

By the Committee on Education Pre-K - 12; and Senators Wise and Gaetz

581-03361-12

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1                   A bill to be entitled  
2           An act relating to eminent domain; amending s.  
3           1002.36, F.S.; authorizing the Board of Trustees of  
4           the Florida School for the Deaf and the Blind to  
5           exercise the power of eminent domain after receiving  
6           approval from the Administration Commission; providing  
7           an effective date.

8  
9   Be It Enacted by the Legislature of the State of Florida:

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11           Section 1. Paragraph (e) of subsection (4) of section  
12           1002.36, Florida Statutes, is amended to read:

13           1002.36 Florida School for the Deaf and the Blind.—

14           (4) BOARD OF TRUSTEES.—

15           (e) The board of trustees is invested with full power and  
16           authority to:

17           1. Appoint a president, faculty, teachers, and other  
18           employees and remove the same as in its judgment may be best and  
19           fix their compensation.

20           2. Procure professional services, such as medical, mental  
21           health, architectural, and engineering.

22           3. Procure legal services without the prior written  
23           approval of the Attorney General.

24           4. Determine eligibility of students and procedure for  
25           admission.

26           5. Provide for the students of the school necessary  
27           bedding, clothing, food, and medical attendance and such other  
28           things as may be proper for the health and comfort of the  
29           students without cost to their parents, except that the board of

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30 trustees may set tuition and other fees for nonresidents.

31 6. Provide for the proper keeping of accounts and records  
32 and for budgeting of funds.

33 7. Enter into contracts.

34 8. Sue and be sued.

35 9. Secure public liability insurance.

36 10. Do and perform every other matter or thing requisite to  
37 the proper management, maintenance, support, and control of the  
38 school at the highest efficiency economically possible, the  
39 board of trustees taking into consideration the purposes of the  
40 establishment.

41 11. Receive gifts, donations, and bequests of money or  
42 property, real or personal, tangible or intangible, from any  
43 person, firm, corporation, or other legal entity. However, the  
44 board of trustees may not obligate the state to any expenditure  
45 or policy that is not specifically authorized by law. If the  
46 bill of sale, will, trust indenture, deed, or other legal  
47 conveyance specifies terms and conditions concerning the use of  
48 such money or property, the board of trustees shall observe such  
49 terms and conditions.

50 12. Deposit outside the State Treasury such moneys as are  
51 received as gifts, donations, or bequests and may disburse and  
52 expend such moneys, upon its own warrant, for the use and  
53 benefit of the Florida School for the Deaf and the Blind and its  
54 students, as the board of trustees deems to be in the best  
55 interest of the school and its students. Such money or property  
56 does shall not constitute and may not ~~or~~ be considered a part of  
57 any legislative appropriation.

58 13. Sell or convey by bill of sale, deed, or other legal

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59 instrument any property, real or personal, received as a gift,  
60 donation, or bequest, upon such terms and conditions as the  
61 board of trustees deems to be in the best interest of the school  
62 and its students.

63 14. Invest such moneys in securities enumerated under s.  
64 215.47(1), (2)(c), (3), (4), and (10), and in The Common Fund,  
65 an Investment Management Fund exclusively for nonprofit  
66 educational institutions.

67 15. After receiving approval from the Administration  
68 Commission, exercise the power of eminent domain in the manner  
69 provided in chapter 73 or chapter 74.

70 Section 2. This act shall take effect July 1, 2012.