

ENROLLED
 HB 1099, Engrossed 1

2005 Legislature

1 A bill to be entitled
 2 An act relating to the Assistive Technology Advisory
 3 Council; amending s. 413.407, F.S.; revising composition,
 4 terms of service, and duties of the council; requiring the
 5 Commissioner of Education to appoint members of the
 6 council; deleting provision requiring the council to fund
 7 Florida's Alliance for Assistive Services and Technology;
 8 providing an effective date.

9
 10 Be It Enacted by the Legislature of the State of Florida:

11
 12 Section 1. Section 413.407, Florida Statutes, is amended
 13 to read:

14 413.407 Assistive Technology Advisory Council.--There is
 15 created the Assistive Technology Advisory Council, responsible
 16 for ensuring consumer involvement in the creation, application,
 17 and distribution of technology-related assistance to and for
 18 persons who have disabilities. The council shall fulfill its
 19 responsibilities through statewide policy development, both
 20 state and federal legislative initiatives, advocacy at both the
 21 state and federal level, planning of statewide resource
 22 allocations, policy-level management, reviews of both consumer
 23 responsiveness and the adequacy of program service delivery, and
 24 by performing the functions listed in this section.

25 (1)(a) The council shall be composed of:

26 1. Individuals ~~Nine persons~~ who have disabilities and who
 27 are assistive technology consumers or family members or
 28 guardians of those individuals.

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- 29 2. Representatives of consumer organizations concerned
 30 with assistive technology.
- 31 ~~3.2. Up to nine~~ Representatives of business and industry,
 32 including the insurance industry, concerned with assistive
 33 technology.
- 34 ~~3. Up to nine representatives of academia, community~~
 35 ~~agencies, and state agencies concerned with assistive~~
 36 ~~technology.~~
- 37 4. A representative of the Division of Vocational
 38 Rehabilitation.
- 39 5. A representative of the Division of Blind Services.
- 40 6. A representative of the Independent Living Council.
- 41 7. A representative of Workforce Florida, Inc.
- 42 8. A representative of the Department of Education.
- 43 9. Representatives of other state agencies that provide or
 44 coordinate services for persons with disabilities.

45

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

49 (b) Members of the council shall be appointed by the
 50 Commissioner of Education ~~secretary~~ from a list of candidates
 51 proposed by the division director.

52 (c) A majority of council members shall be persons who
 53 have disabilities as defined ~~described~~ in s. 413.20(7) s.
 54 ~~706(8)(B) of the act~~ who are also consumers of assistive
 55 technology or family members of such persons.

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

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

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

63 (e)1. Each member of the council shall serve for a term of
 64 not more than 3 years, except that+

65 a. a member appointed to fill a vacancy occurring prior to
 66 the expiration of the term for which a predecessor was appointed
 67 shall be appointed for the remainder of such term.

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

72 2. No member of the council may serve more than two
 73 consecutive terms; however, any appointment under subparagraph
 74 1. sub-subparagraph 1.a., if for less than 18 months, shall not
 75 be considered a term for the purposes of this section.

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

79 (f) Any vacancy occurring in the membership of the council
 80 shall be filled in the same manner as the original appointment.
 81 A vacancy does not affect the power of the remaining members to
 82 execute the duties of the council.

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83 (2) In addition to the other functions specified in this
 84 section, the council shall:

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

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

99 1. An interagency ~~A~~ committee composed of those members
 100 representing state agencies, ~~functioning as an interagency~~
 101 ~~workshop~~. The interagency committee ~~workshop~~ shall work towards
 102 the development of ~~develop~~ cooperative agreements among
 103 government agencies and perform such other duties as the council
 104 deems appropriate. The interagency committee's ~~workshop's~~
 105 members shall assign staff from their respective agencies to the
 106 alliance, as an in-kind contribution for a specified period of
 107 time, to review federal and state legislation and agency
 108 policies and practices and to identify both facilitators of, and
 109 barriers to, accessibility and utilization of assistive
 110 technology services, devices, and funding sources.

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

116 3. A public policy and advocacy committee to review
117 federal and state legislation and agency policies and practices
118 and to identify facilitators of and barriers to access and
119 utilization of assistive technology services, devices, and
120 funding sources.

121 (c) Review and approve all reports, recommendations, and
122 proposed actions of committee staff.

123 (d) Appoint the executive director of the alliance. The
124 executive director shall be responsible for overall
125 administration and day-to-day direction of the alliance, as well
126 as supervision of all staff.

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

129 (f) Submit an annual comprehensive report of the
130 activities of the council, the corporation, and the alliance to
131 the division director.

132 (g) Perform such other functions as the council determines
133 to be appropriate which are comparable to functions performed by
134 the council.

135 (h) Convene at least four meetings each year in such
136 places as it determines to be necessary to conduct council
137 business and may conduct such forums or hearings as the council
138 considers appropriate. The council shall make a report of each

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139 meeting which shall include a record of its discussions and
 140 recommendations, all of which reports shall be made available to
 141 the public.

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

144 (a) Investigate financing options that will increase
 145 access to and funding for assistive technology devices and
 146 assistive technology services.

147 (b) Develop assistive technology demonstrations,
 148 reutilization programs, and loan programs.

149 (c) Provide training and technical assistance in order to
 150 increase knowledge and awareness of the uses and benefits of
 151 assistive technology devices and assistive technology services.

152 (d) Promote public awareness activities designed to
 153 provide information relating to the benefits of assistive
 154 technology devices and assistive technology services.

155 (e) Promote coordination and collaboration among public
 156 and private entities that are responsible for policies,
 157 procedures, or funding for the provision of assistive technology
 158 devices and assistive technology services.

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