program
4 must be designed to maximize employment opportunities for such
5 individuals and to increase their independence and
6 self-sufficiency. In implementing this program, the Florida
7 Corporation for the Blind ~~The internal organizational~~
8 ~~structure of the Division of Blind Services shall be designed~~
9 ~~for the purpose of ensuring the greatest possible efficiency~~
10 ~~and effectiveness of services to the blind and to be~~
11 ~~consistent with chapter 20. The Division of Blind Services~~
12 shall plan, supervise, and carry out the following activities:
13 1.(a) Recommend personnel as may be necessary to carry
14 out the purposes of this section.
15 ~~(b) Cause to be compiled and maintained a complete~~
16 ~~register of the blind in the state, which shall describe the~~
17 ~~condition, cause of blindness, and capacity for education and~~
18 ~~industrial training, with such other facts as may seem to the~~
19 ~~division to be of value. Any information in the register of~~
20 ~~the blind which, when released, could identify an individual~~
21 ~~is confidential and exempt from the provisions of s.~~
22 ~~119.07(1).~~
23 2.(c) Inquire into the cause of blindness, inaugurate
24 preventive measures, and provide for the examination and
25 treatment of the blind, or those threatened with blindness,
26 for the benefit of such persons, and shall pay therefor,
27 including necessary incidental expenses.
28 3.(d) Aid the blind in finding employment, teach them
29 trades and occupations within their capacities, assist them in
30 disposing of products made by them in home industries, assist
31 them in obtaining funds for establishing enterprises where

1 federal funds reimburse the state, and do such things as will
2 contribute to the efficiency of self-support of the blind.

3 4.(e) Establish one or more training schools and
4 workshops for the employment of suitable blind persons; make
5 expenditures of funds for such purposes; receive moneys from
6 sales of commodities involved in such activities and from such
7 funds make payments of wages, repairs, insurance premiums and
8 replacements of equipment. All of the activities provided for
9 in this section may be carried on in cooperation with private
10 workshops for the blind, except that all tools and equipment
11 furnished by the corporation division ~~shall~~ remain the
12 property of the state.

13 5.(f) Provide special services and benefits for the
14 blind for developing their social life through community
15 activities and recreational facilities.

16 6.(g) Undertake such other activities as may
17 ameliorate the condition of blind residents ~~citizens~~ of this
18 state.

19 7.(h) Cooperate with other agencies, public or
20 private, especially the Division of the Blind and Physically
21 Handicapped of the Library of Congress and the Division of
22 Library and Information Services of the Department of State,
23 to provide library service to the blind and other handicapped
24 persons as defined in federal law and regulations in carrying
25 out any or all of the provisions of this law.

26 8.(i) Recommend contracts and agreements with federal,
27 state, county, municipal and private corporations, and
28 individuals.

29 9.(j) Receive moneys or properties by gift or bequest
30 from any person, firm, corporation, or organization for any of
31 the purposes ~~herein~~ set out in this paragraph, but without

1 authority to bind the state to any expenditure or policy
2 except such as is ~~may be~~ specifically authorized by law. All
3 such moneys or properties so received by gift or bequest as
4 ~~herein~~ authorized in this subparagraph may be disbursed and
5 expended by the corporation ~~division~~ upon its own warrant for
6 any of the purposes herein set forth, and such moneys or
7 properties do ~~shall~~ not constitute nor may they ~~or~~ be
8 considered a part of any legislative appropriation made by the
9 state for the purpose of carrying out this section ~~the~~
10 ~~provisions of this law.~~

11 10.~~(k)~~ Prepare and make available to the blind, in
12 braille and on electronic recording equipment, Florida
13 Statutes chapters 20, 120, 121, and 413, in their entirety.

14 11.~~(l)~~ Adopt by rule procedures for providing
15 vocational rehabilitation services for the blind.

16 12.~~(m)~~ Adopt by rule forms and instructions to be used
17 by the corporation ~~division~~ in its general administration.

18 (b) Policy.--It is the policy of the Legislature that
19 all programs, projects, and activities of the Florida
20 Corporation for the Blind are to be carried out in a manner
21 consistent with the following principles:

22 1. Respect for individual dignity, personal
23 responsibility, self-determination to live independently, and
24 pursuit of meaningful careers, based on informed choice;

25 2. Support for the involvement of an individual's
26 representative if an individual requests, desires, or needs
27 such support;

28 3. Respect for the individual's privacy and equal
29 access, including the use of information in accessible
30 formats; and
31

1 4. Integration and full participation of individuals
2 who are blind in society on equal terms with others.

3 (2) DEFINITIONS.--As used in this section, the term:

4 (a) "Act," unless the context indicates otherwise,
5 means the Rehabilitation Act of 1973, 29 U.S.C. ss. 701-797.

6 (b) "Blind" or "blindness" means the condition of any
7 person for whom blindness is a disability as defined by the
8 Rehabilitation Act of 1973, 29 U.S.C. s. 706(8)(b).

9 (3) FLORIDA CORPORATION FOR THE BLIND; CREATION;
10 MEMBERSHIP.--There is created the Florida Corporation for the
11 Blind, a non-profit corporation to provide administrative
12 services and implement authorized programs for persons in the
13 state who are blind. Section 768.28 applies to the
14 corporation, which is a corporation primarily acting as an
15 instrumentality of the state but not an agency within the
16 meaning of s. 20.03(11). The corporation:

17 (a) Is a Florida corporation not for profit,
18 incorporated under chapter 617.

19 (b) Shall provide administrative services and
20 implement authorized programs in accordance with state and
21 federal law.

22 (c) Shall receive, hold, and administer real and
23 personal property and make only prudent expenditures directly
24 related to the responsibilities of the board, in accordance
25 with the contract required by this section.

26 (d) Must be approved by the Secretary of Management
27 Services to operate for the benefit of blind persons in this
28 state and in the best interests of the state.

29 (e) Shall operate under a fiscal year that begins on
30 July 1 of each year and ends on June 30 of the following year.

31

1 (f) Is subject to the requirements of Art. I, s. 24 of
2 the State Constitution, ch. 119, and s. 286.011.

3 (g) Is the designated state unit, with the Department
4 of Management Services being the designated state agency, in
5 accordance with the Rehabilitation Act of 1973, as amended.

6 (h) May hire staff as necessary to perform its
7 functions. Such staff are not public employees for the
8 purposes of ch. 110 or ch. 112, except that the board of
9 directors and the staff are subject to s. 112.061.

10 (i) Shall operate under an annual written contract
11 with the Department of Management Services. The contract must
12 provide for, but is not limited to:

13 1. Approval of the articles of incorporation and
14 bylaws of the corporation by the Secretary of Management
15 Services.

16 2. Submission by the corporation of an annual budget
17 for approval by the Secretary of Management Services.

18 3. Annual certification by the Secretary of Management
19 Services that the corporation is complying with the terms of
20 the contract in a manner consistent with the goals and
21 purposes of applicable programs and services for the blind and
22 in the best interests of the state. This certification must be
23 reported in the meeting minutes of the board. The contract
24 must also provide for methods and mechanisms to resolve any
25 noncompliance that is found during the certification process.

26 4. Designation by the Secretary of Management Services
27 of a contract administrator to actively supervise the
28 activities of the corporation to ensure compliance with the
29 contract and all federal and state requirements and to ensure
30 the effective operation of the corporation.

31

1 5. The reversion to the state of moneys, records,
2 date, and any real or personal property held in trust by the
3 corporation if the corporation is no longer approved to
4 operate for the board or the board ceases to exist. In such
5 cases, the corporation must return all records and data that
6 are in a computerized database shall be returned to the
7 Department of Management Services in a form that is compatible
8 with the computerized databases of the department.

9 6. The securing and maintaining by the corporation,
10 during the term of the contract and for all acts performed
11 during the term of the contract, of all liability insurance
12 coverages in an amount to be approved by the Secretary of
13 Management Services to defend, indemnify, and hold harmless
14 the corporation, its officers and employees, and the state
15 against all claims arising from state and federal laws. Such
16 insurance coverage must be maintained with insurers qualified
17 and doing business in the state. The corporation must annually
18 provide to the department proof of continuing insurance
19 coverage. The Department of Management Services and the state
20 are exempt from and are not liable for any sum of money which
21 represents a deductible, which sums are the sole
22 responsibility of the corporation. Violation of this
23 subparagraph constitutes grounds for terminating the contract.

24 (j) Have a board of directors consisting of seven
25 members appointed by the Governor after consultation with
26 recognized consumer groups of people who are blind in the
27 state to obtain their recommendations of appointees. A
28 majority of the directors shall be individuals who are blind.
29 A director:

30
31

1 1. Must be qualified to serve based on knowledge and
2 experience in rehabilitation and related services for the
3 blind.

4 2. Shall be appointed for a 3-year term, except that
5 the Governor shall specify shorter terms in the initial
6 appointment in order to establish staggered terms. Three of
7 the initial appointments shall be for 3-year terms. Two of the
8 initial appointments shall be for 2-year terms and two of the
9 initial appointments shall be for 1-year terms as specified by
10 the Governor. Thereafter, all directors shall be appointed for
11 3-year terms, except that a director who is appointed to fill
12 the unexpired term of a director who does not complete his or
13 her term shall fill only the remainder of that term.

14 3. Shall serve no more than 2 successive terms, not
15 including that portion of an unexpired term that he or she has
16 been appointed to fill.

17 4. May not receive compensation for his or her
18 services, but may be reimbursed for travel expenses in
19 accordance with s. 112.061.

20 5. May not be employed by the corporation during the
21 term of his or her membership or for a period of 2 years after
22 the date on which his or her term on the board ends.

23 6. May be removed by the Governor with or without
24 cause.

25 (k) The board of directors:

26 1. Shall select its officers in accordance with its
27 bylaws. The chair of the board and all officers must be
28 elected by a majority vote of the board in a meeting at which
29 a quorum is present. The officers shall be elected at the
30 first meeting of the board and annually thereafter.

31

1 2. Must have a majority of the directors present at a
2 meeting, in person or by telephone conference call, to
3 constitute a quorum to transact business.

4 3. Shall meet quarterly or at the call of the chair or
5 a majority of the directors and at such other times as the
6 directors determine.

7 4. Shall submit an annual budget to the Department of
8 Management Services for approval.

9 5. Shall appoint an executive director who has
10 knowledge and experience in rehabilitation and related
11 services for the blind or has a background in management and
12 any other area determined by the board. The executive director
13 shall serve as secretary to the corporation and shall be the
14 chief administrative officer of the corporation. The executive
15 director shall be appointed for an indefinite period but may
16 be terminated for cause by a vote of at least five members of
17 the corporation. The executive director shall employ such
18 personnel as are needed and shall fix their compensation. All
19 employees of the corporation are exempt from the Career
20 Service System. The executive director, in consultation with
21 the board, may contract for services ordinarily performed by
22 state employees.

23 (l) Shall be funded through appropriations allocated
24 and determined by the Legislature.

25 (m) Shall provide for an annual financial audit of its
26 financial accounts and records by an independent certified
27 public accountant. The annual audit report must include a
28 management letter in accordance with s. 11.45 and a detailed
29 supplemental schedule of expenditures for each.

30 (n) Shall provide for persons who have responsibility
31 for receiving, depositing, or dispersing any funds, fees, or

1 other revenues to have a faithful performance bond in such an
2 amount and according to such terms as are determined in the
3 contract.

4 (o) Shall submit to the Secretary of Management
5 Services, the Governor, the President of the Senate, and the
6 Speaker of the House of Representatives, on or before January
7 1 of each year, a report on the status of the corporation
8 which includes, but is not limited to, information concerning
9 the programs and funds that have been transferred to the
10 corporation, and whether the corporation has met outcomes
11 established for the corporation under this section.

12 (p) Shall develop, with the Department of Management
13 Services, performance standards and measurable outcomes for
14 the corporation in order to facilitate efficient and
15 cost-effective regulation.

16 (q) Shall, because of the special trust placed in and
17 the special responsibility imposed on employees of the
18 corporation, require all employees and applicants for
19 employment to undergo personnel screening and security
20 background investigations as provided in chapter 435, using
21 the level 1 standards for screening set forth in that chapter
22 as a condition of employment and continued employment. The
23 corporation shall pay the cost of a personnel screening and
24 security background investigation for each employee of the
25 corporation.

26 (4) POWERS AND DUTIES.--The corporation shall:

27 (a) Develop and carry out a state plan for vocational
28 rehabilitation services for individuals who are blind,
29 pursuant to section 101 of the Rehabilitation Act of 1973, as
30 amended.

31

1 (b) In conjunction with the Florida Independent Living
2 Council, develop and carry out a 3-year state plan for
3 independent living services and provide independent living
4 services for blind and visually impaired individuals,
5 including services for older individuals who are blind,
6 pursuant to Title VII, chapter 2 of the Rehabilitation Act of
7 1973, as amended.

8 (c) Provide services that contribute to the
9 maintenance of or the increased independence of older
10 individuals who are blind.

11 (d) Establish, equip, and maintain an orientation and
12 adjustment center or centers to provide independent living
13 skills training and other training such as, but not limited
14 to, instruction in Braille; use of the long white cane for
15 independent travel; homemaking and home-management skills; and
16 communication skills, including the use of computer
17 technology, to prepare individuals who are blind or visually
18 impaired for eventual vocational training, job placement, and
19 independence.

20 (e) Establish and carry out a small business
21 enterprises program and serve as the state licensing agency
22 for individuals who are blind, pursuant to the federal
23 Randolph-Sheppard Act.

24 (f) Purchase and distribute specialized equipment,
25 devices, and technology, including low-vision aids, obtained
26 directly from specialty vendors without using state
27 centralized purchasing procedures. Property that is purchased
28 by a state agency for the purpose of making accommodations for
29 individuals who are blind is not subject to the record and
30 inventory requirements set forth in s. 273.02. A state agency
31

1 may use funds from all possible sources to make accommodations
2 for individuals who are blind.

3 (g) In cooperation with the Library of Congress,
4 provide library services to persons who are blind and persons
5 who have physical disabilities.

6 (h) In cooperation with other appropriate agencies,
7 provide to employers, the state education agency, and local
8 education agencies technical assistance in the provision of
9 auxiliary aids and services to people who are blind, students,
10 and their parents in complying with the Americans with
11 Disabilities Act and the Individuals with Disabilities
12 Education Act, as amended.

13 (i) Provide technical assistance to agencies within
14 the state in order to assure that information technology
15 purchased or used by such agencies is accessible to and usable
16 by individuals who are blind, at the time the technology is
17 purchased or used.

18 (j) Participate, through the designation of the
19 executive director or an appropriate staff member of the
20 corporation, on boards, commissions, or bodies in this state
21 for the purpose of coordinating and planning services.

22 (k) Conduct a review of consumer satisfaction with
23 programs of the corporation and perform other functions of the
24 statewide rehabilitation council specified in section 105(c)
25 of the Rehabilitation Act of 1973, as amended.

26 (l) Adopt policies for administering the programs of
27 the corporation.

28 (m) Apply for and receive money from any state or
29 federal agency to support the programs of the corporation.

30 (n) Develop and administer any other program that will
31 further the provision of services to people who are blind and

1 that the corporation determines falls within its scope of
2 responsibility.

3 (5) PROGRAMS OF THE CORPORATION.--

4 (a) There is created within the Florida Corporation
5 for the Blind a children's program to serve children who are
6 blind from 5 years of age through transition to the Vocational
7 Rehabilitation Program. This program must supplement services
8 already offered by the school system to foster the child's
9 learning and ability to function independently. The child's
10 parents, guardian, and family members should be an integral
11 part of the program in order to foster independence.

12 (b) The corporation shall provide vocational
13 rehabilitation services to individuals in this state, who are
14 blind pursuant to the Rehabilitation Act of 1973, as amended.

15 (c) The corporation shall provide independent living
16 services to individuals in this state who are blind, including
17 older individuals, pursuant to the Rehabilitation Act of 1973,
18 as amended.

19 (7) REPORTS.--The Florida Corporation for the Blind
20 shall publish an annual report that includes a list of
21 accomplishments, findings, and recommendations for
22 improvements based on the corporation's performance during the
23 year. The report must also contain information needed to
24 evaluate the progress of the corporation in meeting the needs
25 of blind individuals in the state.

26 (8) RESOLUTION OF DISPUTES.--

27 (a) Any applicant for or recipient of services from
28 the Florida Corporation for the Blind who is dissatisfied with
29 any action taken or decision made regarding such services may
30 file a complaint setting forth the basis for the
31 dissatisfaction and the remedy sought. Upon receipt of the

1 complaint, the executive director shall inform the individual
2 of the voluntary procedures for mediation of the dispute. The
3 mediation must be conducted by a qualified and impartial
4 mediator, and the corporation must pay the costs.

5 (b) If the dispute cannot be resolved by mediation or
6 other informal means, the executive director shall, through a
7 designee, notify the complainant of his or her rights for
8 appeal under state and federal law related to the program from
9 which the complaint arises. The corporation shall adopt rules
10 sufficient to regulate the conduct of all proceedings required
11 under this section and to assure the rights of all parties
12 participating therein.

13 ~~(c) "Department" means the Department of Labor and~~
14 ~~Employment Security.~~

15 ~~(3) There is hereby created in the department the~~
16 ~~Advisory Council for the Blind to assist the division in the~~
17 ~~planning and development of statewide rehabilitation programs~~
18 ~~and services, to recommend improvements to such programs and~~
19 ~~services, and to perform the functions provided in this~~
20 ~~section.~~

21 ~~(a) The advisory council shall be composed of:~~

22 ~~1. At least one representative of the Independent~~
23 ~~Living Council, which representative may be the chair or other~~
24 ~~designee of the council;~~

25 ~~2. At least one representative of a parent training~~
26 ~~and information center established pursuant to s. 631(c)(9) of~~
27 ~~the Individuals with Disabilities Act, 20 U.S.C. s.~~
28 ~~1431(c)(9);~~

29 ~~3. At least one representative of the client~~
30 ~~assistance program established under the act;~~

31

1 ~~4. At least one vocational rehabilitation counselor~~
2 ~~who has knowledge of and experience in vocational~~
3 ~~rehabilitation services for the blind, who shall serve as an~~
4 ~~ex officio nonvoting member of the council if the counselor is~~
5 ~~an employee of the department;~~

6 ~~5. At least one representative of community~~
7 ~~rehabilitation program service providers;~~

8 ~~6. Four representatives of business, industry, and~~
9 ~~labor;~~

10 ~~7. At least one representative of a disability~~
11 ~~advocacy group representing individuals who are blind;~~

12 ~~8. At least one parent, family member, guardian,~~
13 ~~advocate, or authorized representative of an individual who is~~
14 ~~blind, has multiple disabilities, and either has difficulties~~
15 ~~representing himself or herself or is unable, due to~~
16 ~~disabilities, to represent himself or herself;~~

17 ~~9. Current or former applicants for, or recipients of,~~
18 ~~vocational rehabilitation services; and~~

19 ~~10. The director of the division, who shall be an ex~~
20 ~~officio member of the council.~~

21 ~~(b) Members of the council shall be appointed by the~~
22 ~~Governor, who shall select members after soliciting~~
23 ~~recommendations from representatives of organizations~~
24 ~~representing a broad range of individuals who have~~
25 ~~disabilities, and organizations interested in those~~
26 ~~individuals.~~

27 ~~(c) A majority of council members shall be persons who~~
28 ~~are;~~

29 ~~1. Blind; and~~

30 ~~2. Not employed by the division.~~

31

1 ~~(d) The council shall select a chair from among its~~
2 membership.

3 ~~(e) Each member of the council shall serve for a term~~
4 ~~of not more than 3 years, except that:~~

5 ~~1. A member appointed to fill a vacancy occurring~~
6 ~~prior to the expiration of the term for which a predecessor~~
7 ~~was appointed shall be appointed for the remainder of such~~
8 ~~term; and~~

9 ~~2. The terms of service of the members initially~~
10 ~~appointed shall be, as specified by the Governor, for such~~
11 ~~fewer number of years as will provide for the expiration of~~
12 ~~terms on a staggered basis.~~

13 ~~(f) No member of the council may serve more than two~~
14 ~~consecutive full terms.~~

15 ~~(g) Any vacancy occurring in the membership of the~~
16 ~~council shall be filled in the same manner as the original~~
17 ~~appointment. A vacancy does not affect the power of the~~
18 ~~remaining members to execute the duties of the council.~~

19 ~~(h) In addition to the other functions specified in~~
20 ~~this section, the council shall:~~

21 ~~1. Review, analyze, and advise the division regarding~~
22 ~~the performance of the responsibilities of the division under~~
23 ~~Title I of the act, particularly responsibilities relating to:~~

24 ~~a. Eligibility, including order of selection;~~

25 ~~b. The extent, scope, and effectiveness of services~~
26 ~~provided; and~~

27 ~~c. Functions performed by state agencies that affect~~
28 ~~or potentially affect the ability of individuals who are blind~~
29 ~~to achieve rehabilitation goals and objectives under Title I.~~

30 ~~2. Advise the department and the division, and, at the~~
31 ~~discretion of the department or division, assist in the~~

1 ~~preparation of applications, the state plan, the strategic~~
2 ~~plan, and amendments to the plans, reports, needs assessments,~~
3 ~~and evaluations required by Title I.~~

4 ~~3. To the extent feasible, conduct a review and~~
5 ~~analysis of the effectiveness of, and consumer satisfaction~~
6 ~~with:~~

7 ~~a. The functions performed by state agencies and other~~
8 ~~public and private entities responsible for performing~~
9 ~~functions for individuals who are blind.~~

10 ~~b. Vocational rehabilitation services:~~

11 ~~(I) Provided or paid for from funds made available~~
12 ~~under the act or through other public or private sources.~~

13 ~~(II) Provided by state agencies and other public and~~
14 ~~private entities responsible for providing vocational~~
15 ~~rehabilitation services to individuals who are blind.~~

16 ~~4. Prepare and submit an annual report on the status~~
17 ~~of vocational rehabilitation services for the blind in the~~
18 ~~state to the Governor and the Commissioner of the~~
19 ~~Rehabilitative Services Administration, established under s.~~
20 ~~702 of the act, and make the report available to the public.~~

21 ~~5. Coordinate with other councils within the state,~~
22 ~~including the Independent Living Council, the advisory panel~~
23 ~~established under s. 613(a)(12) of the Individuals with~~
24 ~~Disabilities Education Act, 20 U.S.C. 1413(a)(12), the State~~
25 ~~Planning Council described in s. 124 of the Developmental~~
26 ~~Disabilities Assistance and Bill of Rights Act, 42 U.S.C. s.~~
27 ~~6024, and the state mental health planning council established~~
28 ~~under s. 1916(e) of the Public Health Service Act, 42 U.S.C.~~
29 ~~300X-4(e).~~

30 ~~6. Advise the department and division and provide for~~
31 ~~coordination and the establishment of working relationships~~

1 ~~among the department, the division, the Independent Living~~
2 ~~Council, and centers for independent living in the state.~~

3 ~~7. Perform such other functions consistent with the~~
4 ~~purposes of the act as the council determines to be~~
5 ~~appropriate that are comparable to functions performed by the~~
6 ~~council.~~

7 ~~(i)1. The council shall prepare, in conjunction with~~
8 ~~the division, a plan for the provision of such resources,~~
9 ~~including such staff and other personnel, as may be necessary~~
10 ~~to carry out the functions of the council. The resource plan~~
11 ~~shall, to the maximum extent possible, rely on the use of~~
12 ~~resources in existence during the period of implementation of~~
13 ~~the plan.~~

14 ~~2. If there is a disagreement between the council and~~
15 ~~the division in regard to the resources necessary to carry out~~
16 ~~the functions of the council as set forth in this section, the~~
17 ~~disagreement shall be resolved by the Governor.~~

18 ~~3. The council shall, consistent with law, supervise~~
19 ~~and evaluate such staff and other personnel as may be~~
20 ~~necessary to carry out its functions.~~

21 ~~4. While assisting the council in carrying out its~~
22 ~~duties, staff and other personnel shall not be assigned duties~~
23 ~~by the division or any other state agency or office that would~~
24 ~~create a conflict of interest.~~

25 ~~(j) No council member shall cast a vote on any matter~~
26 ~~that would provide direct financial benefit to the member or~~
27 ~~otherwise give the appearance of a conflict of interest under~~
28 ~~state law.~~

29 ~~(k) The council shall convene at least four meetings~~
30 ~~each year. These meetings shall occur in such places as the~~
31 ~~council deems necessary to conduct council business. The~~

1 ~~council may conduct such forums or hearings as the council~~
2 ~~considers appropriate. The meetings, hearings, and forums~~
3 ~~shall be publicly announced. The meetings shall be open and~~
4 ~~accessible to the public. The council shall make a report of~~
5 ~~each meeting which shall include a record of its discussions~~
6 ~~and recommendations, all of which reports shall be made~~
7 ~~available to the public.~~

8 Section 9. Section 413.0115, Florida Statutes, is
9 amended to read:

10 413.0115 State Board of Administration; authorization
11 to invest corporation's ~~division's~~ portfolio.--The State Board
12 of Administration may invest and reinvest the portfolio of
13 stocks, bonds, and mutual funds held by the Florida
14 Corporation for the Blind ~~Division of Blind Services~~ in
15 accordance with the trust agreement approved by the
16 corporation ~~Division of Blind Services~~ and the State Board of
17 Administration and the provisions of ss. 215.44-215.53. The
18 executive director of the Florida Corporation for the Blind
19 ~~Division of Blind Services~~ shall make the portfolio available
20 and shall transfer it to the State Board of Administration for
21 investment.

22 Section 10. Section 413.012, Florida Statutes, is
23 amended to read:

24 413.012 Confidential records disclosure prohibited;
25 exemptions.--

26 (1) All records furnished to the Florida Corporation
27 for the Blind ~~Division of Blind Services~~ in connection with
28 state or local vocational rehabilitation programs and
29 containing information as to personal facts about applicants
30 or clients given or made available to the state or local
31 vocational rehabilitation agency or its representatives or

1 employees in the course of the administration of the program,
2 including lists of names and addresses and records of
3 evaluations of clients, are confidential and exempt from the
4 provisions of s. 119.07(1).

5 (2) It is unlawful for any person to disclose,
6 authorize the disclosure, solicit, receive, or make use of any
7 list of names and addresses or any record containing any
8 information set forth in subsection (1) and maintained in the
9 corporation division. The prohibition provided for in this
10 subsection does ~~shall~~ not apply to the use of such information
11 for purposes directly connected with the administration of the
12 vocational rehabilitation program or with the monthly dispatch
13 to the Division of Driver Licenses of the Department of
14 Highway Safety and Motor Vehicles of the name in full, place
15 and date of birth, sex, social security number, and resident
16 address of individuals who have ~~with~~ central visual acuity of
17 20/200 or less in the better eye with correcting glasses, or a
18 disqualifying field defect in which the peripheral field has
19 contracted to such an extent that the widest diameter or
20 visual field subtends an angular distance no greater than 20
21 degrees. When requested in writing by an applicant or client,
22 or her or his representative, the Florida Corporation for the
23 Blind ~~Division of Blind Services~~ shall release confidential
24 information to the applicant or client or her or his
25 representative.

26 (3) Any person who violates a provision of this
27 section is guilty of a misdemeanor of the second degree,
28 punishable as provided in s. 775.082 or s. 775.083.

29 Section 11. Section 413.013, Florida Statutes, is
30 amended to read:

31

1 413.013 Destruction of records.--The Florida
2 Corporation for the Blind ~~Division of Blind Services~~ may
3 authorize the destruction of any correspondence, documents, or
4 other records when the subject matter involved has been closed
5 or terminated and their preservation is not required by
6 federal or state law, rule, or regulation. ~~No~~ Such material
7 may not shall be destroyed unless the corporation has given
8 specific authority to destroy it is given by the division and
9 unless the said records have been in the possession of the
10 corporation division 5 or more years prior to their
11 destruction.

12 Section 12. Section 413.014, Florida Statutes, is
13 amended to read:

14 413.014 Community-based rehabilitation programs.--The
15 Florida Corporation for the Blind ~~Division of Blind Services~~
16 shall enter into cooperative agreements with community-based
17 rehabilitation programs to be the service providers for the
18 blind citizens of their communities. The corporation division
19 shall, as rapidly as feasible, increase the amount of such
20 services provided by community-based rehabilitation programs.
21 The goal shall be to decrease the amount of such services
22 provided by corporation division employees and to increase to
23 the maximum extent allowed by federal law the amount of such
24 services provided through cooperative agreements with
25 community-based service providers. The corporation division
26 shall seek, to the maximum extent allowed by federal and state
27 law and regulation, all available federal funds for such
28 purposes. Funds and in-kind matching contributions from
29 community and private sources shall be used to maximize
30 federal funds. Unless prohibited by federal law or regulation,
31 the share of the federal vocational rehabilitation grant

1 apporportioned for services to the blind must ~~shall~~ be not less
2 than 17 percent.

3 Section 13. Section 413.041, Florida Statutes, is
4 amended to read:

5 413.041 Eligible blind persons; placement in vending
6 facilities in public places.--For the purpose of assisting
7 blind persons to become self-supporting, the Florida
8 Corporation for the Blind may ~~Division of Blind Services is~~
9 ~~hereby authorized to~~ carry on activities to promote the
10 employment of eligible blind persons, including the licensing
11 and establishment of such persons as operators of vending
12 facilities on public property. The corporation ~~said division~~
13 may cooperate with any agency of the Federal Government in the
14 furtherance of the provisions of the Act of Congress entitled
15 "An Act to authorize the operation of stands in federal
16 buildings by blind persons, to enlarge the economic
17 opportunities of the blind and for other purposes," Pub. L.
18 No. 732, 74th Congress, and the corporation ~~said division~~ may
19 cooperate in the furtherance of the provisions of any other
20 act of Congress providing for the rehabilitation of the blind
21 which is that may now be in effect or is ~~may~~ hereafter ~~be~~
22 enacted by Congress.

23 Section 14. Section 413.051, Florida Statutes, is
24 amended to read:

25 413.051 Eligible blind persons; operation of vending
26 stands.--

27 (1) This section may be cited ~~shall be known~~ as the
28 Little Randolph Sheppard Act.

29 (2) As used in this section, the term:

30 (a) "Blind licensee" means any blind person trained
31 and licensed by the Florida Corporation for the Blind ~~Division~~

1 ~~of Blind Services~~ of the Department of Education to operate a
2 vending stand.

3 (b) "Vending stand" means any manually operated
4 cafeteria, snack bar, cart service, shelter, counter, or other
5 manually operated facility for the sale of newspapers,
6 periodicals, confections, tobacco products, foods, beverages,
7 or other such articles or services.

8 (c) "State agency" means any agency of the state.

9 (d) "State property" means any building or land owned,
10 leased, or otherwise controlled by the state, but does not
11 include any building or land under the control of the Board of
12 Regents, a community college district board of trustees, or
13 any state correctional institution as defined in s. 944.02.

14 (e) "Property custodian" or "person in charge" means
15 any employee, agent, or person who is in control of or
16 responsible for the maintenance, operation, and protection of
17 any state property.

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 Florida
22 Corporation for the Blind ~~Division of Blind Services~~ of the
23 Department of Education.

24 (4) The Florida Corporation for the Blind ~~Division of~~
25 ~~Blind Services~~ shall conduct ~~be responsible for~~ a periodic
26 survey of all state properties and, where feasible, shall
27 establish vending facilities to be operated by blind
28 licensees.

29 (5) All property custodians and duly authorized agents
30 or employees of the state shall cooperate with the corporation
31 ~~division~~ in its survey of state properties and shall make

1 available adequate space, electrical wiring, plumbing, and
2 ventilation necessary to the installation of a vending
3 facility on any state property designated as suitable by the
4 corporation division.

5 (6) The corporation division shall be notified by
6 property custodians or persons in charge at least 180 days
7 prior to the initiation of any new construction, expansion,
8 leasing, or acquisition of property occupied or to be occupied
9 by a state agency.

10 (7) A ~~No~~ person or persons may not ~~shall~~ be offered or
11 granted any concession by any property custodian or person in
12 charge to operate a vending stand on any state property
13 acquired after July 1, 1979, unless the corporation division
14 is notified of that proposed concession.

15 (8) Income from new vending machines or replacement of
16 existing machines installed on state property after July 1,
17 1979, shall accrue to the blind licensee who operates a
18 vending facility on the same property or, if none, to the
19 corporation division. The corporation is division shall be
20 responsible for the servicing and maintenance of all vending
21 machines.

22 (9) This section does not ~~It is the legislative intent~~
23 ~~that this section shall not apply or operate, in any way or~~
24 ~~any manner, to divest any person or organization presently~~
25 operating a vending stand on state, county, or municipal
26 property from continuing to do so; however, the property
27 custodian or person in charge shall notify the Florida
28 Corporation for the Blind Division of Blind Services at least
29 180 days prior to the expiration whether the ~~such~~ vending
30 facility location is suitable for operation by a blind
31 licensee.

1 (10) All the preceding provisions are permissive
2 regarding all political subdivisions of the state.

3 (11) Effective July 1, 1996, blind licensees who
4 remain members of the Florida Retirement System pursuant to s.
5 121.051(6)(b)1. shall pay any unappropriated retirement costs
6 from their net profits or from program income. Within 30 days
7 after the effective date of this act, each blind licensee who
8 is eligible to maintain membership in the Florida Retirement
9 System under s. 121.051(6)(b)1., but who elects to withdraw
10 from the system as provided in s. 121.051(6)(b)3., must, on or
11 before July 31, 1996, notify the Division of Blind Services
12 and the Department of Management Services in writing of his or
13 her election to withdraw. Failure to timely notify the
14 divisions shall be deemed a decision to remain a compulsory
15 member of the Florida Retirement System. However, if, at any
16 time after July 1, 1996, sufficient funds are not paid by a
17 blind licensee to cover the required contribution to the
18 Florida Retirement System, that blind licensee shall become
19 ineligible to participate in the Florida Retirement System on
20 the last day of the first month for which no contribution is
21 made or the amount contributed is insufficient to cover the
22 required contribution. For any blind licensee who becomes
23 ineligible to participate in the Florida Retirement System as
24 described in this subsection, no creditable service shall be
25 earned under the Florida Retirement System for any period
26 following the month that retirement contributions ceased to be
27 reported. However, any such person may participate in the
28 Florida Retirement System in the future if employed by a
29 participating employer in a covered position.

30 (12) The Florida Corporation for the Blind ~~Division of~~
31 ~~Blind Services~~ may adopt rules to permit the corporation

1 ~~division~~ to establish and maintain vending facilities, issue
2 licenses, establish and maintain a vending facility training
3 program, provide vendors access to financial data of the
4 program, set aside funds from net proceeds of the vending
5 facility, provide for the transfer and promotion of vendors,
6 establish a vendors committee, provide for an operation
7 agreement, provide duties and responsibilities of the
8 corporation ~~division~~ with respect to the vending facility
9 program, and provide procedures for newspaper vending sales.

10 Section 15. Section 413.091, Florida Statutes, is
11 amended to read:

12 413.091 Identification cards.--

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

18 (2) The individual shall submit proof of blindness as
19 specified by the corporation ~~division~~.

20 (3) The corporation ~~is division~~ will be responsible
21 for the design and content of the identification card and
22 shall develop and adopt ~~promulgate~~ rules, regulations, and
23 procedures relating to the eligibility and application for,
24 and issuance and control of, these identification cards.

25 Section 16. Section 413.092, Florida Statutes, is
26 amended to read:

27 413.092 Blind Babies Program.--

28 (1) The Blind Babies Program is created within the
29 Florida Corporation for the Blind ~~Division of Blind Services~~
30 ~~of the Department of Education~~ 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 corporation ~~division~~ shall enlist
4 parents, ophthalmologists, pediatricians, schools, Infant and
5 Toddlers Early Intervention Programs, and therapists to help
6 identify and enroll blind and visually impaired children, as
7 well as their parents, families, and caregivers, in these
8 educational programs.

9 (2) The program is not an entitlement but shall
10 promote early development with a special emphasis on vision
11 skills to minimize developmental delays. The education must
12 ~~shall~~ lay the groundwork for future learning by helping a
13 child progress through normal developmental stages. It must
14 ~~shall~~ teach children to discover and make the best use of
15 their skills for future success in school. It must ~~shall~~ seek
16 to ensure that visually impaired and blind children enter
17 school as ready to learn as their sighted classmates. The
18 program shall seek to link these children, and their parents,
19 families, and caregivers, to other available services,
20 training, education, and employment programs that could assist
21 these families in the future. This linkage may include
22 referrals to the school districts and the Infants and Toddlers
23 Early Intervention Program for assessments to identify any
24 additional services that are needed but ~~which~~ are not provided
25 by the Blind Babies Program. The corporation ~~division~~ shall
26 develop a formula for eligibility based on financial means and
27 may create a means-based matrix to set a copayment fee for
28 families having sufficient financial means.

29 (3) The corporation ~~division~~ shall establish outcomes
30 for this program, which must ~~shall~~ include, but are not
31 limited to, outcomes relating to the children's

1 age-appropriate developmental stages; knowledge of assistive
2 technology; proficiency at daily living; ability to
3 participate in pre-school and school; participation in their
4 communities; and ability to be literate. The corporation
5 ~~division~~ shall develop criteria to be used in identifying and
6 contracting with community-based provider organizations. All
7 services offered through the Blind Babies Program shall be
8 provided by community-based provider organizations. The
9 corporation ~~division~~ shall require any community-based
10 provider organization delivering services under this program
11 to develop performance measures related to those services and
12 report to the corporation ~~division~~ on the progress in
13 achieving those measures.

14 Section 17. Section 413.093, Florida Statutes, is
15 created to read:

16 413.093 Budget procedures.--

17 (1) The executive director of the Florida Corporation
18 for the Blind shall recommend to the Department of Management
19 Services a budget of income and expenditures at such time and
20 in such form as the department prescribes. The department
21 shall adopt procedures for the approval of budget amendments.

22 (2) In preparing its legislative budget request, the
23 Florida Corporation for the Blind shall use the same format,
24 procedures, and timelines that are required for preparing and
25 submitting the legislative budget of the Department of
26 Management Services. The Executive Office of the Governor
27 shall include the Florida Corporation for the Blind in the
28 department's legislative budget request to the Governor and
29 the Legislature. The legislative budget request and the
30 appropriation for the Florida Corporation for the Blind must
31 constitute a separate identifiable sum in the Executive Office

1 of the Governor's budget. The annual appropriation for the
2 corporation must be distributed monthly in payments that are
3 as nearly equal as possible. Appropriations for client
4 services, instructional technology, and motor vehicles may be
5 released and distributed as necessary to serve the
6 instructional program for the clients.

7 (3) Fixed capital outlay needs of the corporation must
8 continue to be requested in the public education capital
9 outlay legislative budget request of the Executive Office of
10 the Governor.

11 Section 18. Section 413.094, Florida Statutes, is
12 created to read:

13 413.094 Management flexibility.--

14 (1) Notwithstanding ss. 216.031, 216.181, and 216.262
15 to the contrary and pursuant to s. 216.351, but subject to any
16 guidelines imposed in the General Appropriations Act, funds
17 for the operation of the Florida Corporation for the Blind
18 must be requested and appropriated within budget entities,
19 program components, program categories, lump sums, or special
20 categories. Funds appropriated to the Florida Corporation for
21 the Blind for each program category, lump sum, or special
22 category may be transferred to traditional categories for
23 expenditure by the corporation. The corporation shall develop
24 an annual operating budget that allocates funds by program
25 component and traditional expenditure category.

26 (2) Notwithstanding s. 216.181 and pursuant to s.
27 216.351, but subject to any requirements imposed in the
28 General Appropriations Act, a lump-sum plan is not a
29 prerequisite to implementing the special categories, program
30 categories, or lump-sum appropriations. Upon release of the
31 special categories, program categories, or lump-sum

1 appropriations to the corporation, the Chief Financial
2 Officer, upon the request of the corporation, shall transfer
3 or reallocate funds to or among accounts established for
4 disbursement purposes. The corporation shall maintain records
5 to account for the original appropriation.

6 (3) Notwithstanding ss. 216.031, 216.181, 216.251, and
7 216.262 to the contrary and pursuant to s. 216.351, but
8 subject to any requirements imposed in the General
9 Appropriations Act, the corporation shall establish the
10 authorized positions and may amend such positions, within the
11 total funds authorized annually in the appropriations act.

12 Section 19. Section 413.095, Florida Statutes, is
13 created to read:

14 413.095 Retention of title to and disposal of property
15 and equipment.--

16 (1) The Florida Corporation for the Blind retains
17 title to any real or personal property, such as tools,
18 instruments, training supplies, equipment, motor vehicles,
19 real property, or other items of value acquired for use by
20 people who have visual impairments or personnel employed in
21 operating programs of the Florida Corporation for the Blind,
22 and may repossess and transfer such property for use by other
23 people who have visual impairments or personnel employed in
24 the operation of the corporation.

25 (2) The corporation may offer for sale any surplus
26 items acquired in the operation of the program when they are
27 no longer necessary or may exchange them for necessary items
28 that can be used to greater advantage. When any such surplus
29 equipment is sold or exchanged, a receipt for the sale or
30 exchange which shows the consideration given for the equipment
31 must be taken from the purchaser, and the consideration must

1 be forwarded to the division to be included in the
2 corporation's portfolio of investments pursuant to s. 413.115.
3 Any funds that the corporation receives pursuant to any such
4 transaction must be deposited in the Grants and Donations
5 Trust Fund, are exempt from the State Treasury pursuant to s.
6 215.311, and are available for expenditure for any purposes
7 consistent with ss. 413.011-413.092.

8 (3) The Florida Corporation for the Blind has the
9 exclusive right to develop rules relating to records and
10 recordkeeping for property owned by the corporation which is
11 referred to in subsections (1) and (2).

12 Section 20. Sections 413.061, 413.062, 413.063,
13 413.064, 413.065, 413.066, 413.067, 413.068, and 413.069,
14 Florida Statutes, are repealed.

15 Section 21. This act shall take effect January 1,
16 2004.

17
18 *****

19 SENATE SUMMARY

20 Replaces the Division of Blind Services of the Department
21 of Education with the Florida Corporation for the Blind,
22 which is created by this act. Provides a short title.
23 Provides powers and duties of the corporation. Provides
24 for budgetary procedures, powers, and limitations.
25 Repeals the Advisory Council for the Blind. (See bill for
26 details.)
27
28
29
30
31