

STATE OF FLORIDA

OFFICE OF THE GOVERNOR

EXECUTIVE ORDER NUMBER 07-148

(Governor's Commission on Disabilities)

WHEREAS, more than three million Floridians, roughly one-fifth of our state's population, live daily with some form of physical or mental disability; and

WHEREAS, on July 26, 1990, seventeen years ago today, President George H.W. Bush signed into law the Americans with Disabilities Act (the "ADA"), which provides a comprehensive mandate for the elimination of discrimination against qualified individuals with disabilities in access to employment, transportation, telecommunications, state and local services, and public accommodations; and

WHEREAS, on July 26, 1992, fifteen years ago today, the final major provisions of the ADA became effective; and

WHEREAS, by Executive Order 93-166, Governor Lawton Chiles created the Florida Coordinating Council for the Americans with Disabilities Act to encourage a cooperative effort between state and local governments, the education community, the private sector, and the disability community with respect to implementing the ADA; and

WHEREAS, by Executive Order 97-56, Governor Chiles refocused Florida's recognition of and response to the ADA by dissolving the Florida Coordinating Council and creating the Americans with Disabilities Act Working Group (the "Working Group"), whose primary mission was to serve as a clearinghouse of information, and to provide referrals, education, and recommendations for compliance with and implementation of the ADA in order to improve the quality of life for citizens of Florida with disabilities; and

WHEREAS, the Florida Statewide Advocacy Council, established by chapter 402, Florida Statutes, and located within the Executive Office of the Governor, serves a broader, related state function of representing the interests of Florida citizens, including Florida's disabled citizens, that are served by state agencies that provide client services; and

WHEREAS, by Executive Orders 99-80, 03-137, 07-04, and 07-119, Governor Jeb Bush and I extended the duration of the Working Group through July 25, 2007; and

WHEREAS, the Working Group has dissolved under the terms of those orders as of today; and

WHEREAS, it is in the interest of Florida's disability community, and the public as a whole, that a Commission on Disabilities be created to advance public policy for the

disabilities community, to provide a forum for advocates representing various groups within the disabilities community to develop and voice unified concerns and recommendations, and to partner with the Statewide Advocacy Council to provide proper guidance and education to state agencies in the implementation of the ADA and to ensure that Florida's citizens with disabilities have equal access to education and employment, information regarding resources and services, and opportunities to participate in all aspects of life in Florida to the fullest extent possible.

NOW, THEREFORE, I, CHARLIE CRIST, as Governor of Florida, by virtue of the authority vested in me by the laws and Constitution of the State of Florida, do hereby promulgate the following Executive Order, effective immediately:

Section 1.

The Governor's Commission on Disabilities (the "Commission") is hereby created to advance public policy for Floridians with disabilities and to provide a forum for advocates representing Floridians with disabilities to develop and voice unified concerns and recommendations.

Section 2.

The responsibilities of the Commission shall include, but shall not be limited to:

- a. identifying and recommending methods to remove barriers to the delivery of, and access to, services for people with disabilities;
- b. identifying and recommending methods to maximize the freedom and independence of Floridians with disabilities, with a focus on employment, transportation, education, and independent living;
- c. providing a forum for communication between individuals with disabilities throughout the State of Florida and the various arms of state government, particularly the Governor and the Legislature; and
- d. partnering with other agencies and organizations serving the disabilities community to facilitate collaborative efforts consistent with the purposes of the Commission.

Section 3.

The Commission shall, no later than July 1, 2008, and July 1st of any subsequent year should the Commission's tenure be extended, provide a written report to the Governor outlining the accomplishments during the previous 12 months. The report shall address issues including, but not limited to, the following:

- a. recommendations regarding changes to Florida statutes, administrative rules, policies, and/or procedures of the State in reference to all duties outlined above;
- b. accomplishments in obtaining legislative or administrative change; and
- c. progress related to collaborative efforts with other agencies and organizations.

The Commission may also provide interim reports as deemed necessary by the Commission or as requested by the Governor.

Section 4.

The Commission shall consist of 19 members appointed by the Governor. Members shall serve a term of one year commencing on the day of appointment. At least one individual member of the Commission shall represent each of the following groups, agencies, or departments:

- a. individuals with hearing impairments;
- b. individuals with visual impairments;
- c. individuals with developmental disabilities;
- d. individuals with spinal cord or brain injuries;
- e. individuals with mental illnesses;
- f. elderly individuals;
- g. disabled veterans of the United States;
- h. Centers for Independent Living;
- i. the Division of Vocational Rehabilitation;
- j. the Florida Department of Health;
- k. the Florida Department of Education
- l. the Florida Department of Children and Families;
- m. the Florida Agency for Health Care Administration;
- n. the Florida Agency for Persons with Disabilities;
- o. the Florida Department of Elder Affairs;
- p. the Florida Department of Veterans Affairs;
- q. the Florida Agency for Workforce Administration;
- r. the Florida Commission for the Transportation Disadvantaged; and
- s. the Executive Director of the Statewide Advocacy Council.

The Governor shall select the Chair from the Commission's membership, and shall appoint an Executive Director. All members and employees of the Commission shall serve at the pleasure of the Governor. The Governor may suspend or remove the Executive Director or any Member of the Commission with or without cause, and the Governor may fill any vacancy that occurs. The Commission shall be located, for administrative purposes only, within the Department of Management Services.

The Commission shall meet at least quarterly. A majority of the Commission's current members constitutes a quorum. A quorum must be met in order for the Commission to vote on any proposed action or recommendation. The Commission shall function according to the guidelines set forth in Robert's Rules of Order, unless other procedural guidelines are adopted by the Commission.

Section 5.

The Statewide Advocacy Council is directed to partner with the Commission through its performance of the following functions related to the needs of Floridians with disabilities:

- a. incorporating the existing clearinghouse for information and referrals on disability resources, formerly housed within the Americans with Disabilities Act Working Group.
- b. maintaining the statewide toll-free information and referral telephone service for disability-related services, programs, assistance, and other resources; and
- c. assisting the Commission and the Executive Office of the Governor in implementing initiatives consistent with the Commission's purposes.

Section 6.

All agencies under the control of the Governor are directed to appoint a "Disability Champion" within 60 days of the signing of this Executive Order. Each Disability Champion will be required to undergo ADA training approved by the Commission within 60 days of appointment and will serve as a conduit for communication between the agency, the Commission, and the disability community. A member of the Commission specifically representing an agency or department may serve as that agency's or department's Disability Champion.

Section 7.

The Commission is authorized to call upon any State agency, department, division, or office to supply such data, reports, or other information as it deems reasonably necessary to achieve its objectives. Each agency, department, division, or office of the State under the control of the Governor is authorized and directed, and all other agencies are requested, to cooperate with the Commission and provide it with such information, personnel, and assistance as necessary to accomplish the purposes of this Executive Order. State agencies shall collaborate in the sharing of information necessary to establish and maintain the statewide information and referral telephone service.

Section 8.

Members of the Commission shall serve without compensation, but may receive per diem and travel expenses to the extent allowed by chapter 112, Florida Statutes, and to the

extent that funds are available. Per diem and travel expenses shall be paid in accordance with chapter 112, Florida Statutes, and reasonable accommodations shall be made for members of the Commission with disabilities in accordance with the Americans with Disabilities Act. Members of the Commission who are public officers and employees of state agencies shall be reimbursed for per diem and travel expenses by their respective agencies. All other members of the Commission shall be reimbursed for per diem and travel expenses by the Department of Management Services.

Section 9.

The meetings of the Commission shall be noticed and open to the public, and shall be conducted in accordance with chapter 286, Florida Statutes. Florida's public records law, chapter 119, Florida Statutes, shall apply.

Section 10.

The Commission shall continue in existence until July 26, 2008, unless extended by amendment.

IN TESTIMONY WHEREOF, I have hereunto set my hand and have caused the Great Seal of the State of Florida to be affixed at Tallahassee, this 26th day of July, 2007.

GOVERNOR

ATTEST:

Secretary of State