1 A bill to be entitled
2 An act relating to regional workforce boards; amending
3 s. 445.007, F.S.; providing for maximum board
4 membership; requiring certain board members to file a
5 statement of financial interests; providing that
6 certain board members serve subject to approval of and
7 at the pleasure of the Governor; authorizing the
8 Governor to remove board members for cause; requiring
9 the Department of Economic Opportunity to assign staff
10 for performance and compliance review; requiring each
11 board to develop a budget for certain purposes,
12 subject to the approval of the chief elected official,
13 and submit the budget to Workforce Florida, Inc.;
14 requiring Workforce Florida, Inc., to evaluate the
15 means to establish a single, statewide workforce-
16 system brand for the state; providing reporting
17 requirements; amending s. 445.009, F.S.; deleting the
18 expiration of a provision providing that participants
19 in adult or youth work experience activities are
20 employees of the state for purposes of workers'
21 compensation coverage; providing an effective date.
22
23 Be It Enacted by the Legislature of the State of Florida:
24
25 Section 1. Subsections (1), (2), and (3) of section
26 445.007, Florida Statutes, are amended, and subsections (12) and
27 (13) are added to that section, to read:
28 445.007 Regional workforce boards.—

29 (1) One regional workforce board shall be appointed in
30 each designated service delivery area and shall serve as the
31 local workforce investment board pursuant to Pub. L. No. 105-
32 220. The membership of the board shall be consistent with Pub.
33 L. No. 105-220, Title I, s. 117(b) but may not exceed the
34 minimum membership required in Pub. L. No. 105-220, Title I, s.
35 117(b)(2)(A) and in this subsection. Upon approval by the
36 Governor, the chief elected official may appoint additional
37 members above the limit set by this subsection. The board shall
38 include one nonvoting representative from a military
39 installation if a military installation is located within the
40 region and the appropriate military command or organization
41 authorizes such representation. It is the intent of the
42 Legislature that membership of a regional workforce board
43 include persons who are current or former recipients of welfare
44 transition assistance as defined in s. 445.002(2) or workforce
45 services as provided in s. 445.009(1) or that such persons be
46 included as ex officio members of the board or of committees
47 organized by the board. The importance of minority and gender
48 representation shall be considered when making appointments to
49 the board. The board, its committees, subcommittees, and
50 subdivisions, and other units of the workforce system, including
51 units that may consist in whole or in part of local governmental
52 units, may use any method of telecommunications to conduct
53 meetings, including establishing a quorum through
54 telecommunications, provided that the public is given proper
55 notice of the telecommunications meeting and reasonable access
56 to observe and, when appropriate, participate. Regional

57 workforce boards are subject to chapters 119 and 286 and s. 24,
58 Art. I of the State Constitution. If the regional workforce
59 board enters into a contract with an organization or individual
60 represented on the board of directors, the contract must be
61 approved by a two-thirds vote of the board, a quorum having been
62 established, and the board member who could benefit financially
63 from the transaction must abstain from voting on the contract. A
64 board member must disclose any such conflict in a manner that is
65 consistent with the procedures outlined in s. 112.3143. Each
66 member of a regional workforce board who is not otherwise
67 required to file a full and public disclosure of financial
68 interests pursuant to s. 8, Art. II of the State Constitution or
69 s. 112.3144 shall file a statement of financial interests
70 pursuant to s. 112.3145. The executive director or designated
71 person responsible for the operational and administrative
72 functions of the regional workforce board who is not otherwise
73 required to file a full and public disclosure of financial
74 interests pursuant to s. 8, Art. II of the State Constitution or
75 s. 112.3144 shall file a statement of financial interests
76 pursuant to s. 112.3145.
77 (2)(a) The regional workforce board shall elect a chair
78 from among the representatives described in Pub. L. No. 105-220,
79 Title I, s. 117(b)(2)(A)(i) to serve for a term of no more than
80 2 years and shall serve no more than two terms. The chair shall
81 serve subject to the approval of and at the pleasure of the
82 Governor.
83 (b) The executive director or designated person
84 responsible for the operational and administrative functions of

85 the regional workforce board shall serve subject to the approval
86 of and at the pleasure of the Governor.
87 (c) A member of a regional workforce board may be removed
88 by the Governor for cause, which includes, but is not limited
89 to, engaging in fraud and other criminal acts, incapacity,
90 unfitness, neglect of duty, and official incompetence and
91 irresponsibility justifying removal in the essential public
92 interest.
93 (3) The Department of Economic Opportunity, under the
94 direction of Workforce Florida, Inc., shall assign staff to meet
95 with each regional workforce board annually to review the
96 board's performance and to certify that the board is in
97 compliance with applicable state and federal law.
98 (12) Each regional workforce board shall develop a budget
99 for the purpose of carrying out the duties of the board under
100 this section, subject to the approval of the chief elected
101 official. Each regional workforce board shall submit its annual
102 budget for review to Workforce Florida, Inc., no later than 2
103 weeks after the chair approves the budget.
104 (13) Workforce Florida, Inc., shall evaluate the means to
105 establish a single, statewide workforce-system brand for the
106 state and shall submit its recommendations to the Governor by
107 November 1, 2012.
108 Section 2. Subsection (11) of section 445.009, Florida
109 Statutes, is amended to read:
110 445.009 One-stop delivery system.—
111 (11) A participant in an adult or youth work experience
112 activity administered under this chapter shall be deemed an

113 employee of the state for purposes of workers' compensation
114 coverage. In determining the average weekly wage, all
115 remuneration received from the employer shall be considered a
116 gratuity, and the participant shall not be entitled to any
117 benefits otherwise payable under s. 440.15, regardless of
118 whether the participant may be receiving wages and remuneration
119 from other employment with another employer and regardless of
120 his or her future wage-earning capacity. ~~This subsection expires~~
121 ~~July 1, 2012.~~
122 Section 3. This act shall take effect July 1, 2012.