

CHAMBER ACTION

1 The Choice & Innovation Committee recommends the following:

2
3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to the Assistive Technology Advisory
7 Council; amending s. 413.407, F.S.; revising composition,
8 terms of service, and duties of the council; requiring the
9 Commissioner of Education to appoint members of the
10 council; deleting provision requiring the council to fund
11 Florida's Alliance for Assistive Services and Technology;
12 providing an effective date.

13
14 Be It Enacted by the Legislature of the State of Florida:

15
16 Section 1. Section 413.407, Florida Statutes, is amended
17 to read:

18 413.407 Assistive Technology Advisory Council.--There is
19 created the Assistive Technology Advisory Council, responsible
20 for ensuring consumer involvement in the creation, application,
21 and distribution of technology-related assistance to and for
22 persons who have disabilities. The council shall fulfill its
23 responsibilities through statewide policy development, both

24 | state and federal legislative initiatives, advocacy at both the
 25 | state and federal level, planning of statewide resource
 26 | allocations, policy-level management, reviews of both consumer
 27 | responsiveness and the adequacy of program service delivery, and
 28 | by performing the functions listed in this section.

29 | (1)(a) The council shall be composed of:

30 | 1. Individuals ~~Nine persons~~ who have disabilities and who
 31 | are assistive technology consumers or family members or
 32 | guardians of those individuals.

33 | 2. Representatives of consumer organizations concerned
 34 | with assistive technology.

35 | ~~3.2. Up to nine~~ Representatives of business and industry,
 36 | including the insurance industry, concerned with assistive
 37 | technology.

38 | ~~3. Up to nine representatives of academia, community~~
 39 | ~~agencies, and state agencies concerned with assistive~~
 40 | ~~technology.~~

41 | 4. A representative of the Division of Vocational
 42 | Rehabilitation.

43 | 5. A representative of the Division of Blind Services.

44 | 6. A representative of the Independent Living Council.

45 | 7. A representative of Workforce Florida, Inc.

46 | 8. A representative of the Department of Education.

47 | 9. Representatives of other state agencies that provide or
 48 | coordinate services for persons with disabilities.

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50 Total membership on the council shall not exceed 27 at any one
51 time. A majority of the members shall be appointed in accordance
52 with subparagraph 1.

53 (b) Members of the council shall be appointed by the
54 Commissioner of Education ~~secretary~~ from a list of candidates
55 proposed by the division director.

56 (c) A majority of council members shall be persons who
57 have disabilities as defined ~~described~~ in s. 413.20(7) ~~s.~~
58 ~~706(8)(B) of the act~~ who are also consumers of assistive
59 technology or family members of such persons.

60 (d) The members of the council shall select two co-chairs
61 from among the membership of the council.

62 1. One co-chair may be selected from the group described
63 in paragraph (c) and one co-chair shall be selected from the
64 other council members.

65 2. No co-chair may be an elected member or an employee of
66 a state agency or of any political subdivision of the state.

67 (e)1. Each member of the council shall serve for a term of
68 not more than 3 years, except that:

69 ~~a.~~ a member appointed to fill a vacancy occurring prior to
70 the expiration of the term for which a predecessor was appointed
71 shall be appointed for the remainder of such term.

72 ~~b. The terms of service of the members shall be staggered~~
73 ~~through initial appointments of 3 years for one-third, 2 years~~
74 ~~for one-third, and 1 year for one-third. Each eligible group~~
75 ~~described in paragraph (a) shall reflect this distribution.~~

76 2. No member of the council may serve more than two
77 consecutive terms; however, any appointment under subparagraph

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78 | ~~1. sub-subparagraph 1.a.~~, if for less than 18 months, shall not
79 | be considered a term for the purposes of this section.

80 | 3. A member who has served two consecutive terms and has
81 | been retired from the council for at least 1 year may be
82 | reappointed to the council on the same basis as a new member.

83 | (f) Any vacancy occurring in the membership of the council
84 | shall be filled in the same manner as the original appointment.
85 | A vacancy does not affect the power of the remaining members to
86 | execute the duties of the council.

87 | (2) In addition to the other functions specified in this
88 | section, the council shall:

89 | (a) Act as the board of directors of a not-for-profit
90 | corporation created by the division. Through the corporation,
91 | the council shall provide direction ~~and funding~~ to Florida's
92 | Alliance for Assistive Services and Technology, a project
93 | sponsored by the department for the coordination and delivery of
94 | appropriate, cost-effective, state-of-the-art assistive
95 | technology services and devices.

96 | (b) Appoint committees made up of members of the council
97 | to focus on specific issues within the council's mandate.
98 | Committees may request and accept in-kind contributions of
99 | personnel from public or private entities to supply such
100 | staffing as the committees deem necessary to carry out their
101 | individual mandates. These committees shall include, but are not
102 | limited to:

103 | 1. An interagency ~~A committee composed~~ of those members
104 | representing state agencies, ~~functioning as an interagency~~
105 | ~~workshop~~. The interagency committee workshop shall work towards

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106 | the development of ~~develop~~ cooperative agreements among
 107 | government agencies and perform such other duties as the council
 108 | deems appropriate. The interagency committee's ~~workshop's~~
 109 | members shall assign staff from their respective agencies to the
 110 | alliance, as an in-kind contribution for a specified period of
 111 | time, to review federal and state legislation and agency
 112 | policies and practices and to identify both facilitators of, and
 113 | barriers to, accessibility and utilization of assistive
 114 | technology services, devices, and funding sources.

115 | 2. A technology-awareness committee to guide the council's
 116 | public awareness, coordination, and collaboration activities
 117 | ~~encourage the formation of technology-awareness groups among~~
 118 | ~~consumers, providers, and other interested individuals,~~
 119 | ~~particularly in schools or workplaces.~~

120 | 3. A public policy and advocacy committee to review
 121 | federal and state legislation and agency policies and practices
 122 | and to identify facilitators of and barriers to access and
 123 | utilization of assistive technology services, devices, and
 124 | funding sources.

125 | (c) Review and approve all reports, recommendations, and
 126 | proposed actions of committee staff.

127 | (d) Appoint the executive director of the alliance. The
 128 | executive director shall be responsible for overall
 129 | administration and day-to-day direction of the alliance, as well
 130 | as supervision of all staff.

131 | (e) Annually review and approve the strategic or business
 132 | plan of the alliance, as submitted by the executive director.

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133 (f) Submit an annual comprehensive report of the
134 activities of the council, the corporation, and the alliance to
135 the division director.

136 (g) Perform such other functions as the council determines
137 to be appropriate which are comparable to functions performed by
138 the council.

139 (h) Convene at least four meetings each year in such
140 places as it determines to be necessary to conduct council
141 business and may conduct such forums or hearings as the council
142 considers appropriate. The council shall make a report of each
143 meeting which shall include a record of its discussions and
144 recommendations, all of which reports shall be made available to
145 the public.

146 (3) In accordance with Pub. L. No. 108-364, the council
147 shall:

148 (a) Investigate financing options that will increase
149 access to and funding for assistive technology devices and
150 assistive technology services.

151 (b) Develop assistive technology demonstrations,
152 reutilization programs, and loan programs.

153 (c) Provide training and technical assistance in order to
154 increase knowledge and awareness of the uses and benefits of
155 assistive technology devices and assistive technology services.

156 (d) Promote public awareness activities designed to
157 provide information relating to the benefits of assistive
158 technology devices and assistive technology services.

159 (e) Promote coordination and collaboration among public
160 and private entities that are responsible for policies,

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161 | procedures, or funding for the provision of assistive technology
162 | devices and assistive technology services.

163 | Section 2. This act shall take effect July 1, 2005.