

Bill No. CS for SB 2050

Amendment No. ____

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11	Senators Klein and Sullivan moved the following amendment:		
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13	Senate Amendment (with title amendment)		
14	On page 277, line 5, through page 283, line 28, delete		
15	those lines		
16			
17	and insert:		
18	Section 122. Subsections (1), (5), (12), and (13) of		
19	section 446.021, Florida Statutes, are amended to read:		
20	446.021 Definitions of terms used in ss.		
21	446.011-446.092.--As used in ss. 446.011-446.092, the		
22	following words and terms shall have the following meanings		
23	unless the context clearly indicates otherwise:		
24	(1) "Preapprentice" means any person 16 years of age		
25	or over engaged in any course of instruction in the public		
26	school system or elsewhere, which course is registered as a		
27	preapprenticeship program with the Division of <u>Workforce</u>		
28	<u>Development Jobs and Benefits</u> of the Department of <u>Education</u>		
29	Labor and Employment Security.		
30	(5) "Preapprenticeship program" means an organized		
31	course of instruction in the public school system or		

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1 elsewhere, which course is designed to prepare a person 16
2 years of age or older to become an apprentice and which course
3 is approved by and registered with ~~the Bureau of~~
4 ~~Apprenticeship of the Division of Workforce Development Jobs~~
5 ~~and Benefits~~ and sponsored by a registered apprenticeship
6 program.

7 (12) "Division" means the Division of Workforce
8 Development Jobs and Benefits of the Department of Education
9 ~~Labor and Employment Security~~.

10 (13) "Director" means the director of the Division of
11 Workforce Development Jobs and Benefits.

12 Section 123. Section 446.032, Florida Statutes, is
13 amended to read:

14 446.032 General duties of division with respect to
15 apprenticeship training.--The Division of Workforce
16 Development Jobs and Benefits shall:

17 (1) Establish uniform minimum standards and policies
18 governing apprentice programs and agreements. Such standards
19 and policies shall govern the terms and conditions of the
20 apprentice's employment and training, including the quality
21 training of the apprentice with respect to, but not limited
22 to, such matters as ratios of apprentices to journeymen,
23 safety, related instruction, and on-the-job training; but such
24 standards and policies shall not include rules, standards, or
25 guidelines that require the use of apprentices and job
26 trainees on state, county, or municipal contracts. The
27 division may adopt rules as necessary to carry out such
28 standards and policies.

29 (2) Establish ~~by rule~~ procedures to be used ~~utilized~~
30 by the State Apprenticeship Advisory Council ~~in accordance~~
31 ~~with the provisions of s. 446.045.~~

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1 ~~(3) Establish a Bureau of Apprenticeship pursuant to~~
 2 ~~the instructions of the Secretary of Labor and Employment~~
 3 ~~Security.~~

4 Section 124. Section 446.041, Florida Statutes, is
 5 amended to read:

6 446.041 Apprenticeship program, duties of
 7 division.--The Division of Workforce Development ~~Jobs and~~
 8 ~~Benefits~~ shall:

9 (1) Administer the provisions of ss. 446.011-446.092.

10 (2) Administer the standards established by the
 11 division.

12 (3) Register in accordance with this chapter any
 13 apprenticeship or preapprenticeship program, regardless of
 14 affiliation, which meets standards established by the
 15 division.

16 (4) Investigate complaints concerning the failure of
 17 any registered program to meet the standards established by
 18 the division.

19 (5) Cancel the registration of any program that ~~which~~
 20 fails to comply with the standards and policies of the
 21 division or that ~~which~~ unreasonably fails or refuses to
 22 cooperate with the division in monitoring and enforcing
 23 compliance with such standards.

24 (6) Develop and encourage apprenticeship programs.

25 (7) Cooperate with and assist local apprenticeship
 26 sponsors in the development of their apprenticeship standards
 27 and training requirements.

28 ~~(8) Cooperate with and assist the Division of~~
 29 ~~Workforce Development of the Department of Education and~~
 30 ~~appropriate education institutions in the development of~~
 31 ~~viable apprenticeship and preapprenticeship programs.~~

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1 (8 9) Encourage registered apprenticeship programs to
2 grant consideration and credit to individuals completing
3 registered preapprenticeship programs.

4 (9 10) Monitor registered apprenticeship programs to
5 ensure that they are being operated in compliance with all
6 applicable standards.

7 (10 11) Supervise all apprenticeship programs which
8 are registered with the division.

9 (11) Ensure that minority and gender diversity are
10 considered in administering this program.

11 (12) Adopt rules as required to implement ss.
12 446.011-446.092 ~~the provisions of this act.~~

13 Section 125. Section 446.045, Florida Statutes, is
14 amended to read:

15 446.045 State Apprenticeship Advisory Council.--

16 (1) For the purposes of this section, the term:

17 (a) "Joint employee organization" means an
18 apprenticeship sponsor who participates in a collective
19 bargaining agreement and represents employees.

20 (b) "Nonjoint employer organization" means an
21 apprenticeship sponsor who does not participate in a
22 collective bargaining agreement and who represents management.

23 (2)(a) There is created a State Apprenticeship
24 Advisory Council to be composed of 13 members, which shall be
25 advisory to the Division of Workforce Development. ~~Jobs and~~
26 ~~Benefits of the Department of Labor and Employment Security.~~
27 The purpose of the advisory council is to advise the division
28 and the council on matters relating to apprenticeship. The
29 advisory council may not establish policy, adopt rules, or
30 consider whether particular apprenticeship programs should be
31 approved by the division ~~or bureau~~. ~~Only those matters~~

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1 ~~contained in the notice of meeting provided by the division~~
2 ~~shall be considered by the council at council meetings.~~

3 (b) The division director or the division director's
4 designee shall be ex officio chair of the State Apprenticeship
5 Advisory Council, but may not vote. The ~~administrator of~~
6 ~~industrial education of the Department of Education and the~~
7 state director of the Bureau of Apprenticeship and Training of
8 the United States Department of Labor shall be appointed a
9 nonvoting member ~~members~~ of the council. The Governor shall
10 appoint two three-member committees for the purpose of
11 nominating candidates for appointment to the council. One
12 nominating committee shall be composed of joint employee
13 organization representatives, and the other nominating
14 committee shall be composed of nonjoint employer organization
15 representatives. The joint employee organization nominating
16 committee shall submit to the Governor the names of three
17 persons for each vacancy occurring among the joint employee
18 organization members on the council, and the nonjoint employer
19 organization nominating committee likewise shall submit to the
20 Governor the names of three persons for each vacancy occurring
21 among the nonjoint employer organization members on the
22 council. The Governor shall appoint to the council five
23 members representing joint employee organizations and five
24 members representing nonjoint employer organizations from the
25 candidates nominated for each position by the respective
26 nominating committees. Each member shall represent industries
27 which have registered apprenticeship programs or in which a
28 need for apprenticeship programs has been demonstrated.
29 Initially, the Governor shall appoint four members for terms
30 of 4 years, two members for terms of 3 years, two members for
31 terms of 2 years, and two members for terms of 1 year.

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1 Thereafter, members shall be appointed for 4-year terms. A
2 vacancy shall be filled for the remainder of the unexpired
3 term.

4 (c) The council shall meet at the call of the chair or
5 at the request of a majority of its membership, but at least
6 twice a year. A majority of the voting members shall
7 constitute a quorum, and the affirmative vote of a majority of
8 a quorum is necessary to take action.

9 (d) The Governor may remove any member for cause.

10 (e) The council shall maintain minutes of each
11 meeting. The division shall keep on file the minutes of each
12 meeting and shall make such minutes available to any
13 interested person.

14 (f) Members of the council shall serve without
15 compensation, but shall be entitled to receive reimbursement
16 for per diem and travel expenses as provided in s. 112.061.

17 Section 126. Subsection (3) of section 446.052,
18 Florida Statutes, is amended to read:

19 446.052 Preapprenticeship program.--

20 (3) The Division of Workforce Development, the
21 district school boards, and the community college district
22 boards of trustees, ~~and the Division of Jobs and Benefits~~
23 shall work together with existing registered apprenticeship
24 programs so that individuals completing such preapprenticeship
25 programs may be able to receive credit towards completing a
26 registered apprenticeship program.

27 Section 127. Section 446.061, Florida Statutes, is
28 amended to read:

29 446.061 Expenditures.--The Division of Workforce
30 Development of the Department of Education ~~Jobs and Benefits~~
31 shall make necessary expenditures from the appropriation

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1 provided by law for personal services, travel, printing,
2 equipment, office space, and supplies as provided by law.

3 Section 128. Subsection (1) of section 446.071,
4 Florida Statutes, is amended to read:

5 446.071 Apprenticeship sponsors.--

6 (1) One or more local apprenticeship sponsors shall be
7 approved in any trade or group of trades by the Division of
8 Workforce Development of the Department of Education ~~Jobs and~~
9 ~~Benefits~~, upon a determination of need, provided the
10 apprenticeship sponsor meets all of the standards established
11 by the division. "Need" refers to the need of state residents
12 for apprenticeship training. In the absence of proof to the
13 contrary, it shall be presumed that there is need for
14 apprenticeship and preapprenticeship training in each county
15 in this state.

16 Section 129. Section 446.075, Florida Statutes, is
17 amended to read:

18 446.075 Federal and state cooperation.--The Division
19 of Workforce Development of the Department of Education ~~may~~
20 ~~Jobs and Benefits of the Department of Labor and Employment~~
21 ~~Security is authorized to make and enter into contracts with~~
22 the United States Department of Labor, and may ~~to~~ assume ~~such~~
23 other functions and duties as are necessary for the division
24 to serve as registration agent for federal apprenticeship
25 registration purposes, except that the division may ~~shall~~ not
26 enforce any federal apprenticeship requirement unless the
27 division first adopts such requirement as a rule. All rules
28 adopted ~~promulgated~~ and administrative hearings afforded by
29 the division under ~~because of~~ this section must ~~shall~~ be in
30 accordance with the requirements of chapter 120.

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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 18, line 30, through page 19, line 19, delete
4 those lines

5

6 and insert:

7 providing for the Division of Workforce
8 Development within the Department of Education
9 to perform duties with respect to
10 apprenticeship training which were formerly
11 performed by the Division of Jobs and Benefits
12 within the Department of Labor and Employment
13 Security;

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