

Bill No. CS for SB 2050

Amendment No.

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11	Senators King and Klein moved the following amendment:		
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13	Senate Amendment (with title amendment)		
14	On page 32, line 27, through page 42, line 8, delete		
15	those lines		
16			
17	and insert:		
18	<u>(2) Workforce Florida, Inc., is the principal</u>		
19	<u>workforce policy organization for the state.</u> The purpose of		
20	the Workforce <u>Florida, Inc.,</u> Development Board is to design		
21	and implement strategies that help Floridians enter, remain		
22	in, and advance in the workplace, becoming more highly skilled		
23	and successful, benefiting these Floridians, Florida		
24	businesses, and the entire state, <u>and to assist in developing</u>		
25	<u>the state's business climate.</u>		
26	<u>(3)(2)(a) The Workforce Florida, Inc.,</u> Development		
27	Board shall be governed by a 25-voting-member board of		
28	directors whose membership and appointment must be consistent		
29	with Pub. L. No. 105-220, Title I, s. 111(b), and contain <u>five</u>		
30	three representatives of organized labor. Notwithstanding <u>s.</u>		
31	<u>114.05(1)(f)</u> s. 114.05(f) , the Governor may appoint members of		

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1 the current Workforce Development Board or the WAGES Program
2 State Board of Directors, established pursuant to chapter
3 96-175, Laws of Florida,to serve on the reconstituted board
4 as required by this section. By July 1, 2000 ~~June 1, 1999~~, the
5 Workforce Development Board will provide to the Governor a
6 transition plan to incorporate the changes required by this
7 act and Pub. L. No. 105-220, specifying the ~~timeframe and~~
8 manner of changes to the board. This plan shall govern the
9 transition, unless otherwise notified by the Governor. The
10 importance of minority and gender representation shall be
11 considered when making appointments to the board and the
12 geographic representation of board members shall also be
13 considered. ~~Additional members may be appointed when necessary~~
14 ~~to conform to the requirements of Pub. L. No. 105-220.~~

15 (b) The board of directors of ~~the~~ Workforce Florida,
16 Inc., Development Board shall be chaired by a board member
17 designated by the Governor pursuant to Pub. L. No. 105-220.

18 (c) Private-sector members appointed by the Governor
19 must be appointed for 4-year, staggered terms. Public-sector
20 members appointed by the Governor must be appointed to 4-year
21 terms. One-third of all representatives of businesses
22 required to be appointed by the Governor pursuant to Pub. L.
23 No. 105-220, must be recommended by the President of the
24 Senate from leaders nominated by statewide business
25 organizations. One-third of all representatives of businesses
26 required to be appointed by the Governor pursuant to Pub. L.
27 No. 105-220, must be recommended by the Speaker of the House
28 of Representatives from leaders nominated by statewide
29 business organizations.Members appointed by the Governor
30 serve at the pleasure of the Governor.

31 (d) The Governor shall appoint members to the board of

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1 directors of ~~the~~ Workforce Florida, Inc., Development Board
2 within 30 days after the receipt of nominations.

3 (e) A member of the board of directors of ~~the~~
4 Workforce Florida, Inc., Development Board may be removed by
5 the Governor for cause. Absence from three consecutive
6 meetings results in automatic removal. The chairperson chair
7 of ~~the~~ Workforce Florida, Inc., Development Board shall notify
8 the Governor of such absences.

9 (f) Representatives of businesses appointed to the
10 board of directors may not include providers of workforce
11 services.

12 (4)(3)(a) The president of ~~the~~ Workforce Florida,
13 Inc., Development Board shall be hired by the board of
14 directors of Workforce president of Enterprise Florida, Inc.,
15 and shall serve in the capacity of an executive director and
16 secretary of ~~the~~ Workforce Florida, Inc. Development Board.

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

20 (c) A majority of the total current membership of the
21 board of directors of ~~the~~ Workforce Florida, Inc., Development
22 Board 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 Florida, Inc. Development Board,
30 individual members have no authority to control or direct the
31 operations of ~~the~~ Workforce Florida, Inc., Development Board

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1 or the actions of its officers and employees, including the
2 president.

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

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

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

23 ~~(h)(i)~~ The chairperson ~~board of directors of the~~
24 ~~Workforce Development Board~~ may appoint committees to fulfill
25 its responsibilities, to comply with federal requirements, or
26 to obtain technical assistance, and must incorporate members
27 of regional workforce development boards into its structure.
28 At a minimum, the chairperson shall establish the following
29 standing committees: the First Jobs/First Wages Council, the
30 Better Jobs/Better Wages Council, and the High Skills/High
31 Wages Council. For purposes of Pub. L. No. 105-220, the First

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1 Jobs/First Wages Council shall serve as the state's youth
2 council.

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

8 (5)(4) ~~The Workforce Florida, Inc., Development Board~~
9 shall have all the powers and authority, not explicitly
10 prohibited by statute, necessary or convenient to carry out
11 and effectuate the purposes as determined by statute, Pub. L.
12 No. 105-220, and the Governor, as well as its functions,
13 duties, and responsibilities, including, but not limited to,
14 the following:

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

21 (b) Providing oversight to ensure that the following
22 programs are administered by the Agency for Workforce
23 Innovation in compliance with approved plans:

24 1. Programs authorized under Title I of the Workforce
25 Investment Act of 1998, Pub. L. No. 105-220, with the
26 exception of programs funded directly by the United States
27 Department of Labor under Title I, s. 167.

28 2. Programs authorized under the Wagner-Peyser Act of
29 1933, as amended, 29 U.S.C. ss. 49 et seq.

30 3. Welfare-to-work grants administered by the United
31 States Department of Labor under Title IV, s. 403, of the

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1 Social Security Act, as amended.

2 4. Activities authorized under Title II of the Trade
3 Act of 1974, as amended; 2 U.S.C. ss. 2271 et seq.; and the
4 Trade Adjustment Assistance Program.

5 5. Activities authorized under 38 U.S.C., chapter 41,
6 including job counseling, training, and placement for
7 veterans.

8 6. Employment and training activities carried out
9 under the Community Services Block Grant Act, 42 U.S.C. ss.
10 9901 et seq.

11 7. Employment and training activities carried out
12 under funds awarded to this state by the United States
13 Department of Housing and Urban Development.

14 8. Welfare-transition services funded by the Temporary
15 Assistance for Needy Families Program, created under the
16 Personal Responsibility and Work Opportunity Reconciliation
17 Act of 1996, as amended, Pub. L. No. 104-193, and Title IV, s.
18 403, of the Social Security Act, as amended.

19 9. Displaced homemaker programs, provided under s.
20 446.50.

21 10. The Florida Bonding Program, provided under Pub.
22 L. No. 97-300, s. 164(a)(1).

23 11. The Food Stamp Employment and Training Program,
24 provided under the Food Stamp Act of 1977, U.S.C. ss.
25 2011-2032; the Food Security Act of 1988, Pub. L. No. 99-198;
26 and the Hunger Prevention Act, Pub. L. No. 100-435.

27 12. The Quick-Response Training Program, provided
28 under ss. 288.046-288.047.

29 13. The Work Opportunity Tax Credit, provided under
30 the Tax and Trade Relief Extension Act of 1998, Pub. L. No.
31 105-277, and the Taxpayer Relief Act of 1997, Pub. L. 105-34.

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1 14. Offender-placement services, provided under ss.
2 944.707-944.708.

3 15. Programs authorized under the National and
4 Community Service Act of 1990, 42 U.S.C. ss. 12501 et seq.,
5 and the Service-America programs, the National Service Trust
6 programs, the Civilian Community Corps, the Corporation for
7 National and Community Service, the American Conservation and
8 Youth Service Corps, and the Points of Light Foundation
9 programs, if such programs are awarded to the state.

10 16. Other programs funded by federal or state
11 appropriations, as determined by the Legislature in the
12 General Appropriations Act or by law.

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

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1 ~~development incentive or similar grant unless such incentive~~
2 ~~award is specifically endorsed by a two-thirds vote of the~~
3 ~~entire board of directors of the Workforce Development Board.~~
4 ~~The member of the board of directors of the Workforce~~
5 ~~Development Board representing such organization, if~~
6 ~~applicable, shall abstain from voting and refrain from~~
7 ~~discussing the issue with other members of the board. No more~~
8 ~~than 50 percent of the dollar value of grants issued by the~~
9 ~~board in any fiscal year may go to businesses associated with~~
10 ~~members of the board of directors of the Workforce Development~~
11 ~~Board.~~

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

18 (d) Notifying the Governor, the President of the
19 Senate, and the Speaker of the House of Representatives of
20 noncompliance by the Agency for Workforce Innovation or other
21 agencies or obstruction of the board's efforts by such
22 agencies. Upon such notification, the Executive Office of the
23 Governor shall assist agencies to bring them into compliance
24 with board objectives.

25 (e) Ensuring that the state does not waste valuable
26 training resources. Thus, the board shall direct that all
27 resources, including equipment purchased for training
28 Workforce Investment Act clients, be available for use at all
29 times by eligible populations as first priority users. At
30 times when eligible populations are not available, such
31 resources shall be used for any other state authorized

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1 education and training purpose.

2 (f) Archiving records with the Bureau of Archives and
3 Records Management of the Division of Library and Information
4 Services of the Department of State.

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

11 (6) ~~The Workforce Florida, Inc., Development Board~~ may
12 take action that it deems necessary to achieve the purposes of
13 this section, including, but not limited to:~~and consistent~~
14 ~~with the policies of the board of directors of Enterprise~~
15 ~~Florida, Inc., in partnership with private enterprises, public~~
16 ~~agencies, and other organizations. The Workforce Development~~
17 ~~Board shall advise and make recommendations to the board of~~
18 ~~directors of Enterprise Florida, Inc., and through that board~~
19 ~~of directors to the State Board of Education and the~~
20 ~~Legislature concerning action needed to bring about the~~
21 ~~following benefits to the state's social and economic~~
22 ~~resources:~~

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

28 (b) Establishing policy direction for a funding system
29 that provides incentives to improve the outcomes of vocational
30 education programs, and of registered apprenticeship and
31 work-based learning programs, and that focuses resources on

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1 occupations related to new or emerging industries that add
2 greatly to the value e of the state's economy.

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

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

24 (e) Providing policy direction for a system to project
25 and evaluate labor market supply and demand using the results
26 of the Workforce Estimating Occupational Forecasting
27 Conference created in s. 216.136 and the career education
28 performance standards identified under s. 239.233.

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

2 And the title is amended as follows:

3 On page 1, lines 18-23, delete those lines

4

5 and insert:

6 policy organization for the state; providing
7 for a board of directors; providing for the
8 appointment of a president of Workforce
9 Florida, Inc.; providing duties of the board of
10 directors; specifying programs to be under the
11 oversight of Workforce Florida, Inc.;

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