

By Senator Fasano

11-128-04

1                                   A bill to be entitled  
2           An act relating to the Florida Council on  
3           Deafness; creating the Florida Council on  
4           Deafness; providing for the appointment of  
5           members and the organization of the council;  
6           requiring the staff of the Department of  
7           Education to assist the council in its duties;  
8           providing the role, purpose, powers, duties,  
9           and responsibilities of the council; providing  
10          an effective date.

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

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14           Section 1. Florida Council on Deafness.--

15           (1)(a) There is established the Florida Council on  
16 Deafness. The council is assigned to the Department of  
17 Education for administrative and fiscal purposes, but it shall  
18 otherwise function independently of the control, supervision,  
19 and direction of the Department of Education.

20           (b) The council shall consist of nine members  
21 appointed by the Governor, after consultation with statewide  
22 not-for-profit professional organizations that represent deaf,  
23 hard-of-hearing, and late-deafened individuals. The members of  
24 the council must be confirmed by the Senate. The Governor  
25 shall make appointments to the council no later than July 1,  
26 2004. Each member shall be appointed to a term of 4 years;  
27 however, for the purpose of providing staggered terms, of the  
28 initial appointments, five members shall be appointed to a  
29 2-year term and four members shall be appointed to a 4-year  
30 term. Any vacancy on the council shall be filled in the same  
31 manner as the original appointment, and any member appointed

1 to fill a vacancy occurring because of death, resignation, or  
2 ineligibility for membership shall serve only for the  
3 unexpired term of the member's predecessor.

4 (c) The first meeting of the council shall be held no  
5 later than August 1, 2004. The council members, at the  
6 organizational meeting, shall elect by a majority vote of the  
7 members one member to serve as chair of the council for a term  
8 of 1 year. The council shall meet at least once each quarter.  
9 All meetings are subject to the call of the chair. Five  
10 members of the council shall constitute a quorum.

11 (d) Members of the council shall serve without  
12 compensation but may be reimbursed for per diem and travel  
13 expenses pursuant to section 112.061, Florida Statutes.

14 (e) Staff of the Department of Education shall be  
15 assigned by the Commissioner of Education to assist the  
16 council in the duties assigned to it by this section.

17 (2) It is the role of the council to serve as an  
18 advisory and coordinating body in the state which recommends  
19 policies that address the needs of deaf, hard-of-hearing, and  
20 late-deafened persons and which recommends methods that  
21 improve the coordination of services among the public and  
22 private entities that provide services to deaf,  
23 hard-of-hearing, and late-deafened persons. The council is  
24 authorized to provide technical assistance, advocacy, and  
25 education. To that end, the council shall:

26 (a) Provide information and assistance to the  
27 Legislature;

28 (b) Provide technical assistance to other state  
29 agencies;

30 (c) Provide information and referral services;

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1           (d) Promote public and individual advocacy for deaf,  
2 hard-of-hearing, and late-deafened citizens; and

3           (e) Conduct public hearings as needed.

4           (3) The council shall prepare a report, which shall be  
5 filed with the Governor, the President of the Senate, the  
6 Speaker of the House of Representatives, and the Chief Justice  
7 of the Supreme Court by January 1, 2005, which must include:

8           (a) A review of state agencies to determine if they  
9 are in compliance with accessibility standards as they relate  
10 to services for deaf, hard-of-hearing, and late-deafened  
11 individuals.

12           (b) A review of federal and state statutes, rules, and  
13 regulations that establish requirements that agencies must  
14 comply with, including, but not limited to, equipment and  
15 communication accessibility standards in the provision of  
16 services to deaf, hard-of-hearing, and late-deafened  
17 individuals.

18           (c) A comparison of the licensure and accreditation  
19 requirements for sign-language interpreters, oral  
20 interpreters, and entities providing services, both directly  
21 and indirectly, to individuals with hearing loss among the 10  
22 most populous states.

23           (d) Recommendations for standards for and licensure of  
24 sign-language interpreters and providers of Computer-Aided  
25 Real-time Translation services (CART) and other accreditation  
26 standards for service providers.

27           (4) The council may:

28           (a) Secure assistance from all state departments and  
29 agencies in order to avail itself of expertise at minimal  
30 cost.

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1           (b) Obtain information and assistance from the state  
2 or any political subdivision, municipal corporation, public  
3 officer, or governmental department or agency thereof.

4           (c) Apply for and accept funds, grants, gifts, and  
5 services from local or state government or the Federal  
6 Government, or from any of their agencies, or any other public  
7 or private source and may use funds for the purposes  
8 authorized by this section.

9           (5) All executive branch state agencies are  
10 instructed, and all other state agencies are requested, to  
11 assist the council in accomplishing its purposes.

12           (6) This act does not extend the duties or  
13 responsibilities of the council to any program, service, or  
14 activity that is subject to the jurisdiction or oversight of  
15 the Public Service Commission.

16           Section 2. This act shall take effect upon becoming a  
17 law.

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20           SENATE SUMMARY

21           Creates the Florida Council on Deafness within the  
22           Department of Education. Provides for membership and  
23           organization of the council. Provides the role, purpose,  
24           powers, duties, and responsibilities of the council.