

Bill No. CS for CS for SB 1566

Amendment No. ____

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Kirkpatrick moved the following amendment:

Senate Amendment (with title amendment)

On page 93, between lines 7 and 8,

insert:

Section 28. 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 29. 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 workforce development system to upgrade dramatically

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1 Floridians' workplace skills, economically benefiting the
2 workforce, employers, and the state.

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

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

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

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

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

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

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

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

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

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

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

30 (k) Apprenticeship programs, pursuant to s. 446.011,
31 which provide a valuable opportunity for preparing citizens

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1 for productive employment, will be encouraged.

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

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

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

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

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

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

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1 ~~expanding businesses.~~

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

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

31 288.9951 ~~446.604~~ One-Stop Career Centers.--

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

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

6 (b) Career counseling and educational planning.

7 (c) Consumer reports on service providers.

8 (d) Recruitment and eligibility determination.

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

11 (f) Employability skills training.

12 (g) Adult education and basic skills training.

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

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

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

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

21 (2) In addition to the mandatory partners identified
22 in Pub. L. No. 105-220, Food Stamp Employment and Training,
23 Food Stamp work programs, and WAGES/TANF programs shall
24 participate as partners in each One-Stop Career Center. Each
25 partner is prohibited from operating independently from a
26 One-Stop Career Center unless approved by the regional
27 workforce development board. Services provided by partners who
28 are not physically located in a One-Stop Career Center must be
29 approved by the regional workforce development board.

30 (3) Subject to a process designed by the Workforce
31 Development Board, and in compliance with Pub. L. No. 105-220,

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1 regional workforce development boards shall designate One-Stop
2 Career Center operators. A regional workforce development
3 board may retain its current One-Stop Career Center operator
4 without further procurement action where the board has
5 established a One-Stop Career Center that has complied with
6 federal and state law.

7 (4) Notwithstanding any other provision of law,
8 effective July 1, 1999, regional workforce development boards
9 shall assume responsibility for, and contract for the delivery
10 of, employment services authorized by Wagner-Peyser, except
11 that for fiscal year 1999-2000, the contract must be with the
12 Department of Labor and Employment Security. Contracts must be
13 performance-based, dedicating 15 percent of the funds to
14 performance payments. Performance payments shall be based on
15 performance measures developed by the Workforce Development
16 Board. Prior to the execution of a contract for employment
17 services with entities other than the Department of Labor and
18 Employment Security, the regional workforce development board
19 must develop a transition plan to be approved by the Workforce
20 Development Board. Such plan must include assurances, to be
21 affirmed by the Workforce Development Board through the
22 approval of the plan, that employment services will be
23 delivered in compliance with federal law.

24 (a) The Workforce Development Board may direct the
25 Department of Labor and Employment Security to provide such
26 services and to assign or lease staff to the regional
27 workforce development boards' One-Stop Career Centers as are
28 necessary to maintain services and to comply with federal and
29 state workforce development requirements. Leased employees
30 from the department shall work under the management of a
31 One-Stop Career Center operator, but shall retain their state

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1 employment status, including the right to participate in the
2 Florida Retirement System and the State Group Insurance
3 Program.

4 (b) Unless otherwise required by federal law, at least
5 90 percent of the Wagner-Peyser funding must go into direct
6 customer service costs.

7 (c) Employment services must be provided through
8 One-Stop Career Centers, and managed by One-Stop Career Center
9 operators.

10 (d) Career service employees of the Department of
11 Labor and Employment Security who are subject to layoff due to
12 the enactment of this act shall be given priority
13 consideration for employment by the regional workforce
14 development boards' One-Stop Career Center operators.

15 (5) One-Stop Career Center partners identified in
16 subsection (2) shall enter into a Memorandum of Understanding
17 pursuant to Pub. L. No. 105-220, Title I, s. 121, with the
18 regional workforce development board. Failure of a local
19 partner to participate cannot unilaterally block the majority
20 of partners from moving forward with their One-Stop Career
21 Centers, and the Workforce Development Board, pursuant to s.
22 288.9952(4)(d), may recommend sanction of a local partner that
23 fails to participate.

24 (6) To the maximum extent possible, core services, as
25 defined by Pub. L. No. 105-220, shall be provided
26 electronically, utilizing existing systems and public
27 libraries. To expand electronic capabilities, the Workforce
28 Development Board, working with regional workforce development
29 boards, shall develop a centralized help center to assist
30 regional workforce development boards in fulfilling core
31 services, minimizing the need for fixed-site One-Stop Career

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1 Centers.

2 (7) Intensive services and training provided pursuant
3 to Pub. L. No. 105-220, shall be provided to individuals
4 through Intensive Service Accounts and Individual Training
5 Accounts. The Workforce Development Board shall develop, by
6 July 1, 1999, an implementation plan, including identification
7 of initially eligible training providers, transition
8 guidelines, and criteria for use of these accounts. Individual
9 Training Accounts must be compatible with Individual
10 Development Accounts for education allowed in federal and
11 state welfare reform statutes.

12 (8)(a) Individual Training Accounts must be expended
13 on programs that prepare people to enter high-wage occupations
14 identified by the Occupational Forecasting Conference created
15 by s. 216.136, and on other programs as approved by the
16 Workforce Development Board.

17 (b) For each approved training program, regional
18 workforce development boards, in consultation with training
19 providers, shall establish a fair-market purchase price to be
20 paid through an Individual Training Account. The purchase
21 price must be based on prevailing costs and reflect local
22 economic factors, program complexity, and program benefits,
23 including time to beginning of training and time to
24 completion. The price shall ensure the fair participation of
25 public and nonpublic postsecondary educational institutions as
26 authorized service providers and shall prohibit the use of
27 unlawful remuneration to the student in return for attending
28 an institution. Unlawful remuneration does not include student
29 financial assistance programs.

30 (c) The Workforce Development Board shall review
31 Individual Training Account pricing schedules developed by

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1 regional workforce development boards and present findings and
2 recommendations for process improvement to the President of
3 the Senate and the Speaker of the House of Representatives by
4 January 1, 2000.

5 (d) To the maximum extent possible, training providers
6 shall use funding sources other than the funding provided
7 under Pub. L. No. 105-220. A performance outcome related to
8 alternative financing obtained by the training provider shall
9 be established by the Workforce Development Board and used for
10 performance evaluation purposes. The performance evaluation
11 must take into consideration the number of alternative funding
12 sources.

13 (e) Training services provided through Individual
14 Training Accounts must be performance-based, with successful
15 job placement triggering full payment.

16 (f) The accountability measures to be used in
17 documenting competencies acquired by the participant during
18 training shall be literacy completion points and occupational
19 completion points. Literacy completion points refers to the
20 academic or workforce readiness competencies that qualify a
21 person for further basic education, vocational education, or
22 for employment. Occupational completion points refers to the
23 vocational competencies that qualify a person to enter an
24 occupation that is linked to a vocational program.

25 (9)(a)(1) The Department of Management Services,
26 working with the Workforce Development Board, shall coordinate
27 among the agencies a plan for a One-Stop Career Center
28 Electronic Network made up of One-Stop Career Centers that are
29 operated by the Department of Labor and Employment Security,
30 the Department of Health and Rehabilitative Services, the
31 Department of Education, and other authorized public or

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1 private for-profit or not-for-profit agents. The plan shall
2 identify resources within existing revenues to establish and
3 support this ~~such~~ electronic network for service delivery that
4 includes the Florida Communities Network.

5 (b)~~(2)~~ The network shall assure that a uniform method
6 is used to determine eligibility for and management of
7 services provided by agencies that conduct workforce
8 development activities. The Department of Management Services
9 shall develop strategies to allow access to the databases and
10 information management systems of the following systems in
11 order to link information in those databases with the One-Stop
12 Career Centers:

13 1.~~(a)~~ The Unemployment Compensation System of the
14 Department of Labor and Employment Security.

15 2.~~(b)~~ The Job Service System of the Department of
16 Labor and Employment Security.

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

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

22 5.~~(e)~~ The Student Financial Assistance System of the
23 Department of Education.

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

26
27 The systems shall be fully coordinated at both the state and
28 local levels by January 1, 2000 ~~July 1, 1999~~.

29 Section 31. Section 288.9620, Florida Statutes, is
30 transferred, renumbered as section 288.9952, Florida Statutes,
31 and amended to read:

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1 must be appointed for four-year, staggered terms.

2 Public-sector members appointed by the Governor must be
3 appointed to 4-year terms. Members appointed by the Governor
4 serve at the pleasure of the Governor.

5 (d) The Governor shall appoint members to the board of
6 directors of the Workforce Development Board within 30 days
7 after the receipt of nominations.

8 (e) A member of the board of directors of the
9 Workforce Development Board may be removed by the Governor for
10 cause. Absence from three consecutive meetings results in
11 automatic removal. The chair of the Workforce Development
12 Board shall notify the Governor of such absences.

13 (3)(a) The president of the Workforce Development
14 Board shall be hired by the president of Enterprise Florida,
15 Inc., and shall serve in the capacity of an executive director
16 and secretary of the Workforce Development Board.

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

20 (c) A majority of the total current membership of the
21 board of directors of the Workforce Development Board
22 comprises a quorum of the board.

23 (d) A majority of those voting is required to organize
24 and conduct the business of the Workforce Development Board,
25 except that a majority of the entire board of directors of the
26 Workforce Development Board is required to adopt or amend the
27 operational plan.

28 (e) Except as delegated or authorized by the board of
29 directors of the Workforce Development Board, individual
30 members have no authority to control or direct the operations
31 of the Workforce Development Board or the actions of its

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1 officers and employees, including the president.

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

5 (g) Members of the board of directors of the Workforce
6 Development Board and its committees shall serve without
7 compensation, but these members, the president, and all
8 employees of the Workforce Development Board may be reimbursed
9 for all reasonable, necessary, and actual expenses, as
10 determined by the board of directors of Enterprise Florida,
11 Inc.

12 (h) The board of directors of the Workforce
13 Development Board may establish an executive committee
14 consisting of the chair and at least two additional board
15 members selected by the board of directors. The executive
16 committee shall have such authority as the board of directors
17 of the Workforce Development Board delegates to it, except
18 that the board of directors may not delegate to the executive
19 committee authority to take action that requires approval by a
20 majority of the entire board of directors.

21 (i) The board of directors of the Workforce
22 Development Board may appoint committees to fulfill its
23 responsibilities, to comply with federal requirements, or to
24 obtain technical assistance, and must incorporate members of
25 regional workforce development boards into its structure.

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

31 (4) The Workforce Development Board shall have all the

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1 powers and authority, not explicitly prohibited by statute,
2 necessary or convenient to carry out and effectuate the
3 purposes as determined by statute, Pub. L. No. 105-220, and
4 the Governor, as well as its functions, duties, and
5 responsibilities, including, but not limited to, the
6 following:

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

13 (b) Contracting with public and private entities as
14 necessary to further the directives of this section, except
15 that any contract made with an organization represented on the
16 board of directors of Enterprise Florida, Inc., or on the
17 board of directors of the Workforce Development Board must be
18 approved by a two-thirds vote of the entire board of directors
19 of the Workforce Development Board, and, if applicable, the
20 board member representing such organization shall abstain from
21 voting. No more than 65 percent of the dollar value of all
22 contracts or other agreements entered into in any fiscal year,
23 exclusive of grant programs, shall be made with an
24 organization represented on the board of directors of
25 Enterprise Florida, Inc., or the board of directors of the
26 Workforce Development Board. An organization represented on
27 the board of directors of the Workforce Development Board or
28 on the board of directors of Enterprise Florida, Inc., may not
29 enter into a contract to receive a state-funded economic
30 development incentive or similar grant unless such incentive
31 award is specifically endorsed by a two-thirds vote of the

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1 entire board of directors of the Workforce Development Board.
2 The member of the board of directors of the Workforce
3 Development Board representing such organization, if
4 applicable, shall abstain from voting and refrain from
5 discussing the issue with other members of the board. No more
6 than 50 percent of the dollar value of grants issued by the
7 board in any fiscal year may go to businesses associated with
8 members of the board of directors of the Workforce Development
9 Board.

10 (c) Providing an annual report to the board of
11 directors of Enterprise Florida, Inc., by November 1 that
12 includes a copy of an annual financial and compliance audit of
13 its accounts and records conducted by an independent certified
14 public accountant and performed in accordance with rules
15 adopted by the Auditor General.

16 (d) Notifying the Governor, the President of the
17 Senate, and the Speaker of the House of Representatives of
18 noncompliance by agencies or obstruction of the board's
19 efforts by agencies. For such actions, the board may recommend
20 sanctions to the Governor, the President of the Senate, and
21 the Speaker of House of Representatives, including but not
22 limited to: disqualification or suspension of an agency from
23 participation in workforce development programs; designating
24 an agency ineligible for workforce grants, awards, or funding;
25 and penalties. Through the Office of Planning and Budgeting,
26 the Office of the Governor shall enforce such sanctions as
27 approved by the Governor, the President of the Senate, and the
28 Speaker of the House of Representatives.

29 (e) Ensuring that the state does not waste valuable
30 training resources. Thus, the board shall direct that all
31 resources, including equipment purchased for training

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1 Workforce Investment Act clients, be available for use at all
2 times by eligible populations as first priority users. At
3 times when eligible populations are not available, such
4 resources shall be used for any other state authorized
5 education and training purpose.

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

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

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

27 (b) A funding system that provides incentives to
28 improve the outcomes of vocational education programs, and of
29 registered apprenticeship and work-based learning programs,
30 and that focuses resources on occupations related to new or
31 emerging industries that add greatly to the value of the

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1 state's economy.

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

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

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

27 (f) A review of the performance of public programs
28 that are responsible for economic development, education,
29 employment, and training. The review must include an analysis
30 of the return on investment of these programs.

31 (7) By December 1 of each year, Enterprise Florida,

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1 Inc., shall submit to the Governor, the President of the
2 Senate, the Speaker of the House of Representatives, the
3 Senate Minority Leader, and the House Minority Leader a
4 complete and detailed report by the Workforce Development
5 Board setting forth:

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

7 (b) The operations and accomplishments of the
8 partnership including the programs or entities listed in
9 subsection (6).

10 (8) The Auditor General may, pursuant to his or her
11 own authority or at the direction of the Legislative Auditing
12 Committee, conduct an audit of the Workforce Development Board
13 or the programs or entities created by the Workforce
14 Development Board.

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

23 (a) The first tier of measures must be organized to
24 provide benchmarks for system-wide outcomes. The Workforce
25 Development Board must, in collaboration with the Office of
26 Program Policy Analysis and Government Accountability,
27 establish goals for the tier-one outcomes. System-wide
28 outcomes may include employment in occupations demonstrating
29 continued growth in wages; continued employment after 3, 6,
30 12, and 24 months; reduction in and elimination of public
31 assistance reliance; job placement; employer satisfaction; and

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1 positive return on investment of public resources.

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

12 1. Appropriate measures for One-Stop Career Centers
13 may include direct job placements at minimum wage, at a wage
14 level established by the Occupational Forecasting Conference,
15 and at a wage level above the level established by the
16 Occupational Forecasting Conference.

17 2. Appropriate measures for youth employment
18 activities may include the number of students enrolling in and
19 completing work-based programs, including apprenticeship
20 programs; job placement rate; job retention rate; wage at
21 placement; and wage growth.

22 3. WAGES measures may include job placement rate, job
23 retention rate, wage at placement, wage growth, reduction and
24 elimination of reliance on public assistance, and savings
25 resulting from reduced reliance on public assistance.

26 4. High Skills/High Wages measures may include job
27 placement rate, job retention rate, wage at placement, and
28 wage growth.

29 (c) The third tier of measures must be the operational
30 output measures to be used by the agency implementing
31 programs, and it may be specific to federal requirements. The

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1 tier-three measures must be developed by the agencies
 2 implementing programs, and the Workforce Development Board may
 3 be consulted in this effort. Such measures must be reported to
 4 the Workforce Development Board by the appropriate
 5 implementing agency.

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

12 (e) Job placement must be reported pursuant to s.
 13 229.8075. Positive outcomes for providers of education and
 14 training must be consistent with ss. 239.233 and 239.245.

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

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

26 Section 32. Section 446.602, Florida Statutes, is
 27 transferred, renumbered as section 288.9953, Florida Statutes,
 28 and amended to read:

29 288.9953 ~~446.602~~ Regional Workforce Development
 30 Boards.--

31 (1) One regional workforce development board ~~Regional~~

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

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1 ~~Occupational Forecasting Conference list or a list validated~~
2 ~~by the Regional Workforce Development Board; vocational~~
3 ~~rehabilitation agencies; economic development agencies; public~~
4 ~~assistance agencies; and public employment service. One of~~
5 ~~the representatives from licensed private postsecondary~~
6 ~~educational institutions shall be from a degree-granting~~
7 ~~institution, and one from an institution offering certificate~~
8 ~~or diploma programs. One of these members shall be a~~
9 ~~nonprofit, community-based organization which provides direct~~
10 ~~job training and placement services to hard-to-serve~~
11 ~~individuals including the target population of people with~~
12 ~~disabilities.~~

13

14 ~~The current Private Industry Council may be restructured, by~~
15 ~~local agreement, to meet the criteria for a Regional Workforce~~
16 ~~Development Board.~~

17 (2) The Workforce Development Board will determine the
18 timeframe and manner of changes to the regional workforce
19 development boards as required by this act and Pub. L. No.
20 105-220.

21 (3) The Workforce Development Board shall assign staff
22 to meet with each regional workforce development board
23 annually to review the board's performance and to certify that
24 the board is in compliance with applicable state and federal
25 law.

26 (4)(2) In addition to the duties and functions
27 specified by the Workforce Development Board Enterprise
28 Florida Jobs and Education Partnership and by the interlocal
29 agreement approved by the local county or city governing
30 bodies, the regional workforce development board Regional
31 Workforce Development Board shall have the following

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1 responsibilities:

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

6 (b) Conclude agreements necessary to designate the
 7 fiscal agent and administrative entity.

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

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

15 (5)(3) The Workforce Development Board ~~Enterprise~~
 16 ~~Florida Jobs and Education Partnership~~ shall, ~~by January 1,~~
 17 ~~1997, design and~~ implement a training program for the regional
 18 workforce development boards ~~Regional Workforce Development~~
 19 ~~Boards~~ to familiarize board members with the state's workforce
 20 development goals and strategies.

21
 22 The regional workforce development board ~~Regional Workforce~~
 23 ~~Development Board~~ shall designate all local service providers
 24 and shall not transfer this authority to a third party. In
 25 order to exercise independent oversight, the regional
 26 workforce development board ~~Regional Workforce Development~~
 27 ~~Board~~ shall not be a direct provider of intake, assessment,
 28 eligibility determinations, or other direct provider services.

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

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

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

16 1. Policies to enhance the responsiveness of high
17 skills/high wages programs in its region to business and
18 economic development opportunities.

19 2. Integrated use of state education and federal
20 workforce development funds to enhance the training and
21 placement of designated population individuals with local
22 businesses and industries.

23 (b) After fiscal year 1999-2000, the Workforce
24 Development Board has the discretion to decrease the frequency
25 of reporting by the high skills/high wages committees, but the
26 committees shall meet and submit any recommendations at least
27 annually.

28 (c) Annually, the Workforce Development Board shall
29 compile all the recommendations of the high skills/high wages
30 committees, research their feasibility, and make
31 recommendations to the Governor, the President of the Senate,

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1 and the Speaker of the House of Representatives.

2 Section 33. Section 446.607, Florida Statutes, is
3 transferred, renumbered as section 288.9954, Florida Statutes,
4 and amended to read:

5 288.9954 ~~446.607~~ Consultation, consolidation, and
6 coordination.--The Workforce Development Board ~~Enterprise~~
7 ~~Florida Jobs and Education Partnership~~ and the WAGES Program
8 State Board of Directors ~~any state public assistance policy~~
9 ~~board established pursuant to law~~ shall consult with each
10 other in developing each of their statewide implementation
11 plans and strategies. The regional workforce development
12 boards ~~Regional Workforce Development Boards~~ and local WAGES
13 coalitions ~~any local public assistance policy boards~~
14 ~~established pursuant to law~~ may elect to consolidate into one
15 board provided that the consolidated board membership complies
16 with the requirements of Pub. L. No. 105-220, Title I, s.
17 117(b)97-300, ~~as amended~~, and with any other law delineating
18 the membership requirements for either of the separate boards.
19 The regional workforce development boards ~~Regional Workforce~~
20 ~~Development Boards~~ and local WAGES coalitions ~~any respective~~
21 ~~local public assistance policy board established pursuant to~~
22 ~~law~~ shall collaboratively coordinate, to the maximum extent
23 possible, the local services and activities provided by and
24 through each of these boards and coalitions and their
25 designated local service providers.

26 Section 34. Section 446.603, Florida Statutes, is
27 transferred, renumbered as section 288.9955, Florida Statutes,
28 and amended to read:

29 288.9955 ~~446.603~~ Untried Worker Placement and
30 Employment Incentive Act.--

31 (1) This section may be cited as the "Untried Worker

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1 Placement and Employment Incentive Act."

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

11 ~~(3) The Department of Labor and Employment Security~~
12 ~~and the Department of Health and Rehabilitative Services,~~
13 ~~working with the Enterprise Florida Jobs and Education~~
14 ~~Partnership, shall develop five Untried Worker Placement and~~
15 ~~Employment Incentive pilot projects in at least five different~~
16 ~~counties.~~

17 ~~(3)(4) Incentive~~ In these pilots, incentive payments
18 may will be made to for-profit or not-for-profit agents
19 selected by local WAGES coalitions ~~the Regional Workforce~~
20 ~~Development Boards~~ who successfully place untried workers in
21 full-time employment for 6 months with an employer after the
22 employee successfully completes a probationary placement of no
23 more than 6 months with that employer. Full-time employment
24 that includes health care benefits will receive an additional
25 incentive payment.

26 ~~(4)(5) The for-profit and not-for-profit agents shall~~
27 ~~contract to provide services for no more than 1 year.~~
28 ~~Contracts may be renewed upon successful review by the~~
29 ~~contracting agent.~~

30 ~~(5)(6) Incentives must be paid according to the~~ The
31 ~~Department of Labor and Employment Security and the Department~~

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1 ~~of Health and Rehabilitative Services, working with the~~
2 ~~Enterprise Florida Jobs and Education Partnership, shall~~
3 ~~develop an~~ incentive schedule developed by the Department of
4 Labor and Employment Security and the Department of Children
5 and Family Services which ~~that~~ costs the state less per
6 placement than the state's 12-month expenditure on a welfare
7 recipient.

8 (6)~~(7)~~ During an untried worker's probationary
9 placement, the for-profit or not-for-profit agent shall be the
10 employer of record of that untried worker, and shall provide
11 workers' compensation and unemployment compensation coverage
12 as provided by law. The business employing the untried worker
13 through the agent may be eligible to apply for any tax
14 credits, wage supplementation, wage subsidy, or employer
15 payment for that employee that are authorized in law or by
16 agreement with the employer. After satisfactory completion of
17 such a probationary period, an untried worker shall not be
18 considered an untried worker.

19 (7)~~(8)~~ This section shall not be used for the purpose
20 of displacing or replacing an employer's regular employees,
21 and shall not interfere with executed collective bargaining
22 agreements. Untried workers shall be paid by the employer at
23 the same rate as similarly situated and assessed workers in
24 the same place of employment.

25 (8)~~(9)~~ An employer that demonstrates a pattern of
26 unsuccessful placements shall be disqualified from
27 participation in these pilots because of poor return on the
28 public's investment.

29 (9)~~(10)~~ ~~The Department of Labor and Employment~~
30 ~~Security and the Department of Health and Rehabilitative~~
31 ~~Services, working with the Enterprise Florida Jobs and~~

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1 ~~Education Partnership, may offer to~~ Any employer that chooses
2 to employ untried workers is eligible to receive such
3 incentives and benefits that are available and provided in
4 law, as long as the long-term, cost savings can be quantified
5 with each such additional inducement.

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

8 Section 35. Section 288.9956, Florida Statutes, is
9 created to read:

10 288.9956 Implementation of the federal Workforce
11 Investment Act of 1998.--

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

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

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

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

23 (d) Increased Accountability--The state, localities,
24 and training providers will be held accountable for their
25 performance.

26 (e) Local Board and Private Sector Leadership--Local
27 boards will focus on strategic planning, policy development,
28 and oversight of the local system, choosing local managers to
29 direct the operational details of their One-Stop Career
30 Centers.

31 (f) Local Flexibility and Integration--Localities will

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1 have exceptional flexibility to build on existing reforms.
2 Unified planning will free local groups from conflicting
3 micro-management, while waivers and WorkFlex will allow local
4 innovations.

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

24 (3) FUNDING.--

25 (a) Title I, Workforce Investment Act of 1998 funds;
26 Wagner-Peyser funds; and NAFTA/Trade Act funds will be
27 expended based on the Workforce Development Board's 5-year
28 plan. The plan shall outline and direct the method used to
29 administer and coordinate various funds and programs that are
30 operated by various agencies. The following provisions shall
31 also apply to these funds:

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

12 2. Twenty-five percent of Wagner-Peyser funds shall be
13 allocated to Intensive Services Accounts unless a regional
14 workforce development board obtains a waiver from the
15 Workforce Development Board. Except where prohibited by
16 federal law, or approved by the Workforce Development Board,
17 all core services provided pursuant to Pub. L. No. 105-220
18 shall be funded using Wagner-Peyser funds.

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

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

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

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

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

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

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

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

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

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

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1 h. The grant administrator is required to submit a
2 report to the Workforce Development Board and the Legislature
3 on the financial and general operations of the Incumbent
4 Worker Training Program. Such report will be due before
5 December 1 of any fiscal year for which the program is funded
6 by the Legislature.

7 5. At least 50 percent of Rapid Response funding shall
8 be dedicated to Intensive Services Accounts and Individual
9 Training Accounts for dislocated workers and incumbent workers
10 who are at risk of dislocation. The Workforce Development
11 Board shall also maintain an Emergency Preparedness Fund from
12 Rapid Response funds which will immediately issue Intensive
13 Service Accounts and Individual Training Accounts as well as
14 other federally authorized assistance to eligible victims of
15 natural or other disasters. The state shall retain a limited
16 reserve of Rapid Response funds for rapid response activities
17 at the state level. All Rapid Response funds must be expended
18 based on a plan developed by the Workforce Development Board.

19 (b) The administrative entity for Title I, Workforce
20 Investment Act of 1998 funds, Wagner Peyser, and Rapid
21 Response activities, will be determined by the Workforce
22 Development Board. The administrative entity will provide
23 services through a contractual agreement with the Workforce
24 Development Board. The terms and conditions of the agreement
25 may include, but are not limited to, the following:

26 1. All policy direction to regional workforce
27 development boards regarding Title I programs, Wagner Peyser,
28 and Rapid Response activities shall emanate from the Workforce
29 Development Board.

30 2. Any policies by a state agency acting as an
31 administrative entity which may materially impact local

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1 workforce boards, local governments, or educational
2 institutions must be promulgated under chapter 120.

3 3. The administrative entity will operate under a
4 procedures manual, approved by the Workforce Development
5 Board, addressing: financial services including cash
6 management, accounting, and auditing; procurement; management
7 information system services; and federal and state compliance
8 monitoring, including quality control.

9 4. State Career Service employees in the Department of
10 Labor and Employment Security may be leased or assigned to the
11 administrative entity to provide administrative and
12 professional functions.

13 (4) FEDERAL REQUIREMENTS, EXCEPTIONS AND REQUIRED
14 MODIFICATIONS.--

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

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

26 (c) The Workforce Development Board may make
27 modifications to the state's plan, policies, and procedures to
28 comply with federally mandated requirements that in its
29 judgment must be complied with to maintain funding provided
30 pursuant to Pub. L. No. 105-220. The board shall notify in
31 writing the Governor, the President of the Senate, and the

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1 Speaker of the House of Representatives within 30 days of any
2 such changes or modifications.

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

7 (6) LONG-TERM CONSOLIDATION OF WORKFORCE
8 DEVELOPMENT.--

9 (a) The Workforce Development Board may recommend
10 workforce-related divisions, bureaus, units, programs, duties,
11 commissions, boards, and councils that can be eliminated,
12 consolidated, or privatized.

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

26 (7) TERMINATION OF STATE SET-ASIDE.--The Department of
27 Education and the Department of Elderly Affairs shall keep any
28 unexpended JTPA Section 123 (Education Coordination) or JTPA
29 IIA (Services for Older Adults) funds to closeout their
30 education and coordination activities. The Workforce
31 Development Board shall develop guidelines under which the

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1 departments may negotiate with the regional workforce
2 development boards to provide continuation of activities and
3 services currently conducted with the JTPA Section 123 or JTPA
4 IIA funds.

5 Section 36. Section 288.9957, Florida Statutes, is
6 created to read:

7 288.9957 Florida Youth Workforce Council.--

8 (1) The chairman of the Workforce Development Board
9 shall designate the Florida Youth Workforce Council from
10 representatives of distressed inner-city and rural communities
11 who have demonstrated experience working with at-risk youth,
12 and representatives of public and private groups, including,
13 but not limited to, School-to-Work Advisory Councils, the
14 National Guard, Childrens' Services Councils, Juvenile Welfare
15 Boards, the Apprenticeship Council, Juvenile Justice Advisory
16 Boards, and other federal and state programs that target
17 youth, to advise the board on youth programs and to implement
18 Workforce Development Board strategies for young people.

19 (2) The Florida Youth Workforce Council shall oversee
20 the development of regional youth workforce councils, as a
21 subgroup of each regional workforce development board, which
22 will be responsible for developing required local plans
23 relating to youth, recommending providers of youth activities
24 to be awarded grants by the regional workforce development
25 board, conducting oversight of these providers, and
26 coordinating youth activities in the region.

27 (3) Resources awarded to regions for youth activities
28 shall fund community activities including the Minority Teacher
29 Education Scholars program, the Certified Teacher-Aide
30 program, and the "About Face" program of the Department of
31 Military Affairs, as well as other programs designed and

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1 tailored by the regional youth workforce council and regional
2 workforce development board.

3 (4) Regional youth workforce councils must leverage
4 other program funds in order to enlist youth workforce program
5 stakeholders in their community in upgrading each
6 stakeholder's effectiveness through collaborative planning,
7 implementation, and funding.

8 (5) The Florida Youth Workforce Council shall report
9 annually by December 1 to the Workforce Development Board the
10 total aggregate funding impact of this effort, including the
11 inventory of collaborative funding partners in each region and
12 their contributions.

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

18 Section 37. Section 288.9958, Florida Statutes, is
19 created to read:

20 288.9958 Employment, Occupation, and Performance
21 Information Coordinating Committee.--

22 (1) By July 15, 1999, the chairman of the Workforce
23 Development Board shall appoint an Employment, Occupation, and
24 Performance Information Coordinating Committee, which shall
25 assemble all employment, occupational, and performance
26 information from workforce development partners into a single
27 integrated informational system. The committee shall include
28 representatives from the Bureau of Labor Market and
29 Performance Information, Florida Education and Training
30 Placement Information Program, and the State Occupational
31 Forecasting Conference, as well as other public or private

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1 members with information expertise.

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

8 (3) By December 1, 1999, the committee shall establish
9 outcome measures that enable an assessment of the Workforce
10 Development Board's coordinating and oversight
11 responsibilities.

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

16 (5) To ensure the fulfillment of these requirements,
17 the Workforce Development Board may direct the Department of
18 Labor and Employment Security, the Department of Education,
19 and the Department of Children and Family Services to provide
20 such services and assign such staff to this committee as it
21 deems necessary until June 30, 2000.

22 Section 38. Section 288.9959, Florida Statutes, is
23 created to read:

24 288.9959 Operational Design and Technology Procurement
25 Committee.--

26 (1) The chairman of the Workforce Development Board
27 shall appoint an Operational Design and Technology Procurement
28 Committee, which shall assemble representatives from the
29 regional workforce development boards, board staff, and the
30 staff of the WAGES State Board of Directors to design and
31 develop a model operational design and technology procurement

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1 strategy for One-Stop Career Centers to ensure that services
2 from region to region are consistent for customers, that
3 customer service technology is compatible, and that
4 procurement expenditures, where possible, are aggregated to
5 obtain economies and efficiencies.

6 (2) The committee shall initially focus on designing a
7 uniform intake procedure for all One-Stop Career Centers; on
8 the design and delivery of customer reports on eligible
9 training providers; on the design of Intensive Services
10 Accounts, Individual Training Accounts, and Individual
11 Development Accounts; on enhancing availability of electronic
12 One-Stop Career Center core services; and on the development
13 of One-Stop Career Center model operating procedures.

14 (3) To ensure the fulfillment of these requirements,
15 the Workforce Development Board may direct the Department of
16 Labor and Employment Security, the Department of Education,
17 and the Department of Children and Family Services to provide
18 such services and assign such staff to this committee as it
19 deems necessary until June 30, 2000.

20 Section 39. Paragraph (a) of subsection (2) of section
21 414.026, Florida Statutes, 1998 Supplement, is amended to
22 read:

23 414.026 WAGES Program State Board of Directors.--

24 (2)(a) The board of directors shall be composed of the
25 following members:

- 26 1. The Commissioner of Education, or the
27 commissioner's designee.
- 28 2. The Secretary of Children and Family Services.
- 29 3. The Secretary of Health.
- 30 4. The Secretary of Labor and Employment Security.
- 31 5. The Secretary of Community Affairs.

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1 6. The Secretary of Transportation, or the secretary's
2 designee.

3 7. The director of the Office of Tourism, Trade, and
4 Economic Development.

5 8. The president of the Enterprise Florida workforce
6 development board, established under s. 288.9952 ~~s. 288.9620~~.

7 9. The chief executive officer of the Florida Tourism
8 Industry Marketing Corporation, established under s. 288.1226.

9 10. Nine members appointed by the Governor, as
10 follows:

11 a. Six members shall be appointed from a list of ten
12 nominees, of which five must be submitted by the President of
13 the Senate and five must be submitted by the Speaker of the
14 House of Representatives. The list of five nominees submitted
15 by the President of the Senate and the Speaker of the House of
16 Representatives must each contain at least three individuals
17 employed in the private sector, two of whom must have
18 management experience. One of the five nominees submitted by
19 the President of the Senate and one of the five nominees
20 submitted by the Speaker of the House of Representatives must
21 be an elected local government official who shall serve as an
22 ex officio nonvoting member.

23 b. Three members shall be at-large members appointed
24 by the Governor.

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

28
29 The members appointed by the Governor shall be appointed to
30 4-year, staggered terms. Within 60 days after a vacancy occurs
31 on the board, the Governor shall fill the vacancy of a member

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1 appointed from the nominees submitted by the President of the
 2 Senate and the Speaker of the House of Representatives for the
 3 remainder of the unexpired term from one nominee submitted by
 4 the President of the Senate and one nominee submitted by the
 5 Speaker of the House of Representatives. Within 60 days after
 6 a vacancy of a member appointed at-large by the Governor
 7 occurs on the board, the Governor shall fill the vacancy for
 8 the remainder of the unexpired term. The composition of the
 9 board must generally reflect the racial, gender, and ethnic
 10 diversity of the state as a whole.

11 Section 40. Sections 446.20, 446.205, 446.605, and
 12 446.606, Florida Statutes, are repealed effective June 30,
 13 2000.

14 Section 41. If any provision of sections 28 through 42
 15 of this act or the application thereof to any person or
 16 circumstance is held invalid, the invalidity does not affect
 17 other provisions or applications of the act which can be given
 18 effect without the invalid provision or application, and to
 19 this end the provisions of this act are declared severable.

20
21 (Redesignate subsequent sections.)

22
23
24 ===== T I T L E A M E N D M E N T =====

25 And the title is amended as follows:

26 On page 5, line 5, after the semicolon

27
28 insert:

29 directing the Division of Statutory Revision to
 30 designate certain sections of the Florida
 31 Statutes as part XI, relating to Workforce

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1 Development; transferring, renumbering, and
2 amending s. 446.601, F.S.; conforming
3 cross-references; deleting provisions governing
4 services of One-Stop Career Centers; revising
5 components of the state's workforce development
6 strategy; transferring, renumbering, and
7 amending s. 446.604, F.S.; providing for the
8 state's One-Stop Career Center customer service
9 delivery strategy; specifying partners;
10 providing for oversight and operation of
11 centers by regional workforce development
12 boards and center operators; providing for
13 transfer of responsibilities; providing for
14 assigning and leasing of employees; directing
15 funds for direct customer service costs;
16 providing for employment preference; providing
17 for memorandums of understanding and sanctions;
18 providing for electronic service delivery;
19 authorizing Intensive Service Accounts and
20 Individual Training Accounts and providing
21 specifications; transferring, renumbering, and
22 amending s. 288.9620, F.S.; providing for
23 membership of the Workforce Development Board
24 pursuant to federal law; providing for
25 committees; requiring financial disclosure;
26 authorizing the board as the Workforce
27 Investment Board; specifying functions, duties,
28 and responsibilities; providing for sanctions;
29 providing for carryover of funds; requiring a
30 performance measurement system and reporting of
31 such; transferring, renumbering, and amending

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

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

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