

By Representatives Hart, Bradley, Feeney, Bense, Lynn, Harrington, Goodlette, Johnson, Alexander, Greenstein, Turnbull, Boyd, Kelly, Byrd, Fasano, Henriquez, J. Miller and Maygarden

1                                   A bill to be entitled  
2           An act relating to workforce education;  
3           amending s. 239.115, F.S.; providing an  
4           additional performance outcome measure for  
5           programs funded through the Workforce  
6           Development Education Fund; requiring the  
7           Workforce Development Board to provide the  
8           Legislature with certain information; providing  
9           for additional programs for recommendations for  
10          distribution of certain funds; amending ss.  
11          288.046, F.S.; revising legislative intent;  
12          amending s. 288.047, F.S.; deleting a  
13          Department of Education service requirement;  
14          deleting provisions relating to a Quick  
15          Response Advisory Committee; revising certain  
16          responsibilities of Enterprise Florida, Inc.,  
17          relating to the Quick Response Training  
18          Program; deleting authorization for Enterprise  
19          Florida, Inc., to procure certain equipment;  
20          deleting provisions relating to disposition of  
21          such equipment; amending s. 288.0656, F.S., to  
22          conform; amending s. 288.9950, F.S.; clarifying  
23          certain job training curricula requirements;  
24          amending s. 288.9951, F.S.; revising plan  
25          requirements for a One-Stop Career Center  
26          Electronic Network; amending s. 288.9952, F.S.;  
27          specifying the Workforce Development Board as  
28          the designated state agency for spending,  
29          managing, and administering certain federal  
30          funds for certain purposes; clarifying certain  
31          labor market system analysis requirements;

1           revising a Workforce Development Board  
2           legislative report deadline; amending s.  
3           288.9953, F.S.; revising membership  
4           requirements for high skills/high wages  
5           committees; providing additional reporting  
6           requirements for such committees; amending s.  
7           288.9956, F.S.; revising certain funding  
8           distribution provisions and criteria relating  
9           to certain federal funds; providing for  
10          administration of the Incumbent Worker Training  
11          Program by the Workforce Development Board;  
12          providing an effective date.

13

14 Be It Enacted by the Legislature of the State of Florida:

15

16           Section 1. Paragraph (c) of subsection (4) and  
17          subsection (9) of section 239.115, Florida Statutes, are  
18          amended to read:

19           239.115 Funds for operation of adult general education  
20          and vocational education programs.--

21           (4) The Florida Workforce Development Education Fund  
22          is created to provide performance-based funding for all  
23          workforce development programs, whether the programs are  
24          offered by a school district or a community college. Funding  
25          for all workforce development education programs must be from  
26          the Workforce Development Education Fund and must be based on  
27          cost categories, performance output measures, and performance  
28          outcome measures. This subsection takes effect July 1, 1999.

29           (c) The performance outcome measures for programs  
30          funded through the Workforce Development Education Fund are  
31          associated with placement and retention of students after

1 reaching a completion point or completing a program of study.  
2 These measures include placement or retention in employment  
3 that is related to the program of study; placement into or  
4 retention in employment in an occupation on the Occupational  
5 Forecasting Conference list of high-wage, high-skill  
6 occupations with sufficient openings, or other high-wage,  
7 high-skill occupations as defined in guidelines set by the  
8 Workforce Development Board; and placement and retention of  
9 WAGES clients or former WAGES clients in employment.  
10 Continuing postsecondary education at a level that will  
11 further enhance employment is a performance outcome for adult  
12 general education programs. Placement and retention must be  
13 reported pursuant to ss. 229.8075 and 239.233.

14 (9) The Department of Education, the State Board of  
15 Community Colleges, and the Workforce Development Board ~~Jobs~~  
16 ~~and Education Partnership~~ shall provide the Legislature with  
17 recommended formulas, criteria, timeframes, and mechanisms for  
18 distributing performance funds. The commissioner shall  
19 consolidate the recommendations and develop a consensus  
20 proposal for funding. The Legislature shall adopt a formula  
21 and distribute the performance funds to the Division of  
22 Community Colleges and the Division of Workforce Development  
23 through the General Appropriations Act. These recommendations  
24 shall be based on formulas that would discourage  
25 low-performing or low-demand programs and encourage through  
26 performance-funding awards:

27 (a) Programs that prepare people to enter high-wage  
28 occupations identified by the Occupational Forecasting  
29 Conference created by s. 216.136 and other programs as  
30 approved by the Workforce Development Board ~~Jobs and Education~~  
31 ~~Partnership~~. At a minimum, performance incentives shall be

1 calculated for adults who reach completion points or complete  
2 programs that lead to specified high-wage employment and to  
3 their placement in that employment.

4 (b) Programs that successfully prepare adults who are  
5 eligible for public assistance, economically disadvantaged,  
6 disabled, not proficient in English, or dislocated workers for  
7 high-wage occupations. At a minimum, performance incentives  
8 shall be calculated at an enhanced value for the completion of  
9 adults identified in this paragraph and job placement of such  
10 adults upon completion. In addition, adjustments may be made  
11 in payments for job placements for areas of high unemployment.

12 (c) Programs specifically designed to be consistent  
13 with the workforce needs of private enterprise and regional  
14 economic development strategies as defined in guidelines set  
15 by the Workforce Development Board. The Workforce Development  
16 Board shall develop guidelines to identify such needs and  
17 strategies based on localized research of private employers  
18 and economic development practitioners.

19 (d)~~(c)~~ Programs identified by the Workforce  
20 Development Board ~~Jobs and Education Partnership~~ as increasing  
21 the effectiveness and cost efficiency of education.

22 Section 2. Section 288.046, Florida Statutes, is  
23 amended to read:

24 288.046 Quick-response training; legislative  
25 intent.--The Legislature recognizes the importance of  
26 providing a skilled workforce for attracting new industries  
27 and retaining and expanding existing businesses and industries  
28 in this state. It is the intent of the Legislature that a  
29 program exist to meet the short-term, immediate,  
30 workforce-skill needs of such businesses and industries. It  
31 is further the intent of the Legislature that funds provided

1 for the purposes of s. 288.047 be expended on businesses and  
2 industries that support the state's economic development  
3 goals, particularly high value-added businesses ~~in Florida's~~  
4 ~~Targeted Industrial Clusters~~ or businesses that locate in and  
5 provide jobs in the state's distressed urban and rural areas,  
6 and that instruction funded pursuant to s. 288.047 lead to  
7 permanent, quality employment opportunities.

8 Section 3. Section 288.047, Florida Statutes, is  
9 amended to read:

10 288.047 Quick-response training for economic  
11 development.--

12 (1) The Quick-Response Training Program is created to  
13 meet the workforce-skill needs of existing, new, and expanding  
14 industries. The program shall be administered by Enterprise  
15 Florida, Inc., in conjunction with the Department of  
16 Education. Enterprise Florida, Inc., shall adopt guidelines  
17 for the administration of this program. Enterprise Florida,  
18 Inc., shall provide technical services and shall identify  
19 businesses that seek services through the program. ~~The~~  
20 ~~Department of Education shall provide services related to the~~  
21 ~~development and implementation of instructional programs.~~

22 ~~(2)(a) A Quick-Response Advisory Committee, composed~~  
23 ~~of the director of the Division of Workforce Development of~~  
24 ~~the Department of Education; the director of the Division of~~  
25 ~~Community Colleges of the Department of Education; and the~~  
26 ~~director of the Division of Jobs and Benefits of the~~  
27 ~~Department of Labor and Employment Security, or their~~  
28 ~~respective designees, and four private sector members, shall~~  
29 ~~review training funded through this program and shall provide~~  
30 ~~policy advice to Enterprise Florida, Inc., in the~~  
31 ~~implementation of this program. The committee shall elect a~~

1 ~~chair from among its members. Members of the committee may~~  
2 ~~receive reimbursement for per diem and travel expenses as~~  
3 ~~provided in s. 112.061.~~

4 ~~(b) The four private sector members appointed to the~~  
5 ~~Quick-Response Advisory Committee must be selected from a~~  
6 ~~slate of nominees submitted by the board of directors of~~  
7 ~~Enterprise Florida, Inc. The president of Enterprise Florida,~~  
8 ~~Inc., shall appoint private sector members from this slate for~~  
9 ~~terms of 4 years, except that in making the initial~~  
10 ~~appointments, the president shall appoint members for~~  
11 ~~staggered terms, one for 1 year, 2 years, 3 years, and 4~~  
12 ~~years, respectively. To the maximum extent possible, the~~  
13 ~~president shall select private sector members who are~~  
14 ~~representative of diverse industries and regions of the state.~~  
15 ~~The importance of minority representation must be considered~~  
16 ~~when making appointments for each private sector position.~~  
17 ~~Private sector members may be removed for cause. Absence from~~  
18 ~~three consecutive meetings results in the automatic removal of~~  
19 ~~a private sector member.~~

20 ~~(c) The Quick-Response Advisory Committee shall meet~~  
21 ~~at the call of its chair, at the request of a majority of the~~  
22 ~~membership, at the request of Enterprise Florida, Inc., or at~~  
23 ~~times prescribed by its rules. The committee shall serve to~~  
24 ~~advise Enterprise Florida, Inc., regarding the administration~~  
25 ~~of the Quick-Response Training Program.~~

26 ~~(2)(3)~~ Enterprise Florida, Inc., shall ensure that  
27 instruction funded pursuant to this section is not available  
28 through the local community college or, school district, or  
29 ~~private industry council~~ and that the instruction promotes  
30 economic development by providing specialized training  
31 ~~entry-level skills~~ to new workers or retraining for

1 ~~supplemental skills to current employees to meet changing~~  
2 ~~skill requirements caused by new technology or new product~~  
3 ~~lines and to prevent potential layoffs whose job descriptions~~  
4 ~~are changing.~~ Such funds may not be expended to ~~subsidize the~~  
5 ~~ongoing staff development program of any business or industry~~  
6 ~~or to provide training for instruction related to retail~~  
7 ~~businesses or to reimburse businesses for trainee wages.~~ Funds  
8 made available pursuant to this section may not be expended in  
9 connection with the relocation of a business from one  
10 community to another community in this state unless Enterprise  
11 Florida, Inc., determines that without such relocation the  
12 business will move outside this state or determines that the  
13 business has a compelling economic rationale for the  
14 relocation which creates additional jobs.

15       (3)(4) Requests for funding through the Quick-Response  
16 Training Program may be produced through inquiries from a  
17 specific business or industry, inquiries from a school  
18 district director of career education or community college  
19 occupational dean on behalf of a business or industry, or  
20 through official state or local economic development efforts.  
21 In allocating funds for the purposes of the program,  
22 Enterprise Florida, Inc., shall establish criteria for  
23 approval of requests for funding and shall select the entity  
24 that provides the most efficient, cost-effective instruction  
25 meeting such criteria. Program funds may be allocated to any  
26 area technical center, community college, or state university.  
27 Program funds may be allocated to private postsecondary  
28 institutions only upon a review that includes, but is not  
29 limited to, accreditation and licensure documentation and  
30 prior approval by Enterprise Florida, Inc. ~~a majority of the~~  
31 ~~advisory committee.~~ Instruction funded through the program

1 must terminate when participants demonstrate competence at the  
2 level specified in the request; however, the grant term  
3 ~~instruction~~ may not exceed 24 ~~18~~ months. Costs and  
4 expenditures for the Quick-Response Training Program must be  
5 documented and separated from those incurred by the training  
6 provider.

7 (4)~~(5)~~ For the first 6 months of each fiscal year,  
8 Enterprise Florida, Inc., shall set aside 30 percent of the  
9 amount appropriated for the Quick-Response Training Program by  
10 the Legislature to fund instructional programs for businesses  
11 located in an enterprise zone or or brownfield area to  
12 ~~instruct residents of an enterprise zone~~. Any unencumbered  
13 funds remaining undisbursed from this set-aside at the end of  
14 the 6-month period may be used to provide funding for any  
15 program qualifying for funding pursuant to this section.

16 (5)~~(6)~~ Prior to the allocation of funds for any  
17 request pursuant to this section, Enterprise Florida, Inc.,  
18 shall prepare a grant agreement between the business or  
19 industry requesting funds, the educational institution  
20 receiving funding through the program, and Enterprise Florida,  
21 Inc. Such agreement must include, but is not limited to:

22 ~~(a) An identification of the facility in which the~~  
23 ~~instruction will be conducted and the respective~~  
24 ~~responsibilities of the parties for paying costs associated~~  
25 ~~with facility use.~~

26 ~~(b) An identification of the equipment necessary to~~  
27 ~~conduct the program, the respective responsibilities of the~~  
28 ~~parties for paying costs associated with equipment purchase,~~  
29 ~~maintenance, and repair, as well as an identification of which~~  
30 ~~party owns the equipment upon completion of the instruction.~~

31



1        (a)~~(e)~~ An identification of the personnel necessary to  
2 conduct the instructional program, the qualifications of such  
3 personnel, and the respective responsibilities of the parties  
4 for paying costs associated with the employment of such  
5 personnel.

6        (b)~~(d)~~ An identification of the estimated length of  
7 the instructional program. ~~Such program may not exceed 12~~  
8 ~~months of full-time instruction or 18 months of total~~  
9 ~~instruction.~~

10        (c) An identification of all direct, training-related  
11 costs, including tuition and fees; curriculum development;  
12 books and classroom materials; and overhead or indirect costs  
13 not to exceed 5 percent of the grant amount.

14        (d)~~(e)~~ An identification of special program  
15 requirements that are not addressed otherwise in the  
16 agreement.

17        (e)~~(f)~~ Permission to access information specific to  
18 the wages and performance of participants upon the completion  
19 of instruction for evaluation purposes. Information which, if  
20 released, would disclose the identity of the person to whom  
21 the information pertains or disclose the identity of the  
22 person's employer is confidential and exempt from the  
23 provisions of s. 119.07(1). The agreement must specify that  
24 any evaluations published subsequent to the instruction may  
25 not identify the employer or any individual participant.

26        (6)~~(7)~~ For the purposes of this section, Enterprise  
27 Florida, Inc., may accept grants of money, materials,  
28 services, or property of any kind from any agency,  
29 corporation, or individual.

30        ~~(8) Enterprise Florida, Inc., may procure equipment as~~  
31 ~~necessary to meet the purposes of this section. Title to and~~

1 ~~control of such equipment is vested in the Department of~~  
2 ~~Education. Upon the conclusion of instruction, the Department~~  
3 ~~of Education may transfer title to the district school board,~~  
4 ~~community college district board of trustees, or Board of~~  
5 ~~Regents on behalf of a specific state university, where the~~  
6 ~~equipment is physically located. The department may also~~  
7 ~~lease such equipment to the district school board, community~~  
8 ~~college district board of trustees, or Board of Regents for a~~  
9 ~~maximum of 1 year. Such lease may provide for automatic~~  
10 ~~renewal. Either party to a lease has the right to cancel the~~  
11 ~~lease upon a 60-day notice in writing. Any equipment for which~~  
12 ~~no title transfer or lease exists must be returned to a~~  
13 ~~warehouse reserve and be available for use by an instructional~~  
14 ~~program in any area of the state.~~

15 (7)(9) In providing instruction pursuant to this  
16 section, materials that relate to methods of manufacture or  
17 production, potential trade secrets, business transactions, or  
18 proprietary information received, produced, ascertained, or  
19 discovered by employees of the respective departments,  
20 district school boards, community college district boards of  
21 trustees, or other personnel employed for the purposes of this  
22 section is confidential and exempt from the provisions of s.  
23 119.07(1). The state may seek copyright protection for all  
24 instructional materials and ancillary written documents  
25 developed wholly or partially with state funds as a result of  
26 instruction provided pursuant to this section except for  
27 materials that are confidential and exempt from the provisions  
28 of s. 119.07(1).

29 (8)(10) There is created a Quick-Response Training  
30 Program for Work and Gain Economic Self-sufficiency (WAGES)  
31 participants. Enterprise Florida, Inc., may, at the discretion

1 of the State WAGES Emergency Response Team, award  
2 quick-response training grants and develop applicable  
3 guidelines for the training of participants in the WAGES  
4 Program. In addition to a local economic development  
5 organization, grants must be endorsed by the applicable local  
6 WAGES coalition and regional workforce development board.

7 (a) Training funded pursuant to this subsection may  
8 not exceed 12 months, and may be provided by the local  
9 community college, school district, regional workforce  
10 development board, or the business employing the participant,  
11 including on-the-job training. Training will provide  
12 entry-level skills to new workers, including those employed in  
13 retail, who are participants in the WAGES Program.

14 (b) WAGES participants trained pursuant to this  
15 subsection must be employed at a wage not less than \$6.00 per  
16 hour.

17 (c) Funds made available pursuant to this subsection  
18 may be expended in connection with the relocation of a  
19 business from one community to another community if approved  
20 by the State WAGES Emergency Response Team.

21 Section 4. Subsection (7) of section 288.0656, Florida  
22 Statutes, is amended to read:

23 288.0656 Rural Economic Development Initiative.--

24 (7) REDI may recommend to the Governor up to three  
25 rural areas of critical economic concern. A rural area of  
26 critical economic concern must be a rural community, or a  
27 region composed of such, that has been adversely affected by  
28 an extraordinary economic event or a natural disaster or that  
29 presents a unique economic development opportunity of regional  
30 impact that will create more than 1,000 jobs over a 5-year  
31 period. The Governor may by executive order designate up to

1 three rural areas of critical economic concern which will  
2 establish these areas as priority assignments for REDI as well  
3 as to allow the Governor, acting through REDI, to waive  
4 criteria, requirements, or similar provisions of any economic  
5 development incentive. Such incentives shall include, but not  
6 be limited to: the Qualified Target Industry Tax Refund  
7 Program under s. 288.106, the Quick Response Training Program  
8 under s. 288.047, the ~~WAGES~~ Quick Response Training Program  
9 for Work and Gain Economic Self-sufficiency (WAGES) under s.  
10 288.047~~(10)~~, transportation projects under s. 288.063, the  
11 brownfield redevelopment bonus refund under s. 288.107, and  
12 the rural job tax credit program under ss. 212.098 and  
13 220.1895. Designation as a rural area of critical economic  
14 concern under this subsection shall be contingent upon the  
15 execution of a memorandum of agreement among the Office of  
16 Tourism, Trade, and Economic Development; the governing body  
17 of the county; and the governing bodies of any municipalities  
18 to be included within a rural area of critical economic  
19 concern. Such agreement shall specify the terms and conditions  
20 of the designation, including, but not limited to, the duties  
21 and responsibilities of the county and any participating  
22 municipalities to take actions designed to facilitate the  
23 retention and expansion of existing businesses in the area, as  
24 well as the recruitment of new businesses to the area.

25 Section 5. Paragraph (g) of subsection (3) of section  
26 288.9950, Florida Statutes, is amended to read:

27 288.9950 Workforce Florida Act of 1996.--

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

29 (g) Job training curricula must be developed in  
30 concert with the input and needs of existing employers and  
31 businesses, and must consider the anticipated demand for

1 targeted job opportunities, as specified by the Occupational  
2 Forecasting Conference under s. 216.136 and other research  
3 tools as deemed appropriate by the Workforce Development  
4 Board.

5 Section 6. Subsection (9) of section 288.9951, Florida  
6 Statutes, is amended to read:

7 288.9951 One-Stop Career Centers.--

8 (9)(a) The Department of Management Services, working  
9 with the Workforce Development Board, shall coordinate among  
10 the agencies a plan for a One-Stop Career Center Electronic  
11 Network made up of One-Stop Career Centers that are operated  
12 by authorized public or private for-profit or not-for-profit  
13 agents. The plan shall identify resources within existing  
14 revenues to establish and support this electronic network for  
15 service delivery that includes Government Services Direct. If  
16 necessary, the plan shall specify additional revenues needed  
17 to fulfill the requirements of this subsection.

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

26 1. The Unemployment Compensation System of the  
27 Department of Labor and Employment Security.

28 2. The Job Service System of the Department of Labor  
29 and Employment Security.

30 3. The FLORIDA System and the components related to  
31 WAGES, food stamps, and Medicaid eligibility.

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

3           5. The Student Financial Assistance System of the  
4 Department of Education.

5           6. Enrollment in the public postsecondary education  
6 system.

7           7. Other information systems as deemed appropriate by  
8 the Workforce Development Board.

9  
10 The systems shall be fully coordinated at both the state and  
11 local levels by January 1, 2001 ~~2000~~.

12           Section 7. Paragraph (f) is added to subsection (4) of  
13 section 288.9952, Florida Statutes, and paragraph (e) of  
14 subsection (6) and paragraph (g) of subsection (9) of said  
15 section are amended, to read:

16           288.9952 Workforce Development Board.--

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

24           (f) Ensuring that state expenditure of federal  
25 workforce funds are in keeping with the requirements of  
26 federal guidelines and the purposes of this state's overall  
27 workforce development goals. For such purposes, the Workforce  
28 Development Board may spend, manage, and administer Title I  
29 Workforce Investment Act of 1998 funds and Wagner-Peyser funds  
30 received by this state from the Federal Government for  
31 purposes of workforce development.

1           (6) The Workforce Development Board may take action  
2 that it deems necessary to achieve the purposes of this  
3 section and consistent with the policies of the board of  
4 directors of Enterprise Florida, Inc., in partnership with  
5 private enterprises, public agencies, and other organizations.  
6 The Workforce Development Board shall advise and make  
7 recommendations to the board of directors of Enterprise  
8 Florida, Inc., and through that board of directors to the  
9 State Board of Education and the Legislature concerning action  
10 needed to bring about the following benefits to the state's  
11 social and economic resources:

12           (e) A system to project and evaluate labor market  
13 supply and demand using the results of the Occupational  
14 Forecasting Conference created in s. 216.136, ~~and~~ the career  
15 education performance standards identified under s. 239.233,  
16 and other research tools as deemed appropriate by the  
17 Workforce Development Board.

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

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

1           Section 8. Subsection (7) of section 288.9953, Florida  
2 Statutes, is amended to read:

3           288.9953 Regional Workforce Development Boards.--

4           (7) Each regional workforce development board shall  
5 establish a high skills/high wages committee consisting of at  
6 least five private-sector business representatives appointed  
7 in consultation with local chambers of commerce by the primary  
8 county economic development organizations within the region,  
9 as identified by Enterprise Florida, Inc.; a representative of  
10 each primary county economic development organization within  
11 the region;~~including~~ the regional workforce development  
12 board chair; the presidents of all community colleges within  
13 the board's region; those district school superintendents with  
14 authority for conducting postsecondary educational programs  
15 within the region; and a representative from a nonpublic  
16 postsecondary educational institution that is an authorized  
17 individual training account provider within the region,  
18 appointed by the regional workforce development board chair.  
19 The business representatives appointed by primary county  
20 economic development organizations ~~other than the board chair~~  
21 need not be members of the regional workforce development  
22 board and shall represent those industries that are of primary  
23 importance to the region's current and future economy. In a  
24 multi-county region, each primary county economic development  
25 organization within the region shall appoint at least one  
26 business representative and shall consult with the other  
27 primary county economic development organizations within the  
28 region to make joint appointments when necessary.

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



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

4           2. Integrated use of state education and federal  
5 workforce development funds to enhance the training and  
6 placement of designated population individuals with local  
7 businesses and industries.

8           (b) After fiscal year 1999-2000, the Workforce  
9 Development Board has the discretion to decrease the frequency  
10 of reporting by the high skills/high wages committees, but the  
11 committees shall meet and submit ~~any~~ recommendations  
12 consistent with those described in paragraph (a) at least  
13 annually. The committees shall also make reports to the  
14 Workforce Development Board annually, on dates specified by  
15 the Workforce Development Board, that identify occupations in  
16 the region deemed critical to business retention, expansion,  
17 and recruitment activities, based on guidelines set by the  
18 Workforce Development Board. Such guidelines shall include  
19 research of the workforce needs of private employers in the  
20 region in consultation with local chambers of commerce and  
21 economic development organizations. Occupations identified  
22 pursuant to this paragraph shall be considered by the  
23 Workforce Development Board for inclusion in the region's  
24 targeted occupation list.

25           (c) Annually, the Workforce Development Board shall  
26 compile all the recommendations of the high skills/high wages  
27 committees, research their feasibility, and make  
28 recommendations to the Governor, the President of the Senate,  
29 and the Speaker of the House of Representatives.

30           Section 9. Paragraph (a) of subsection (3) of section  
31 288.9956, Florida Statutes, is amended to read:

1           288.9956 Implementation of the federal Workforce  
2 Investment Act of 1998.--  
3           (3) FUNDING.--  
4           (a) Title I, Workforce Investment Act of 1998 funds;  
5 Wagner-Peyser funds; and NAFTA/Trade Act funds will be  
6 expended based on the Workforce Development Board's 5-year  
7 plan. The plan shall outline and direct the method used to  
8 administer and coordinate various funds and programs that are  
9 operated by various agencies. The following provisions shall  
10 also apply to these funds:  
11           1. At least 50 percent of the Title I funds for Adults  
12 and Dislocated Workers that are passed through to regional  
13 workforce development boards shall be allocated to Individual  
14 Training Accounts unless a regional workforce development  
15 board obtains a waiver from the Workforce Development Board.  
16 Tuition, fees, and performance-based incentive awards paid in  
17 compliance with Florida's Performance-Based Incentive Fund  
18 Program qualify as an Individual Training Account expenditure,  
19 as do other programs developed by regional workforce  
20 development boards in compliance with the Workforce  
21 Development Board's policies.  
22           2. Fifteen percent of Title I funding shall be  
23 retained at the state level and shall be dedicated to state  
24 administration and used to design, develop, induce, and fund  
25 innovative Individual Training Account pilots, demonstrations,  
26 and programs. Of such funds retained at the state level, \$2  
27 million shall be reserved for the Incumbent Worker Training  
28 Program, pursuant to subparagraph 3.Eligible state  
29 administration costs include the costs of: funding of the  
30 Workforce Development Board and Workforce Development Board's  
31 staff; operating fiscal, compliance, and management

1 accountability systems through the Workforce Development  
2 Board; conducting evaluation and research on workforce  
3 development activities; and providing technical and capacity  
4 building assistance to regions at the direction of the  
5 Workforce Development Board. Notwithstanding s. 288.9952, such  
6 administrative costs shall not exceed 25 percent of these  
7 funds. An amount not to exceed 75 ~~Seventy~~ percent of these  
8 funds shall be allocated to Individual Training Accounts and  
9 other training delivery systems for: the Minority Teacher  
10 Education Scholars program, the Certified Teacher-Aide  
11 program, the Self-Employment Institute, and other ~~Individual~~  
12 training ~~Accounts~~ designed and tailored by the Workforce  
13 Development Board, including, but not limited to, programs for  
14 incumbent workers, displaced homemakers, nontraditional  
15 employment, empowerment zones, and enterprise zones. The  
16 Workforce Development Board shall design, adopt, and fund  
17 Individual Training Accounts for distressed urban and rural  
18 communities. ~~The remaining 5 percent shall be reserved for the~~  
19 ~~Incumbent Worker Training Program.~~

20           3. The Incumbent Worker Training Program is created  
21 for the purpose of providing grant funding for continuing  
22 education and training of incumbent employees at existing  
23 Florida businesses. The program will provide reimbursement  
24 grants to businesses that pay for preapproved, direct,  
25 training-related costs.

26           a. The Incumbent Worker Training Program will be  
27 administered by ~~a private business organization, known as the~~  
28 ~~grant administrator, under contract with~~ the Workforce  
29 Development Board. At the discretion of the Workforce  
30 Development Board, the board may contract with a private  
31 business organization to serve as grant administrator.

1           b. To be eligible for the program's grant funding, a  
2 business must have been in operation in Florida for a minimum  
3 of 1 year prior to the application for grant funding; have at  
4 least one full-time employee; demonstrate financial viability;  
5 and be current on all state tax obligations. Priority for  
6 funding shall be given to businesses with 25 employees or  
7 fewer, businesses in rural areas, businesses in distressed  
8 inner-city areas, businesses in a qualified targeted industry,  
9 ~~or~~ businesses whose grant proposals represent a significant  
10 upgrade in employee skills, or businesses whose grant  
11 proposals represent a significant layoff aversion strategy.

12           c. All costs reimbursed by the program must be  
13 preapproved by the grant administrator. The program will not  
14 reimburse businesses for trainee wages, the purchase of  
15 capital equipment, or the purchase of any item or service that  
16 may possibly be used outside the training project. A business  
17 approved for a grant may be reimbursed for preapproved,  
18 direct, training-related costs including tuition and fees;  
19 books and classroom materials; and overhead or indirect  
20 ~~administrative~~ costs not to exceed 5 percent of the grant  
21 amount.

22           d. A business that is selected to receive grant  
23 funding must provide a matching contribution to the training  
24 project, including but not limited to, wages paid to trainees  
25 or the purchase of capital equipment used in the training  
26 project; must sign an agreement with the grant administrator  
27 to complete the training project as proposed in the  
28 application; must keep accurate records of the project's  
29 implementation process; and must submit monthly or quarterly  
30 reimbursement requests with required documentation.

31

1 e. All Incumbent Worker Training Program grant  
2 projects shall be performance-based with specific measurable  
3 performance outcomes, including completion of the training  
4 project and job retention. The grant administrator shall  
5 withhold the final payment to the grantee until a final grant  
6 report is submitted and all performance criteria specified in  
7 the grant contract have been achieved.

8 f. The Workforce Development Board is authorized to  
9 establish guidelines necessary to implement the Incumbent  
10 Worker Training Program.

11 g. No more than 10 percent of the Incumbent Worker  
12 Training Program's total appropriation may be used by the  
13 grant administrator for administrative purposes.

14 h. The grant administrator is required to submit a  
15 report to the Workforce Development Board and the Legislature  
16 on the financial and general operations of the Incumbent  
17 Worker Training Program. Such report will be due before  
18 October ~~December~~ 1 of any fiscal year for which the program is  
19 funded by the Legislature.

20 4. At least 50 percent of Rapid Response funding shall  
21 be dedicated to Intensive Services Accounts and Individual  
22 Training Accounts for dislocated workers and incumbent workers  
23 who are at risk of dislocation. The Workforce Development  
24 Board shall also maintain an Emergency Preparedness Fund from  
25 Rapid Response funds which will immediately issue Intensive  
26 Service Accounts and Individual Training Accounts as well as  
27 other federally authorized assistance to eligible victims of  
28 natural or other disasters. At the direction of the Governor,  
29 for events that qualify under federal law, these Rapid  
30 Response funds shall be released to regional workforce  
31 development boards for immediate use. Funding shall also be

1 dedicated to maintain a unit at the state level to respond to  
2 Rapid Response emergencies around the state, to work with  
3 state emergency management officials, and to work with  
4 regional workforce development boards. All Rapid Response  
5 funds must be expended based on a plan developed by the  
6 Workforce Development Board and approved by the Governor.

7 Section 10. This act shall take effect July 1, 2000.

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10 HOUSE SUMMARY

11 Revises Workforce Development Board duties and  
12 responsibilities and workforce development education  
13 funding criteria, program requirements and criteria, and  
14 distribution requirements. Specifies the Workforce  
15 Development Board as the designated state agency for  
16 spending, managing, and administering certain federal  
17 funds for workforce education purposes. See bill for  
18 details.  
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