

Bill No. CS for CS for SB 1566, 1st Eng.

Amendment No. ____

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Kirkpatrick moved the following amendment to amendment (553475):

Senate Amendment (with title amendment)

On page 80, between lines 5 and 6,

insert:

Section 27. Sections 288.9950, 288.9951, 288.9952, 288.9953, 288.9954, 288.9955, 288.9956, 288.9957, 288.9958, and 288.9959, Florida Statutes, are designated as part XI of chapter 288, Florida Statutes, and the Division of Statutory Revision is requested to designate that part "Workforce Development."

Section 28. Section 446.601, Florida Statutes, is transferred, renumbered as section 288.9950, Florida Statutes, and amended to read:

288.9950 ~~446.601~~ Workforce Florida Act of 1996 ~~Short title; legislative intent.--~~

(1) This section may be cited as the "Workforce Florida Act of 1996."

(2) The goal of this section is to utilize the

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1 workforce development system to upgrade dramatically
2 Floridians' workplace skills, economically benefiting the
3 workforce, employers, and the state.

4 (3) These principles should guide the state's efforts:

5 (a) Floridians must upgrade their skills to succeed in
6 today's workplace.

7 (b) In business, workforce skills are the key
8 competitive advantage.

9 (c) Workforce skills will be Florida's key
10 job-creating incentive for business.

11 (d) Budget cuts, efficiency, effectiveness, and
12 accountability mandate the consolidation of program services
13 and the elimination of unwarranted duplication.

14 (e) Streamlined state and local partnerships must
15 focus on outcomes, not process.

16 (f) Locally designed, customer-focused, market-driven
17 service delivery works best.

18 (g) Job training curricula must be developed in
19 concert with the input and needs of existing employers and
20 businesses, and must consider the anticipated demand for
21 targeted job opportunities, as specified by the Occupational
22 Forecasting Conference under s. 216.136.

23 (h) Job placement, job retention, and
24 return-on-investment should control workforce development
25 expenditures and be a part of the measure for success and
26 failure.

27 (i) Success will be rewarded and failure will have
28 consequences.

29 (j) Job placement success will be publicly measured
30 and reported to the Legislature.

31 (k) Apprenticeship programs, pursuant to s. 446.011,

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1 which provide a valuable opportunity for preparing citizens
2 for productive employment, will be encouraged.

3 (1) Self-employment and small business ownership will
4 be options that each worker can pursue.

5 (4) The workforce development strategy shall be
6 designed by the Workforce Development Board Enterprise Florida
7 ~~Jobs and Education Partnership~~ pursuant to s. 288.9952 s-
8 ~~288.0475~~, and shall be centered around the strategies four
9 ~~integrated strategic components of First Jobs/First Wages~~
10 ~~One-Stop Career Centers, School-to-Work, Welfare-to-Work, and~~
11 ~~High Skills/High Wages Wage Jobs.~~

12 (a) First Jobs/First Wages is the state's strategy to
13 promote successful entry into the workforce through education
14 and workplace experience that lead to self-sufficiency and
15 career advancement. The components of the strategy include
16 efforts that enlist business, education, and community support
17 for students to achieve long-term career goals, ensuring that
18 young people have the academic and occupational skills
19 required to succeed in the workplace. The strategy also
20 includes the Work and Gain Economic Self-sufficiency (WAGES)
21 effort that is the state's welfare-to-work program designed
22 and developed by the WAGES Program State Board of Directors.

23 ~~(a) One-Stop Career Centers are the state's initial~~
24 ~~customer-service contact strategy for offering every Floridian~~
25 ~~access, through service sites, telephone, or computer~~
26 ~~networks, to the following services:~~

- 27 1. ~~Job search, referral, and placement assistance.~~
28 2. ~~Career counseling and educational planning.~~
29 3. ~~Consumer reports on service providers.~~
30 4. ~~Recruitment and eligibility determination.~~
31 5. ~~Support services, including child care and~~

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- 1 ~~transportation.~~
2 ~~6. Employability skills training.~~
3 ~~7. Adult education and basic skills training.~~
4 ~~8. Technical training leading to a certification and~~
5 ~~degree.~~
6 ~~9. Claim filing for unemployment compensation~~
7 ~~services.~~
8 ~~10. Temporary income, health, nutritional, and housing~~
9 ~~assistance.~~
10 ~~11. Child care and transportation assistance to gain~~
11 ~~employment.~~
12 ~~12. Other appropriate and available workforce~~
13 ~~development services.~~
14 ~~(b) School-to-Work is the state's youth and adult~~
15 ~~workforce education strategy for coordinating business,~~
16 ~~education, and the community to support students in achieving~~
17 ~~long-term career goals, and for ensuring the workforce is~~
18 ~~prepared with the academic and occupational skills required~~
19 ~~for success.~~
20 ~~(c) Welfare-to-Work is the state's strategy for~~
21 ~~encouraging self-sufficiency and minimizing dependence upon~~
22 ~~public assistance by emphasizing job placement and transition~~
23 ~~support services for welfare recipients.~~
24 ~~(b)(d) High Skills/High Wages Wage is the state's~~
25 ~~strategy for aligning education and training programs with~~
26 ~~high-paying, high-demand occupations that advance individuals'~~
27 ~~careers, build a more skilled workforce, and enhance Florida's~~
28 ~~efforts to attract and expand job-creating business the~~
29 ~~Occupational Forecasting Conference under s. 216.136, for~~
30 ~~meeting the job demands of the state's existing businesses,~~
31 ~~and for providing a ready workforce which is integral to the~~

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1 ~~state's economic development goal of attracting new and~~
2 ~~expanding businesses.~~

3 (5) The workforce development system shall utilize a
4 charter process approach aimed at encouraging local design and
5 control of service delivery and targeted activities. The
6 Workforce Development Board ~~Enterprise Florida Jobs and~~
7 ~~Education Partnership~~ shall be responsible for granting
8 charters to regional workforce development boards that
9 ~~Regional Workforce Development Boards which~~ have a membership
10 consistent with the requirements of federal and state law and
11 that which have developed a plan consistent with the state's
12 workforce development strategy ~~and with the strategic~~
13 ~~components of One-Stop Career Centers, School-to-Work,~~
14 ~~Welfare-to-Work, and High Skills/High Wage.~~ The plan shall
15 specify methods for allocating the resources and programs in a
16 manner that eliminates unwarranted duplication, minimizes
17 administrative costs, meets the existing job market demands
18 and the job market demands resulting from successful economic
19 development activities, ensures access to quality workforce
20 development services for all Floridians, and maximizes
21 successful outcomes. As part of the charter process, the
22 Workforce Development Board ~~Enterprise Florida Jobs and~~
23 ~~Education Partnership~~ shall establish incentives for effective
24 coordination of federal and state programs, outline rewards
25 for successful job placements, and institute collaborative
26 approaches among local service providers. Local
27 decisionmaking and control shall be important components for
28 inclusion in this charter application.

29 Section 29. Section 446.604, Florida Statutes, is
30 transferred, renumbered as section 288.9951, Florida Statutes,
31 and amended to read:

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1 288.9951 ~~446.604~~ One-Stop Career Centers.--

2 (1) One-Stop Career Centers comprise the state's
3 initial customer-service delivery system for offering every
4 Floridian access, through service sites or telephone or
5 computer networks, to the following services:

6 (a) Job search, referral, and placement assistance.

7 (b) Career counseling and educational planning.

8 (c) Consumer reports on service providers.

9 (d) Recruitment and eligibility determination.

10 (e) Support services, including child care and
11 transportation assistance to gain employment.

12 (f) Employability skills training.

13 (g) Adult education and basic skills training.

14 (h) Technical training leading to a certification and
15 degree.

16 (i) Claim filing for unemployment compensation
17 services.

18 (j) Temporary income, health, nutritional, and housing
19 assistance.

20 (k) Other appropriate and available workforce
21 development services.

22 (2) In addition to the mandatory partners identified
23 in Pub. L. No. 105-220, Food Stamp Employment and Training,
24 Food Stamp work programs, and WAGES/TANF programs shall, upon
25 approval by the Governor of a transition plan prepared by the
26 Workforce Development Board in collaboration with the WAGES
27 Program State Board of Directors, participate as partners in
28 each One-Stop Career Center. Based on this plan, each partner
29 is prohibited from operating independently from a One-Stop
30 Career Center unless approved by the regional workforce
31 development board. Services provided by partners who are not

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1 physically located in a One-Stop Career Center must be
2 approved by the regional workforce development board.

3 (3) Subject to a process designed by the Workforce
4 Development Board, and in compliance with Pub. L. No. 105-220,
5 regional workforce development boards shall designate One-Stop
6 Career Center operators. A regional workforce development
7 board may retain its current One-Stop Career Center operator
8 without further procurement action where the board has
9 established a One-Stop Career Center that has complied with
10 federal and state law.

11 (4) Notwithstanding any other provision of law,
12 effective July 1, 1999, regional workforce development boards
13 shall enter into a memorandum of understanding with the
14 Department of Labor and Employment Security for the delivery
15 of employment services authorized by Wagner-Peyser. For fiscal
16 year 1999-2000, the memorandum of understanding with the
17 Department of Labor and Employment Security must be
18 performance-based, dedicating 15 percent of the funds to
19 performance payments. Performance payments shall be based on
20 performance measures developed by the Workforce Development
21 Board.

22 (a) Unless otherwise required by federal law, at least
23 90 percent of the Wagner-Peyser funding must go into direct
24 customer service costs.

25 (b) Employment services must be provided through
26 One-Stop Career Centers, under the guidance of One-Stop Career
27 Center operators.

28 (5) One-Stop Career Center partners identified in
29 subsection (2) shall enter into a memorandum of understanding
30 pursuant to Pub. L. No. 105-220, Title I, s. 121, with the
31 regional workforce development board. Failure of a local

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1 partner to participate cannot unilaterally block the majority
2 of partners from moving forward with their One-Stop Career
3 Centers, and the Workforce Development Board, pursuant to s.
4 288.9952(4)(d), may make notification of a local partner that
5 fails to participate.

6 (6) To the extent possible, core services, as defined
7 by Pub. L. No. 105-220, shall be provided electronically,
8 utilizing existing systems and public libraries. To expand
9 electronic capabilities, the Workforce Development Board,
10 working with regional workforce development boards, shall
11 develop a centralized help center to assist regional workforce
12 development boards in fulfilling core services, minimizing the
13 need for fixed-site One-Stop Career Centers.

14 (7) Intensive services and training provided pursuant
15 to Pub. L. No. 105-220, shall be provided to individuals
16 through Intensive Service Accounts and Individual Training
17 Accounts. The Workforce Development Board shall develop, by
18 July 1, 1999, an implementation plan, including identification
19 of initially eligible training providers, transition
20 guidelines, and criteria for use of these accounts. Individual
21 Training Accounts must be compatible with Individual
22 Development Accounts for education allowed in federal and
23 state welfare reform statutes.

24 (8)(a) Individual Training Accounts must be expended
25 on programs that prepare people to enter high-wage occupations
26 identified by the Occupational Forecasting Conference created
27 by s. 216.136, and on other programs as approved by the
28 Workforce Development Board.

29 (b) For each approved training program, regional
30 workforce development boards, in consultation with training
31 providers, shall establish a fair-market purchase price to be

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1 paid through an Individual Training Account. The purchase
2 price must be based on prevailing costs and reflect local
3 economic factors, program complexity, and program benefits,
4 including time to beginning of training and time to
5 completion. The price shall ensure the fair participation of
6 public and nonpublic postsecondary educational institutions as
7 authorized service providers and shall prohibit the use of
8 unlawful remuneration to the student in return for attending
9 an institution. Unlawful remuneration does not include student
10 financial assistance programs.

11 (c) The Workforce Development Board shall review
12 Individual Training Account pricing schedules developed by
13 regional workforce development boards and present findings and
14 recommendations for process improvement to the President of
15 the Senate and the Speaker of the House of Representatives by
16 January 1, 2000.

17 (d) To the maximum extent possible, training providers
18 shall use funding sources other than the funding provided
19 under Pub. L. No. 105-220. A performance outcome related to
20 alternative financing obtained by the training provider shall
21 be established by the Workforce Development Board and used for
22 performance evaluation purposes. The performance evaluation
23 must take into consideration the number of alternative funding
24 sources.

25 (e) Training services provided through Individual
26 Training Accounts must be performance-based, with successful
27 job placement triggering full payment.

28 (f) The accountability measures to be used in
29 documenting competencies acquired by the participant during
30 training shall be literacy completion points and occupational
31 completion points. Literacy completion points refers to the

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1 academic or workforce readiness competencies that qualify a
2 person for further basic education, vocational education, or
3 for employment. Occupational completion points refers to the
4 vocational competencies that qualify a person to enter an
5 occupation that is linked to a vocational program.

6 (9)(a)(1) The Department of Management Services,
7 working with the Workforce Development Board, shall coordinate
8 among the agencies a plan for a One-Stop Career Center
9 Electronic Network made up of One-Stop Career Centers that are
10 operated by ~~the Department of Labor and Employment Security,~~
11 ~~the Department of Health and Rehabilitative Services, the~~
12 ~~Department of Education, and other~~ authorized public or
13 private for-profit or not-for-profit agents. The plan shall
14 identify resources within existing revenues to establish and
15 support this ~~such~~ electronic network for service delivery that
16 includes the Florida Communities Network.

17 (b)(2) The network shall assure that a uniform method
18 is used to determine eligibility for and management of
19 services provided by agencies that conduct workforce
20 development activities. The Department of Management Services
21 shall develop strategies to allow access to the databases and
22 information management systems of the following systems in
23 order to link information in those databases with the One-Stop
24 Career Centers:

25 1.(a) The Unemployment Compensation System of the
26 Department of Labor and Employment Security.

27 2.(b) The Job Service System of the Department of
28 Labor and Employment Security.

29 3.(c) The FLORIDA System and the components related to
30 WAGES ~~Aid to Families with Dependent Children,~~ food stamps,
31 and Medicaid eligibility.

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1 ~~4.(d)~~ The Workers' Compensation System of the
2 Department of Labor and Employment Security.

3 ~~5.(e)~~ The Student Financial Assistance System of the
4 Department of Education.

5 ~~6.(f)~~ Enrollment in the public postsecondary education
6 system.

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8 The systems shall be fully coordinated at both the state and
9 local levels by January 1, 2000 ~~July 1, 1999~~.

10 Section 30. Section 288.9620, Florida Statutes, is
11 transferred, renumbered as section 288.9952, Florida Statutes,
12 and amended to read:

13 (Substantial rewording of section. See
14 s. 288.9620, F.S., for present text.)

15 288.9952 Workforce Development Board.--

16 (1) There is created within the not-for-profit
17 corporate structure of Enterprise Florida, Inc., a
18 not-for-profit public-private Workforce Development Board. The
19 purpose of the Workforce Development Board is to design and
20 implement strategies that help Floridians enter, remain in,
21 and advance in the workplace, becoming more highly skilled and
22 successful, benefiting these Floridians, Florida businesses,
23 and the entire state.

24 (2)(a) The Workforce Development Board shall be
25 governed by a 25-voting-member board of directors whose
26 membership and appointment must be consistent with Pub. L. No.
27 105-220, Title I, s. 111(b), and contain three representatives
28 of organized labor. Notwithstanding s. 114.05(f), the Governor
29 may appoint members of the current board to serve on the
30 reconstituted board as required by this section. By June 1,
31 1999, the Workforce Development Board will provide to the

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1 Governor a transition plan to incorporate the changes required
2 by this act and Pub. L. No. 105-220, specifying the timeframe
3 and manner of changes to the board. This plan shall govern the
4 transition, unless otherwise notified by the Governor. The
5 importance of minority and gender representation shall be
6 considered when making appointments to the board. Additional
7 members may be appointed when necessary to conform to the
8 requirements of Pub. L. No. 105-220.

9 (b) The board of directors of the Workforce
10 Development Board shall be chaired by a board member
11 designated by the Governor pursuant to Pub. L. No. 105-220.

12 (c) Private-sector members appointed by the Governor
13 must be appointed for four-year, staggered terms.
14 Public-sector members appointed by the Governor must be
15 appointed to 4-year terms. Members appointed by the Governor
16 serve at the pleasure of the Governor.

17 (d) The Governor shall appoint members to the board of
18 directors of the Workforce Development Board within 30 days
19 after the receipt of nominations.

20 (e) A member of the board of directors of the
21 Workforce Development Board may be removed by the Governor for
22 cause. Absence from three consecutive meetings results in
23 automatic removal. The chair of the Workforce Development
24 Board shall notify the Governor of such absences.

25 (3)(a) The president of the Workforce Development
26 Board shall be hired by the president of Enterprise Florida,
27 Inc., and shall serve in the capacity of an executive director
28 and secretary of the Workforce Development Board.

29 (b) The board of directors of the Workforce
30 Development Board shall meet at least quarterly and at other
31 times upon call of its chair.

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1 (c) A majority of the total current membership of the
2 board of directors of the Workforce Development Board
3 comprises a quorum of the board.

4 (d) A majority of those voting is required to organize
5 and conduct the business of the Workforce Development Board,
6 except that a majority of the entire board of directors of the
7 Workforce Development Board is required to adopt or amend the
8 operational plan.

9 (e) Except as delegated or authorized by the board of
10 directors of the Workforce Development Board, individual
11 members have no authority to control or direct the operations
12 of the Workforce Development Board or the actions of its
13 officers and employees, including the president.

14 (f) The board of directors of the Workforce
15 Development Board may delegate to its president those powers
16 and responsibilities it deems appropriate.

17 (g) Members of the board of directors of the Workforce
18 Development Board and its committees shall serve without
19 compensation, but these members, the president, and all
20 employees of the Workforce Development Board may be reimbursed
21 for all reasonable, necessary, and actual expenses, as
22 determined by the board of directors of Enterprise Florida,
23 Inc.

24 (h) The board of directors of the Workforce
25 Development Board may establish an executive committee
26 consisting of the chair and at least two additional board
27 members selected by the board of directors. The executive
28 committee shall have such authority as the board of directors
29 of the Workforce Development Board delegates to it, except
30 that the board of directors may not delegate to the executive
31 committee authority to take action that requires approval by a

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1 majority of the entire board of directors.

2 (i) The board of directors of the Workforce
3 Development Board may appoint committees to fulfill its
4 responsibilities, to comply with federal requirements, or to
5 obtain technical assistance, and must incorporate members of
6 regional workforce development boards into its structure.

7 (j) Each member of the board of directors of the
8 Workforce Development Board who is not otherwise required to
9 file a financial disclosure pursuant to s. 8, Art. II of the
10 State Constitution or s. 112.3144 must file disclosure of
11 financial interests pursuant to s. 112.3145.

12 (4) The Workforce Development Board shall have all the
13 powers and authority, not explicitly prohibited by statute,
14 necessary or convenient to carry out and effectuate the
15 purposes as determined by statute, Pub. L. No. 105-220, and
16 the Governor, as well as its functions, duties, and
17 responsibilities, including, but not limited to, the
18 following:

19 (a) Serving as the state's Workforce Investment Board
20 pursuant to Pub. L. No. 105-220. Unless otherwise required by
21 federal law, at least 90 percent of the workforce development
22 funding must go into direct customer service costs. Of the
23 allowable administrative overhead, appropriate amounts shall
24 be expended to procure independent job-placement evaluations.

25 (b) Contracting with public and private entities as
26 necessary to further the directives of this section, except
27 that any contract made with an organization represented on the
28 board of directors of Enterprise Florida, Inc., or on the
29 board of directors of the Workforce Development Board must be
30 approved by a two-thirds vote of the entire board of directors
31 of the Workforce Development Board, and, if applicable, the

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1 board member representing such organization shall abstain from
2 voting. No more than 65 percent of the dollar value of all
3 contracts or other agreements entered into in any fiscal year,
4 exclusive of grant programs, shall be made with an
5 organization represented on the board of directors of
6 Enterprise Florida, Inc., or the board of directors of the
7 Workforce Development Board. An organization represented on
8 the board of directors of the Workforce Development Board or
9 on the board of directors of Enterprise Florida, Inc., may not
10 enter into a contract to receive a state-funded economic
11 development incentive or similar grant unless such incentive
12 award is specifically endorsed by a two-thirds vote of the
13 entire board of directors of the Workforce Development Board.
14 The member of the board of directors of the Workforce
15 Development Board representing such organization, if
16 applicable, shall abstain from voting and refrain from
17 discussing the issue with other members of the board. No more
18 than 50 percent of the dollar value of grants issued by the
19 board in any fiscal year may go to businesses associated with
20 members of the board of directors of the Workforce Development
21 Board.

22 (c) Providing an annual report to the board of
23 directors of Enterprise Florida, Inc., by November 1 that
24 includes a copy of an annual financial and compliance audit of
25 its accounts and records conducted by an independent certified
26 public accountant and performed in accordance with rules
27 adopted by the Auditor General.

28 (d) Notifying the Governor, the President of the
29 Senate, and the Speaker of the House of Representatives of
30 noncompliance by agencies or obstruction of the board's
31 efforts by agencies. Upon such notification, the Executive

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1 Office of the Governor shall assist agencies to bring them
2 into compliance with board objectives.

3 (e) Ensuring that the state does not waste valuable
4 training resources. Thus, the board shall direct that all
5 resources, including equipment purchased for training
6 Workforce Investment Act clients, be available for use at all
7 times by eligible populations as first priority users. At
8 times when eligible populations are not available, such
9 resources shall be used for any other state authorized
10 education and training purpose.

11 (5) Notwithstanding s. 216.351, to allow time for
12 documenting program performance, funds allocated for the
13 incentives in s. 239.249 must be carried forward to the next
14 fiscal year and must be awarded for the current year's
15 performance, unless federal law requires the funds to revert
16 at the year's end.

17 (6) The Workforce Development Board may take action
18 that it deems necessary to achieve the purposes of this
19 section and consistent with the policies of the board of
20 directors of Enterprise Florida, Inc., in partnership with
21 private enterprises, public agencies, and other organizations.
22 The Workforce Development Board shall advise and make
23 recommendations to the board of directors of Enterprise
24 Florida, Inc., and through that board of directors to the
25 State Board of Education and the Legislature concerning action
26 needed to bring about the following benefits to the state's
27 social and economic resources:

28 (a) A state employment, education, and training policy
29 that ensures that programs to prepare workers are responsive
30 to present and future business and industry needs and
31 complement the initiatives of Enterprise Florida, Inc.

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1 (b) A funding system that provides incentives to
2 improve the outcomes of vocational education programs, and of
3 registered apprenticeship and work-based learning programs,
4 and that focuses resources on occupations related to new or
5 emerging industries that add greatly to the value of the
6 state's economy.

7 (c) A comprehensive approach to the education and
8 training of target populations such as those who have
9 disabilities, are economically disadvantaged, receive public
10 assistance, are not proficient in English, or are dislocated
11 workers. This approach should ensure the effective use of
12 federal, state, local, and private resources in reducing the
13 need for public assistance.

14 (d) The designation of Institutes of Applied
15 Technology composed of public and private postsecondary
16 institutions working together with business and industry to
17 ensure that technical and vocational education programs use
18 the most advanced technology and instructional methods
19 available and respond to the changing needs of business and
20 industry. Of the funds reserved for activities of the
21 Workforce Investment Act at the state level, \$500,000 shall be
22 reserved for an institute of applied technology in
23 construction excellence, which shall be a demonstration
24 project on the development of such institutes. The institute,
25 once established, shall contract with the Workforce
26 Development Board to provide a coordinated approach to
27 workforce development in this industry.

28 (e) A system to project and evaluate labor market
29 supply and demand using the results of the Occupational
30 Forecasting Conference created in s. 216.136 and the career
31 education performance standards identified under s. 239.233.

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1 (f) A review of the performance of public programs
2 that are responsible for economic development, education,
3 employment, and training. The review must include an analysis
4 of the return on investment of these programs.

5 (7) By December 1 of each year, Enterprise Florida,
6 Inc., shall submit to the Governor, the President of the
7 Senate, the Speaker of the House of Representatives, the
8 Senate Minority Leader, and the House Minority Leader a
9 complete and detailed report by the Workforce Development
10 Board setting forth:

11 (a) The audit in subsection (8), if conducted.

12 (b) The operations and accomplishments of the
13 partnership including the programs or entities listed in
14 subsection (6).

15 (8) The Auditor General may, pursuant to his or her
16 own authority or at the direction of the Legislative Auditing
17 Committee, conduct an audit of the Workforce Development Board
18 or the programs or entities created by the Workforce
19 Development Board.

20 (9) The Workforce Development Board, in collaboration
21 with the regional workforce development boards and appropriate
22 state agencies and local public and private service providers,
23 and in consultation with the Office of Program Policy Analysis
24 and Government Accountability, shall establish uniform
25 measures and standards to gauge the performance of the
26 workforce development strategy. These measures and standards
27 must be organized into three outcome tiers.

28 (a) The first tier of measures must be organized to
29 provide benchmarks for system-wide outcomes. The Workforce
30 Development Board must, in collaboration with the Office of
31 Program Policy Analysis and Government Accountability,

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1 establish goals for the tier-one outcomes. System-wide
2 outcomes may include employment in occupations demonstrating
3 continued growth in wages; continued employment after 3, 6,
4 12, and 24 months; reduction in and elimination of public
5 assistance reliance; job placement; employer satisfaction; and
6 positive return on investment of public resources.

7 (b) The second tier of measures must be organized to
8 provide a set of benchmark outcomes for One-Stop Career
9 Centers and each of the strategic components of the workforce
10 development strategy. A set of standards and measures must be
11 developed for One-Stop Career Centers, youth employment
12 activities, WAGES, and High Skills/High Wages, targeting the
13 specific goals of each particular strategic component. Cost
14 per entered employment, earnings at placement, retention in
15 employment, job placement, and entered employment rate must be
16 included among the performance outcome measures.

17 1. Appropriate measures for One-Stop Career Centers
18 may include direct job placements at minimum wage, at a wage
19 level established by the Occupational Forecasting Conference,
20 and at a wage level above the level established by the
21 Occupational Forecasting Conference.

22 2. Appropriate measures for youth employment
23 activities may include the number of students enrolling in and
24 completing work-based programs, including apprenticeship
25 programs; job placement rate; job retention rate; wage at
26 placement; and wage growth.

27 3. WAGES measures may include job placement rate, job
28 retention rate, wage at placement, wage growth, reduction and
29 elimination of reliance on public assistance, and savings
30 resulting from reduced reliance on public assistance.

31 4. High Skills/High Wages measures may include job

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1 placement rate, job retention rate, wage at placement, and
2 wage growth.

3 (c) The third tier of measures must be the operational
4 output measures to be used by the agency implementing
5 programs, and it may be specific to federal requirements. The
6 tier-three measures must be developed by the agencies
7 implementing programs, and the Workforce Development Board may
8 be consulted in this effort. Such measures must be reported to
9 the Workforce Development Board by the appropriate
10 implementing agency.

11 (d) Regional differences must be reflected in the
12 establishment of performance goals and may include job
13 availability, unemployment rates, average worker wage, and
14 available employable population. All performance goals must be
15 derived from the goals, principles, and strategies established
16 in the Workforce Florida Act of 1996.

17 (e) Job placement must be reported pursuant to s.
18 229.8075. Positive outcomes for providers of education and
19 training must be consistent with ss. 239.233 and 239.245.

20 (f) The uniform measures of success that are adopted
21 by the Workforce Development Board or the regional workforce
22 development boards must be developed in a manner that provides
23 for an equitable comparison of the relative success or failure
24 of any service provider in terms of positive outcomes.

25 (g) By October 15 of each year, the Workforce
26 Development Board shall provide the Legislature with a report
27 detailing the performance of Florida's workforce development
28 system, as reflected in the three-tier measurement system.
29 Additionally, this report must benchmark Florida outcomes, at
30 all tiers, against other states that collect data similarly.

31 Section 31. Section 446.602, Florida Statutes, is

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1 transferred, renumbered as section 288.9953, Florida Statutes,
2 and amended to read:

3 288.9953 ~~446.602~~ Regional Workforce Development
4 Boards.--

5 (1) One regional workforce development board ~~Regional~~
6 ~~Workforce Development Board~~ shall be appointed in each
7 designated service delivery area and shall serve as the local
8 workforce investment board pursuant to Pub. L. No. 105-220.
9 The membership ~~and responsibilities~~ of the board shall be
10 consistent with Pub. L. No. 105-220, Title I, s. 117(b), and
11 contain three representatives of organized labor. A member of
12 a regional workforce development board may not vote on a
13 matter under consideration by the board regarding the
14 provision of services by such member, or by an entity that
15 such member represents; vote on a matter that would provide
16 direct financial benefit to such member or the immediate
17 family of such member; or engage in any other activity
18 determined by the Governor to constitute a conflict of
19 interest as specified in the state plan.97-300, as amended.
20 ~~The board shall be appointed by the chief elected official or~~
21 ~~his or her designee of the local county or city governing~~
22 ~~bodies or consortiums of county and/or city governmental units~~
23 ~~that exist through interlocal agreements and shall include:~~
24 (a) ~~At least 51 percent of the members of each board~~
25 ~~being from the private sector and being chief executives,~~
26 ~~chief operating officers, owners of business concerns, or~~
27 ~~other private sector executives with substantial management or~~
28 ~~policy responsibility.~~
29 (b) ~~Representatives of organized labor and~~
30 ~~community-based organizations, who shall constitute not less~~
31 ~~than 15 percent of the board members.~~

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1 ~~(c) Representatives of educational agencies, including~~
2 ~~presidents of local community colleges, superintendents of~~
3 ~~local school districts, licensed private postsecondary~~
4 ~~educational institutions participating in vocational education~~
5 ~~and job training in the state and conducting programs on the~~
6 ~~Occupational Forecasting Conference list or a list validated~~
7 ~~by the Regional Workforce Development Board; vocational~~
8 ~~rehabilitation agencies; economic development agencies; public~~
9 ~~assistance agencies; and public employment service. One of~~
10 ~~the representatives from licensed private postsecondary~~
11 ~~educational institutions shall be from a degree-granting~~
12 ~~institution, and one from an institution offering certificate~~
13 ~~or diploma programs. One of these members shall be a~~
14 ~~nonprofit, community-based organization which provides direct~~
15 ~~job training and placement services to hard-to-serve~~
16 ~~individuals including the target population of people with~~
17 ~~disabilities.~~

18
19 ~~The current Private Industry Council may be restructured, by~~
20 ~~local agreement, to meet the criteria for a Regional Workforce~~
21 ~~Development Board.~~

22 (2) The Workforce Development Board will determine the
23 timeframe and manner of changes to the regional workforce
24 development boards as required by this act and Pub. L. No.
25 105-220.

26 (3) The Workforce Development Board shall assign staff
27 to meet with each regional workforce development board
28 annually to review the board's performance and to certify that
29 the board is in compliance with applicable state and federal
30 law.

31 ~~(4)(2)~~ In addition to the duties and functions

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1 specified by the Workforce Development Board ~~Enterprise~~
2 ~~Florida Jobs and Education Partnership~~ and by the interlocal
3 agreement approved by the local county or city governing
4 bodies, the regional workforce development board ~~Regional~~
5 ~~Workforce Development Board~~ shall have the following
6 responsibilities:

7 (a) Develop, submit, ratify, or amend ~~Review, approve,~~
8 ~~and ratify~~ the local ~~Job Training Partnership Act~~ plan
9 pursuant to Pub. L. No. 105-220, Title I, s. 118 ~~which also~~
10 ~~must be signed by the chief elected officials.~~

11 (b) Conclude agreements necessary to designate the
12 fiscal agent and administrative entity.

13 (c) Complete assurances required for the Workforce
14 Development Board ~~Enterprise Florida Jobs and Education~~
15 ~~Partnership~~ charter process and provide ongoing oversight
16 related to administrative costs, duplicated services, career
17 counseling, economic development, equal access, compliance and
18 accountability, and performance outcomes.

19 (d) Oversee One-Stop Career Centers in its local area.

20 (5)(3) The Workforce Development Board ~~Enterprise~~
21 ~~Florida Jobs and Education Partnership~~ shall, ~~by January 1,~~
22 ~~1997, design and~~ implement a training program for the regional
23 workforce development boards ~~Regional Workforce Development~~
24 ~~Boards~~ to familiarize board members with the state's workforce
25 development goals and strategies.

26
27 The regional workforce development board ~~Regional Workforce~~
28 ~~Development Board~~ shall designate all local service providers
29 and shall not transfer this authority to a third party. In
30 order to exercise independent oversight, the regional
31 workforce development board ~~Regional Workforce Development~~

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1 ~~Board~~ shall not be a direct provider of intake, assessment,
2 eligibility determinations, or other direct provider services.

3 (6) Regional workforce development boards may appoint
4 local committees to obtain technical assistance on issues of
5 importance, including those issues affecting older workers.

6 (7) Each regional workforce development board shall
7 establish a high skills/high wages committee consisting of
8 five private-sector business representatives, including the
9 regional workforce development board chair; the presidents of
10 all community colleges within the board's region; those
11 district school superintendents with authority for conducting
12 postsecondary educational programs within the region; and a
13 representative from a nonpublic postsecondary educational
14 institution that is an authorized individual training account
15 provider within the region. The business representatives other
16 than the board chair need not be members of the regional
17 workforce development board.

18 (a) During fiscal year 1999-2000, each high
19 skills/high wages committee shall submit, quarterly,
20 recommendations to the Workforce Development Board related to:

21 1. Policies to enhance the responsiveness of high
22 skills/high wages programs in its region to business and
23 economic development opportunities.

24 2. Integrated use of state education and federal
25 workforce development funds to enhance the training and
26 placement of designated population individuals with local
27 businesses and industries.

28 (b) After fiscal year 1999-2000, the Workforce
29 Development Board has the discretion to decrease the frequency
30 of reporting by the high skills/high wages committees, but the
31 committees shall meet and submit any recommendations at least

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1 annually.

2 (c) Annually, the Workforce Development Board shall
3 compile all the recommendations of the high skills/high wages
4 committees, research their feasibility, and make
5 recommendations to the Governor, the President of the Senate,
6 and the Speaker of the House of Representatives.

7 Section 32. Section 446.607, Florida Statutes, is
8 transferred, renumbered as section 288.9954, Florida Statutes,
9 and amended to read:

10 288.9954 ~~446.607~~ Consultation, consolidation, and
11 coordination.--The Workforce Development Board ~~Enterprise~~
12 ~~Florida Jobs and Education Partnership~~ and the WAGES Program
13 State Board of Directors ~~any state public assistance policy~~
14 ~~board established pursuant to law~~ shall consult with each
15 other in developing each of their statewide implementation
16 plans and strategies. The regional workforce development
17 boards ~~Regional Workforce Development Boards~~ and local WAGES
18 coalitions ~~any local public assistance policy boards~~
19 ~~established pursuant to law~~ may elect to consolidate into one
20 board provided that the consolidated board membership complies
21 with the requirements of Pub. L. No. 105-220, Title I, s.
22 117(b)97-300, ~~as amended~~, and with any other law delineating
23 the membership requirements for either of the separate boards.
24 The regional workforce development boards ~~Regional Workforce~~
25 ~~Development Boards~~ and local WAGES coalitions ~~any respective~~
26 ~~local public assistance policy board established pursuant to~~
27 ~~law~~ shall collaboratively coordinate, to the maximum extent
28 possible, the local services and activities provided by and
29 through each of these boards and coalitions and their
30 designated local service providers.

31 Section 33. Section 446.603, Florida Statutes, is

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1 transferred, renumbered as section 288.9955, Florida Statutes,
2 and amended to read:

3 288.9955 ~~446.603~~ Untried Worker Placement and
4 Employment Incentive Act.--

5 (1) This section may be cited as the "Untried Worker
6 Placement and Employment Incentive Act."

7 (2) For purposes of this section, the term "untried
8 worker" means a person who is a hard-to-place participant in
9 the Work and Gain Economic Self-sufficiency Program (WAGES)
10 ~~welfare-to-work programs of the Department of Labor and~~
11 ~~Employment Security or the Department of Health and~~
12 ~~Rehabilitative Services~~ because he or she has ~~they have~~
13 limitations associated with the long-term receipt of welfare
14 and difficulty in sustaining employment, particularly because
15 of physical or mental disabilities.

16 ~~(3) The Department of Labor and Employment Security~~
17 ~~and the Department of Health and Rehabilitative Services,~~
18 ~~working with the Enterprise Florida Jobs and Education~~
19 ~~Partnership, shall develop five Untried Worker Placement and~~
20 ~~Employment Incentive pilot projects in at least five different~~
21 ~~counties.~~

22 ~~(3)(4) Incentive~~ In these pilots, ~~incentive~~ payments
23 may will be made to for-profit or not-for-profit agents
24 selected by local WAGES coalitions ~~the Regional Workforce~~
25 ~~Development Boards~~ who successfully place untried workers in
26 full-time employment for 6 months with an employer after the
27 employee successfully completes a probationary placement of no
28 more than 6 months with that employer. Full-time employment
29 that includes health care benefits will receive an additional
30 incentive payment.

31 ~~(4)(5)~~ The for-profit and not-for-profit agents shall

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1 contract to provide services for no more than 1 year.
2 Contracts may be renewed upon successful review by the
3 contracting agent.

4 ~~(5)(6)~~ Incentives must be paid according to the ~~The~~
5 ~~Department of Labor and Employment Security and the Department~~
6 ~~of Health and Rehabilitative Services, working with the~~
7 ~~Enterprise Florida Jobs and Education Partnership, shall~~
8 ~~develop an~~ incentive schedule developed by the Department of
9 Labor and Employment Security and the Department of Children
10 and Family Services which ~~that~~ costs the state less per
11 placement than the state's 12-month expenditure on a welfare
12 recipient.

13 ~~(6)(7)~~ During an untried worker's probationary
14 placement, the for-profit or not-for-profit agent shall be the
15 employer of record of that untried worker, and shall provide
16 workers' compensation and unemployment compensation coverage
17 as provided by law. The business employing the untried worker
18 through the agent may be eligible to apply for any tax
19 credits, wage supplementation, wage subsidy, or employer
20 payment for that employee that are authorized in law or by
21 agreement with the employer. After satisfactory completion of
22 such a probationary period, an untried worker shall not be
23 considered an untried worker.

24 ~~(7)(8)~~ This section shall not be used for the purpose
25 of displacing or replacing an employer's regular employees,
26 and shall not interfere with executed collective bargaining
27 agreements. Untried workers shall be paid by the employer at
28 the same rate as similarly situated and assessed workers in
29 the same place of employment.

30 ~~(8)(9)~~ An employer that demonstrates a pattern of
31 unsuccessful placements shall be disqualified from

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1 participation in these pilots because of poor return on the
2 public's investment.

3 ~~(9)(10) The Department of Labor and Employment~~
4 ~~Security and the Department of Health and Rehabilitative~~
5 ~~Services, working with the Enterprise Florida Jobs and~~
6 ~~Education Partnership, may offer to Any employer that chooses~~
7 ~~to employ untried workers is eligible to receive such~~
8 ~~incentives and benefits that are available and provided in~~
9 ~~law, as long as the long-term, cost savings can be quantified~~
10 ~~with each such additional inducement.~~

11 ~~(11) Unless otherwise reenacted, this section shall be~~
12 ~~repealed on July 1, 1999.~~

13 Section 34. Section 288.9956, Florida Statutes, is
14 created to read:

15 288.9956 Implementation of the federal Workforce
16 Investment Act of 1998.--

17 (1) WORKFORCE INVESTMENT ACT PRINCIPLES.--The state's
18 approach to implementing the federal Workforce Investment Act
19 of 1998, Pub. L. No. 105-220, should have six elements:

20 (a) Streamlining Services--Florida's employment and
21 training programs must be coordinated and consolidated at
22 locally managed One-Stop Career Centers.

23 (b) Empowering Individuals--Eligible participants will
24 make informed decisions, choosing the qualified training
25 program that best meets their needs.

26 (c) Universal Access--Through One-Stop Career Centers,
27 every Floridian will have access to employment services.

28 (d) Increased Accountability--The state, localities,
29 and training providers will be held accountable for their
30 performance.

31 (e) Local Board and Private Sector Leadership--Local

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1 boards will focus on strategic planning, policy development,
2 and oversight of the local system, choosing local managers to
3 direct the operational details of their One-Stop Career
4 Centers.

5 (f) Local Flexibility and Integration--Localities will
6 have exceptional flexibility to build on existing reforms.
7 Unified planning will free local groups from conflicting
8 micro-management, while waivers and WorkFlex will allow local
9 innovations.

10 (2) FIVE-YEAR PLAN.--The Workforce Development Board
11 shall prepare and submit a 5-year plan, which includes
12 secondary vocational education, to fulfill the early
13 implementation requirements of Pub. L. No. 105-220 and
14 applicable state statutes. Mandatory federal partners and
15 optional federal partners, including the WAGES Program State
16 Board of Directors, shall be fully involved in designing the
17 plan's One-Stop Career Center system strategy. The plan shall
18 detail a process to clearly define each program's statewide
19 duties and role relating to the system. Any optional federal
20 partner may immediately choose to fully integrate its
21 program's plan with this plan, which shall, notwithstanding
22 any other state provisions, fulfill all their state planning
23 and reporting requirements as they relate to One-Stop Career
24 Centers. The plan shall detail a process that would fully
25 integrate all federally mandated and optional partners by the
26 second year of the plan. All optional federal program partners
27 in the planning process shall be mandatory participants in the
28 second year of the plan.

29 (3) FUNDING.--

30 (a) Title I, Workforce Investment Act of 1998 funds;
31 Wagner-Peyser funds; and NAFTA/Trade Act funds will be

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1 expended based on the Workforce Development Board's 5-year
2 plan. The plan shall outline and direct the method used to
3 administer and coordinate various funds and programs that are
4 operated by various agencies. The following provisions shall
5 also apply to these funds:

6 1. At least 50 percent of the Title I funds for Adults
7 and Dislocated Workers that are passed through to regional
8 workforce development boards shall be allocated to Individual
9 Training Accounts unless a regional workforce development
10 board obtains a waiver from the Workforce Development Board.
11 Tuition, fees, and performance-based incentive awards paid in
12 compliance with Florida's Performance-Based Incentive Fund
13 Program qualify as an Individual Training Account expenditure,
14 as do other programs developed by regional workforce
15 development boards in compliance with the Workforce
16 Development Board's policies.

17 2. Fifteen percent of Title I funding shall be
18 retained at the state level and shall be dedicated to state
19 administration and used to design, develop, induce, and fund
20 innovative Individual Training Account pilots, demonstrations,
21 and programs. Eligible state administration costs include the
22 costs of: funding of the Workforce Development Board and
23 Workforce Development Board's staff; operating fiscal,
24 compliance, and management accountability systems through the
25 Workforce Development Board; conducting evaluation and
26 research on workforce development activities; and providing
27 technical and capacity building assistance to regions at the
28 direction of the Workforce Development Board. Notwithstanding
29 s. 288.9952, such administrative costs shall not exceed 25
30 percent of these funds. Seventy percent of these funds shall
31 be allocated to Individual Training Accounts for: the Minority

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1 Teacher Education Scholars program, the Certified Teacher-Aide
2 program, the Self-Employment Institute, and other Individual
3 Training Accounts designed and tailored by the Workforce
4 Development Board, including, but not limited to, programs for
5 incumbent workers, displaced homemakers, nontraditional
6 employment, empowerment zones, and enterprise zones. The
7 Workforce Development Board shall design, adopt, and fund
8 Individual Training Accounts for distressed urban and rural
9 communities. The remaining 5 percent shall be reserved for the
10 Incumbent Worker Training Program.

11 3. The Incumbent Worker Training Program is created
12 for the purpose of providing grant funding for continuing
13 education and training of incumbent employees at existing
14 Florida businesses. The program will provide reimbursement
15 grants to businesses that pay for preapproved, direct,
16 training-related costs.

17 a. The Incumbent Worker Training Program will be
18 administered by a private business organization, known as the
19 grant administrator, under contract with the Workforce
20 Development Board.

21 b. To be eligible for the program's grant funding, a
22 business must have been in operation in Florida for a minimum
23 of 1 year prior to the application for grant funding; have at
24 least one full-time employee; demonstrate financial viability;
25 and be current on all state tax obligations. Priority for
26 funding shall be given to businesses with 25 employees or
27 fewer, businesses in rural areas, businesses in distressed
28 inner-city areas, or businesses whose grant proposals
29 represent a significant upgrade in employee skills.

30 c. All costs reimbursed by the program must be
31 preapproved by the grant administrator. The program will not

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1 reimburse businesses for trainee wages, the purchase of
2 capital equipment, or the purchase of any item or service that
3 may possibly be used outside the training project. A business
4 approved for a grant may be reimbursed for preapproved,
5 direct, training-related costs including tuition and fees;
6 books and classroom materials; and administrative costs not to
7 exceed 5 percent of the grant amount.

8 d. A business that is selected to receive grant
9 funding must provide a matching contribution to the training
10 project, including but not limited to, wages paid to trainees
11 or the purchase of capital equipment used in the training
12 project; must sign an agreement with the grant administrator
13 to complete the training project as proposed in the
14 application; must keep accurate records of the project's
15 implementation process; and must submit monthly or quarterly
16 reimbursement requests with required documentation.

17 e. All Incumbent Worker Training Program grant
18 projects shall be performance-based with specific measurable
19 performance outcomes, including completion of the training
20 project and job retention. The grant administrator shall
21 withhold the final payment to the grantee until a final grant
22 report is submitted and all performance criteria specified in
23 the grant contract have been achieved.

24 f. The Workforce Development Board is authorized to
25 establish guidelines necessary to implement the Incumbent
26 Worker Training Program.

27 g. No more than 10 percent of the Incumbent Worker
28 Training Program's appropriation may be used for
29 administrative purposes.

30 h. The grant administrator is required to submit a
31 report to the Workforce Development Board and the Legislature

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1 on the financial and general operations of the Incumbent
2 Worker Training Program. Such report will be due before
3 December 1 of any fiscal year for which the program is funded
4 by the Legislature.

5 4. At least 50 percent of Rapid Response funding shall
6 be dedicated to Intensive Services Accounts and Individual
7 Training Accounts for dislocated workers and incumbent workers
8 who are at risk of dislocation. The Workforce Development
9 Board shall also maintain an Emergency Preparedness Fund from
10 Rapid Response funds which will immediately issue Intensive
11 Service Accounts and Individual Training Accounts as well as
12 other federally authorized assistance to eligible victims of
13 natural or other disasters. At the direction of the Governor,
14 for events that qualify under federal law, these Rapid
15 Response funds shall be released to regional workforce
16 development boards for immediate use. Funding shall also be
17 dedicated to maintain a unit at the state level to respond to
18 Rapid Response emergencies around the state, to work with
19 state emergency management officials, and to work with
20 regional workforce development boards. All Rapid Response
21 funds must be expended based on a plan developed by the
22 Workforce Development Board and approved by the Governor.

23 (b) The administrative entity for Title I, Workforce
24 Investment Act of 1998 funds, and Rapid Response activities,
25 will be determined by the Workforce Development Board, except
26 that the administrative entity for Rapid Response for fiscal
27 year 1999-2000 must be the Department of Labor and Employment
28 Security. The administrative entity will provide services
29 through a contractual agreement with the Workforce Development
30 Board. The terms and conditions of the agreement may include,
31 but are not limited to, the following:

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1 1. All policy direction to regional workforce
2 development boards regarding Title I programs and Rapid
3 Response activities shall emanate from the Workforce
4 Development Board.

5 2. Any policies by a state agency acting as an
6 administrative entity which may materially impact local
7 workforce boards, local governments, or educational
8 institutions must be promulgated under chapter 120.

9 3. The administrative entity will operate under a
10 procedures manual, approved by the Workforce Development
11 Board, addressing: financial services including cash
12 management, accounting, and auditing; procurement; management
13 information system services; and federal and state compliance
14 monitoring, including quality control.

15 4. State Career Service employees in the Department of
16 Labor and Employment Security may be leased or assigned to the
17 administrative entity to provide administrative and
18 professional functions.

19 (4) FEDERAL REQUIREMENTS, EXCEPTIONS AND REQUIRED
20 MODIFICATIONS.--

21 (a) The Workforce Development Board may provide
22 indemnification from audit liabilities to regional workforce
23 development boards that act in full compliance with state law
24 and the board's policies.

25 (b) The Workforce Development Board may negotiate and
26 settle all outstanding issues with the U.S. Department of
27 Labor relating to decisions made by the Workforce Development
28 Board and the Legislature with regard to the Job Training
29 Partnership Act, making settlements and closing out all JTPA
30 program year grants before the repeal of the act June 30,
31 2000.

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1 (c) The Workforce Development Board may make
2 modifications to the state's plan, policies, and procedures to
3 comply with federally mandated requirements that in its
4 judgment must be complied with to maintain funding provided
5 pursuant to Pub. L. No. 105-220. The board shall notify in
6 writing the Governor, the President of the Senate, and the
7 Speaker of the House of Representatives within 30 days of any
8 such changes or modifications.

9 (5) The Department of Labor and Employment Security
10 shall phase-down JTPA duties before the federal program is
11 abolished July 1, 2000. Outstanding accounts and issues shall
12 be promptly closed out after this date.

13 (6) LONG-TERM CONSOLIDATION OF WORKFORCE
14 DEVELOPMENT.--

15 (a) The Workforce Development Board may recommend
16 workforce-related divisions, bureaus, units, programs, duties,
17 commissions, boards, and councils that can be eliminated,
18 consolidated, or privatized.

19 (b) By December 31, 1999, the Office of Program Policy
20 Analysis and Government Accountability shall review the
21 workforce development system, identifying divisions, bureaus,
22 units, programs, duties, commissions, boards, and councils
23 that could be eliminated, consolidated, or privatized. The
24 office shall submit preliminary findings by December 31, 1999,
25 and its final report and recommendations by January 31, 2000,
26 to the President of the Senate and the Speaker of the House of
27 Representatives. As part of the report, the Office of Program
28 Policy Analysis and Government Accountability shall
29 specifically identify, by funding stream, indirect,
30 administrative, management information system, and overhead
31 costs of the Department of Labor and Employment Security.

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1 (7) TERMINATION OF SET-ASIDE.--For those state and
2 federal set-asides terminated by the federal Workforce
3 Investment Act of 1998, the Department of Education, the
4 Office of Tourism, Trade, and Economic Development within the
5 Executive Office of the Governor, and the Department of Elder
6 Affairs shall keep all unexpended JTPA 123 (Education
7 Coordination), JTPA III (Dislocated Workers), or JTPA IIA
8 (Services for Older Adults) funds to closeout their education
9 and coordination activities. The Workforce Development Board
10 shall develop guidelines under which the departments may
11 negotiate with the regional workforce development boards to
12 provide continuation of activities and services currently
13 conducted with the JTPA Section 123 or JTPA IIA funds.

14 Section 35. Section 288.9957, Florida Statutes, is
15 created to read:

16 288.9957 Florida Youth Workforce Council.--

17 (1) The chairman of the Workforce Development Board
18 shall designate the Florida Youth Workforce Council from
19 representatives of distressed inner-city and rural communities
20 who have demonstrated experience working with at-risk youth,
21 and representatives of public and private groups, including,
22 but not limited to, School-to-Work Advisory Councils, the
23 National Guard, Childrens' Services Councils, Juvenile Welfare
24 Boards, the Apprenticeship Council, Juvenile Justice District
25 Boards, and other federal and state programs that target
26 youth, to advise the board on youth programs and to implement
27 Workforce Development Board strategies for young people.

28 (2) The Florida Youth Workforce Council shall oversee
29 the development of regional youth workforce councils, as a
30 subgroup of each regional workforce development board, which
31 will be responsible for developing required local plans

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1 relating to youth, recommending providers of youth activities
2 to be awarded grants by the regional workforce development
3 board, conducting oversight of these providers, and
4 coordinating youth activities in the region.

5 (3) Resources awarded to regions for youth activities
6 shall fund community activities including the Minority Teacher
7 Education Scholars program, the Certified Teacher-Aide
8 program, and the "About Face" program of the Department of
9 Military Affairs, as well as other programs designed and
10 tailored by the regional youth workforce council and regional
11 workforce development board.

12 (4) Regional youth workforce councils must leverage
13 other program funds in order to enlist youth workforce program
14 stakeholders in their community in upgrading each
15 stakeholder's effectiveness through collaborative planning,
16 implementation, and funding.

17 (5) The Florida Youth Workforce Council shall report
18 annually by December 1 to the Workforce Development Board the
19 total aggregate funding impact of this effort, including the
20 inventory of collaborative funding partners in each region and
21 their contributions.

22 (6) Ten percent of youth funds allocated under Pub. L.
23 No. 105-220 to the regional workforce development boards shall
24 be used to leverage public schools' dropout-prevention funds
25 through performance payments for outcomes specified by the
26 Workforce Development Board.

27 Section 36. Section 288.9958, Florida Statutes, is
28 created to read:

29 288.9958 Employment, Occupation, and Performance
30 Information Coordinating Committee.--

31 (1) By July 15, 1999, the chairman of the Workforce

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1 Development Board shall appoint an Employment, Occupation, and
2 Performance Information Coordinating Committee, which shall
3 assemble all employment, occupational, and performance
4 information from workforce development partners into a single
5 integrated informational system. The committee shall include
6 representatives from the Bureau of Labor Market and
7 Performance Information, Florida Education and Training
8 Placement Information Program, and the State Occupational
9 Forecasting Conference, as well as other public or private
10 members with information expertise.

11 (2) The committee shall initially focus on the timely
12 provision of data necessary for planning, consumer reports,
13 and performance accountability reports necessary for the
14 selection of training service providers, as well as state and
15 local board program assessment, completing these tasks no
16 later than October 1, 1999.

17 (3) By December 1, 1999, the committee shall establish
18 outcome measures that enable an assessment of the Workforce
19 Development Board's coordinating and oversight
20 responsibilities.

21 (4) By June 30, 2000, the committee shall develop an
22 integrated and comprehensive accountability system that can be
23 used to evaluate and report on the effectiveness of Florida's
24 workforce development system as required by state law.

25 (5) To ensure the fulfillment of these requirements,
26 the Workforce Development Board may direct the Department of
27 Labor and Employment Security, the Department of Education,
28 and the Department of Children and Family Services to provide
29 such services and assign such staff to this committee as it
30 deems necessary until June 30, 2000.

31 Section 37. Section 288.9959, Florida Statutes, is

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1 created to read:

2 288.9959 Operational Design and Technology Procurement
3 Committee.--

4 (1) The chairman of the Workforce Development Board
5 shall appoint an Operational Design and Technology Procurement
6 Committee, which shall assemble representatives from the
7 regional workforce development boards, board staff, and the
8 staff of the WAGES State Board of Directors to design and
9 develop a model operational design and technology procurement
10 strategy for One-Stop Career Centers to ensure that services
11 from region to region are consistent for customers, that
12 customer service technology is compatible, and that
13 procurement expenditures, where possible, are aggregated to
14 obtain economies and efficiencies.

15 (2) The committee shall initially focus on designing a
16 uniform intake procedure for all One-Stop Career Centers; on
17 the design and delivery of customer reports on eligible
18 training providers; on the design of Intensive Services
19 Accounts, Individual Training Accounts, and Individual
20 Development Accounts; on enhancing availability of electronic
21 One-Stop Career Center core services; and on the development
22 of One-Stop Career Center model operating procedures.

23 (3) To ensure the fulfillment of these requirements,
24 the Workforce Development Board may direct the Department of
25 Labor and Employment Security, the Department of Education,
26 and the Department of Children and Family Services to provide
27 such services and assign such staff to this committee as it
28 deems necessary until June 30, 2000.

29 Section 38. Paragraph (a) of subsection (2) of section
30 414.026, Florida Statutes, 1998 Supplement, is amended to
31 read:

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- 1 414.026 WAGES Program State Board of Directors.--
- 2 (2)(a) The board of directors shall be composed of the
- 3 following members:
- 4 1. The Commissioner of Education, or the
- 5 commissioner's designee.
- 6 2. The Secretary of Children and Family Services.
- 7 3. The Secretary of Health.
- 8 4. The Secretary of Labor and Employment Security.
- 9 5. The Secretary of Community Affairs.
- 10 6. The Secretary of Transportation, or the secretary's
- 11 designee.
- 12 7. The director of the Office of Tourism, Trade, and
- 13 Economic Development.
- 14 8. The president of the Enterprise Florida workforce
- 15 development board, established under s. 288.9952 ~~s. 288.9620~~.
- 16 9. The chief executive officer of the Florida Tourism
- 17 Industry Marketing Corporation, established under s. 288.1226.
- 18 10. Nine members appointed by the Governor, as
- 19 follows:
- 20 a. Six members shall be appointed from a list of ten
- 21 nominees, of which five must be submitted by the President of
- 22 the Senate and five must be submitted by the Speaker of the
- 23 House of Representatives. The list of five nominees submitted
- 24 by the President of the Senate and the Speaker of the House of
- 25 Representatives must each contain at least three individuals
- 26 employed in the private sector, two of whom must have
- 27 management experience. One of the five nominees submitted by
- 28 the President of the Senate and one of the five nominees
- 29 submitted by the Speaker of the House of Representatives must
- 30 be an elected local government official who shall serve as an
- 31 ex officio nonvoting member.

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1 b. Three members shall be at-large members appointed
2 by the Governor.

3 c. Of the nine members appointed by the Governor, at
4 least six must be employed in the private sector and of these,
5 at least five must have management experience.

6
7 The members appointed by the Governor shall be appointed to
8 4-year, staggered terms. Within 60 days after a vacancy occurs
9 on the board, the Governor shall fill the vacancy of a member
10 appointed from the nominees submitted by the President of the
11 Senate and the Speaker of the House of Representatives for the
12 remainder of the unexpired term from one nominee submitted by
13 the President of the Senate and one nominee submitted by the
14 Speaker of the House of Representatives. Within 60 days after
15 a vacancy of a member appointed at-large by the Governor
16 occurs on the board, the Governor shall fill the vacancy for
17 the remainder of the unexpired term. The composition of the
18 board must generally reflect the racial, gender, and ethnic
19 diversity of the state as a whole.

20 Section 39. Sections 446.20, 446.205, 446.605, and
21 446.606, Florida Statutes, are repealed effective June 30,
22 2000.

23 Section 40. If any provision of this act or the
24 application thereof to any person or circumstance is held
25 invalid, the invalidity does not affect other provisions or
26 applications of the act which can be given effect without the
27 invalid provision or application, and to this end the
28 provisions of this act are declared severable.

29
30 (Redesignate subsequent sections.)

31

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1 ===== T I T L E A M E N D M E N T =====

2 And the title is amended as follows:

3 On page 173, line 28, after the first semicolon

4

5 insert:

6 directing the Division of Statutory Revision to
7 designate certain sections of the Florida
8 Statutes as part XI, relating to Workforce
9 Development; transferring, renumbering, and
10 amending s. 446.601, F.S.; conforming
11 cross-references; deleting provisions governing
12 services of One-Stop Career Centers; revising
13 components of the state's workforce development
14 strategy; transferring, renumbering, and
15 amending s. 446.604, F.S.; providing for the
16 state's One-Stop Career Center customer service
17 delivery strategy; specifying partners;
18 providing for oversight and operation of
19 centers by regional workforce development
20 boards and center operators; providing for
21 memorandums of understanding; directing funds
22 for direct customer service costs; providing
23 for notification; providing for electronic
24 service delivery; authorizing Intensive Service
25 Accounts and Individual Training Accounts and
26 providing specifications; transferring,
27 renumbering, and amending s. 288.9620, F.S.;
28 providing for membership of the Workforce
29 Development Board pursuant to federal law;
30 providing for committees; requiring financial
31 disclosure; authorizing the board as the

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1 Workforce Investment Board; specifying
2 functions, duties, and responsibilities;
3 providing for noncompliance notification;
4 providing for carryover of funds; requiring a
5 performance measurement system and reporting of
6 such; transferring, renumbering, and amending
7 s. 446.602, F.S.; providing for membership of
8 regional workforce development boards pursuant
9 to federal law; prohibiting certain activities
10 that create a conflict of interest; providing
11 for transition; providing for performance and
12 compliance review; correcting organizational
13 name references; requiring a local plan;
14 providing for oversight of One-Stop Career
15 Centers; authorizing local committees;
16 establishing high skills/high wages committees;
17 transferring, renumbering, and amending s.
18 446.607, F.S.; conforming cross-references;
19 providing for consolidated board membership
20 requirements; transferring, renumbering, and
21 amending s. 446.603, F.S.; conforming
22 cross-references; expanding the scope of the
23 Untried Worker Placement and Employment
24 Incentive Act; abrogating scheduled repeal of
25 program; creating s. 288.9956, F.S.; providing
26 principles for implementing the federal
27 Workforce Investment Act of 1998; providing for
28 a 5-year plan; specifying funding distribution;
29 creating the Incumbent Worker Training Program;
30 providing program requirements; requiring a
31 report; authorizing the Workforce Development

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1 Board to contract for administrative services
2 related to federal funding; specifying
3 contractual agreements; providing for
4 indemnification; providing for settlement
5 authority; providing for compliance with
6 federal law; providing for workforce
7 development review; providing for termination
8 of set-aside; creating s. 288.9957, F.S.;
9 requiring designation of the Florida Youth
10 Workforce Council; providing for membership and
11 duties; providing for allocation of funds;
12 creating s. 288.9958, F.S.; requiring
13 appointment of the Employment, Occupation, and
14 Performance Information Coordinating Committee;
15 providing for membership and duties; providing
16 for services and staff; creating s. 288.9959,
17 F.S.; requiring appointment of the Operational
18 Design and Technology Procurement Committee;
19 providing for membership and duties; providing
20 for services and staff; amending s. 414.026,
21 F.S.; conforming a cross-reference; repealing
22 s. 446.20, F.S., which provides for
23 administration of responsibilities under the
24 federal Job Training Partnership Act; repealing
25 s. 446.205, F.S., which provides for a Job
26 Training Partnership Act family drop-out
27 prevention program; repealing s. 446.605, F.S.,
28 which provides for applicability of the
29 Workforce Florida Act of 1996; repealing s.
30 446.606, F.S., which provides for designation
31 of primary service providers; providing for

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1 severability;
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