

By the Committee on Business Development & International
Trade and Representative Bradley

1 A bill to be entitled
2 An act relating to workforce innovation;
3 amending s. 14.2015, F.S.; providing additional
4 duties of the Office of Tourism, Trade, and
5 Economic Development within the Executive
6 Office of the Governor with respect to
7 workforce development; requiring that the
8 office cooperate and contract with the
9 Workforce Development Board in performing
10 certain functions; amending s. 216.136, F.S.;
11 redesignating the Occupational Forecasting
12 Conference as the "Workforce Estimating
13 Conference"; specifying additional duties of
14 the conference with respect to developing
15 forecasts for employment demands and
16 occupational trends; amending s. 239.115, F.S.;
17 providing for a response fund to be used to
18 provide customized training for businesses;
19 providing for remaining balances to carry over;
20 providing for performance funds to be
21 distributed to certain workforce programs;
22 conforming provisions to changes made by the
23 act; amending s. 239.229, F.S.; requiring the
24 Department of Education to update certain
25 vocational, adult, and community education
26 programs; amending s. 239.514, F.S., relating
27 to the Workforce Development Capitalization
28 Incentive Grant Program; conforming provisions
29 to changes made by the act; amending s.
30 240.209, F.S.; requiring that the Board of
31 Regents consider industry-driven competencies

1 in certain program reviews; amending s.
2 240.311, F.S.; requiring the State Board of
3 Community Colleges to identify training
4 programs for broadband digital media
5 specialists; requiring such programs be added
6 to lists for demand occupations under certain
7 circumstances; amending s. 240.3341, F.S.;
8 encouraging community colleges to establish
9 incubator facilities for digital media content
10 and technology development; amending s.
11 240.40207, F.S., relating to the Florida Gold
12 Seal Vocational Scholars award; conforming
13 provisions to changes made by the act; creating
14 s. 240.710, F.S.; requiring the Board of
15 Regents to create a Digital Media Education
16 Coordination Group; providing membership;
17 providing purposes; requiring development of a
18 plan; requiring submission of plans to the
19 Legislature by a time certain; amending s.
20 288.046, F.S., relating to quick-response
21 training; deleting a reference to targeted
22 industrial clusters; amending s. 288.047, F.S.;
23 revising provisions relating to quick-response
24 training for economic development; deleting
25 provisions relating to a Quick-Response
26 Advisory Committee; providing additional
27 responsibilities of Enterprise Florida, Inc.,
28 relating to economic development training;
29 revising responsibilities of the Department of
30 Education; deleting authority for Enterprise
31 Florida, Inc., to procure certain equipment;

1 providing for applying certain matching funds
2 to certain private-sector support requirements;
3 requiring cooperation and coordination between
4 the Workforce Development Board and Enterprise
5 Florida, Inc.; amending s. 288.0656, F.S.;
6 correcting a cross reference; amending s.
7 288.9951, F.S.; redesignating one-stop career
8 centers as the "one-stop delivery system";
9 providing for the system to be the state's
10 primary strategy for providing
11 workforce-development services; requiring the
12 Workforce Development Board to review the
13 delivery of employment services and report to
14 the Governor and Legislature; amending s.
15 288.9952, F.S.; revising provisions relating to
16 the board of directors; providing duties of the
17 board of directors; specifying programs to be
18 supervised by the Workforce Development Board;
19 requiring reports and measures of outcomes;
20 providing for the Workforce Development Board
21 to develop the state's workforce-development
22 strategy; authorizing the granting of charters
23 to regional workforce boards; creating s.
24 288.99521, F.S.; requiring the chairperson of
25 the Workforce Development Board to establish
26 the First Jobs/First Wages Council, the Better
27 Jobs/Better Wages Council, and the High
28 Skills/High Wages Council; providing for
29 council members; providing for the councils to
30 advise the board of directors of the Workforce
31 Development Board and make recommendations for

1 implementing workforce strategies; creating s.
2 288.99522, F.S.; requiring the Workforce
3 Development Board to develop a strategic plan
4 for workforce development; requiring updates of
5 the plan; requiring a marketing plan as part of
6 the strategic plan; providing for performance
7 measures and contract guidelines; creating s.
8 288.99523, F.S.; providing principles for
9 developing and managing information technology
10 for the workforce system; requiring the sharing
11 of information between agencies within the
12 workforce system; creating s. 288.99524, F.S.;
13 requiring the Workforce Development Board to
14 implement a workforce information system,
15 subject to legislative appropriation;
16 specifying information systems to be included;
17 providing requirements for procurement and
18 validation services; requiring that the system
19 be compatible with the state's information
20 system; creating s. 288.99525, F.S.; providing
21 for a small business workforce service
22 initiative; requiring the Workforce Development
23 Board to establish a program for support
24 services to small businesses, subject to
25 legislative appropriation; specifying eligible
26 uses of funds under the program; providing
27 program criteria; defining the term "small
28 business" for purposes of the program; amending
29 s. 288.9953, F.S.; redesignating the regional
30 workforce development boards as the "regional
31 workforce boards"; providing requirements for

1 contracts with an organization or individual
2 represented on the board; requiring the
3 workforce boards to establish certain
4 committees; specifying that regional workforce
5 boards and their entities are not state
6 agencies; providing for procurement procedures;
7 providing for a limitation on terms of board
8 members; requiring the designation of a
9 chairman; providing an eligibility requirement;
10 amending s. 288.9956, F.S.; revising provisions
11 implementing the federal Workforce Investment
12 Act of 1998 to conform to changes made by the
13 act; revising the investment act principles;
14 revising funding requirements; deleting
15 obsolete provisions; amending s. 443.151, F.S.;
16 conforming provisions to changes made by the
17 act; amending s. 443.231, F.S.; conforming
18 provisions to changes made by the act;
19 requiring the Workforce Development Board to
20 report to the Legislature on its programs and
21 on-the-job training; requiring the Workforce
22 Development Board to make recommendations for
23 improving the programs and decreasing costs;
24 amending ss. 446.40, 446.41, 446.42, 446.43,
25 and 446.44, F.S.; redesignating the Rural
26 Manpower Services Program as the "Rural
27 Workforce Services Program"; providing
28 appropriations; requiring the Workforce
29 Development Board to reserve funds for digital
30 media industry training; providing direction on
31 training; amending ss. 239.249, 288.9950,

1 288.9953, 288.9954, 288.9957, 288.9958,
2 288.9959, 411.01, 413.82, 414.028, 414.055,
3 414.065, 414.20, and 414.223, F.S., to conform;
4 requiring the Workforce Development Board to
5 develop a plan by a time certain for the use of
6 certain funds to enhance workforce of digital
7 media related industries; providing direction
8 on plan development; requiring Enterprise
9 Florida, Inc., to convene a broadband digital
10 media industries group; requiring
11 identification, designation, and priority of
12 digital media sector in sector strategy;
13 requiring Enterprise Florida, Inc., to contract
14 for establishment of a digital media incubator;
15 providing contract requirements; providing an
16 appropriation; requiring industry participation
17 in funding; providing direction for incubator
18 location; requiring ITFlorida, in cooperation
19 with Enterprise Florida, Inc., to prepare a
20 marketing plan promoting the state to digital
21 media industries; providing for severability;
22 providing effective dates.

23
24 Be It Enacted by the Legislature of the State of Florida:

25
26 Section 1. Paragraphs (b), (c), (d), (e), (g), and (i)
27 of subsection (2) of section 14.2015, Florida Statutes, are
28 amended to read:

29 14.2015 Office of Tourism, Trade, and Economic
30 Development; creation; powers and duties.--
31

1 (2) The purpose of the Office of Tourism, Trade, and
2 Economic Development is to assist the Governor in working with
3 the Legislature, state agencies, business leaders, and
4 economic development professionals to formulate and implement
5 coherent and consistent policies and strategies designed to
6 provide economic opportunities for all Floridians. To
7 accomplish such purposes, the Office of Tourism, Trade, and
8 Economic Development shall:

9 (b) Monitor the activities of public-private
10 partnerships and state agencies in order to avoid duplication
11 and promote coordinated and consistent implementation of
12 programs in areas including, but not limited to, tourism;
13 international trade and investment; business recruitment,
14 creation, retention, and expansion; workforce development;
15 minority and small business development; and rural community
16 development. As part of its responsibilities under this
17 paragraph, the office shall work with Enterprise Florida,
18 Inc., and the Workforce Development Board to ensure that, to
19 the maximum extent possible, there are direct linkages between
20 the economic development and workforce development goals and
21 strategies of the state.

22 (c) Facilitate the direct involvement of the Governor
23 and the Lieutenant Governor in economic development and
24 workforce development projects designed to create, expand, and
25 retain Florida businesses and to recruit worldwide business,
26 as well as in other job-creating efforts.

27 (d) Assist the Governor, in cooperation with
28 Enterprise Florida, Inc., the Workforce Development Board, and
29 the Florida Commission on Tourism, in preparing an annual
30 report to the Legislature on the state of the business climate
31 in Florida and on the state of economic development in Florida

1 which will include the identification of problems and the
2 recommendation of solutions. This report shall be submitted
3 to the President of the Senate, the Speaker of the House of
4 Representatives, the Senate Minority Leader, and the House
5 Minority Leader by January 1 of each year, and it shall be in
6 addition to the Governor's message to the Legislature under
7 the State Constitution and any other economic reports required
8 by law.

9 (e) Plan and conduct at least one meeting per calendar
10 year of leaders in business, government, education, workforce
11 development, and economic development called by the Governor
12 to address the business climate in the state, develop a common
13 vision for the economic future of the state, and identify
14 economic development efforts to fulfill that vision.

15 (g) Serve as contract administrator for the state with
16 respect to contracts with Enterprise Florida, Inc., the
17 Workforce Development Board, the Florida Commission on
18 Tourism, and all direct-support organizations under this act,
19 excluding those relating to tourism. To accomplish the
20 provisions of this act and applicable provisions of chapter
21 288, and notwithstanding the provisions of part I of chapter
22 287, the office shall enter into specific contracts with
23 Enterprise Florida, Inc., the Workforce Development Board, the
24 Florida Commission on Tourism, and other appropriate
25 direct-support organizations. Such contracts may be multiyear
26 and shall include specific performance measures for each year.

27 (i) Prepare and submit as a separate budget entity a
28 unified budget request for tourism, trade, and economic
29 development in accordance with chapter 216 for, and in
30 conjunction with, Enterprise Florida, Inc., and its boards,
31 the Workforce Development Board, the Florida Commission on

1 Tourism and its direct-support organization, the Florida Black
2 Business Investment Board, the Office of the Film
3 Commissioner, and the direct-support organization created to
4 promote the sports industry.

5 Section 2. Subsection (10) of section 216.136, Florida
6 Statutes, is amended to read:

7 216.136 Consensus estimating conferences; duties and
8 principals.--

9 (10) WORKFORCE ESTIMATING ~~OCCUPATIONAL FORECASTING~~
10 CONFERENCE.--

11 (a) Duties.--

12 1. The Workforce Estimating ~~Occupational Forecasting~~
13 Conference shall develop such official information on the
14 workforce development system planning process as it relates to
15 the personnel needs of current, new, and emerging industries
16 as the conference determines is needed by the state planning
17 and budgeting system. Such information must include at least:
18 short-term and long-term forecasts of employment demand for
19 high-skills/high-wage jobs by occupation and industry;
20 relative wage forecasts among those occupations; and estimates
21 of the supply of trained and qualified individuals available
22 for employment in those occupations.

23 2. The Workforce Estimating Conference shall review
24 data concerning the local and regional demands for short-term
25 and long-term employment in high-skills/high-wage jobs, as
26 well as other jobs, which data is generated through surveys
27 conducted as part of the state's Internet-based job-matching
28 and labor-market information system authorized under s.
29 288.99524. The conference shall consider such data in
30 developing its forecasts for statewide employment demand,
31 including reviewing the local and regional data for common

1 trends and conditions among localities or regions which may
2 warrant inclusion of a particular occupation on the statewide
3 occupational forecasting list developed by the conference.
4 Based upon its review of such survey data, the conference
5 shall also make recommendations semiannually to the Workforce
6 Development Board on additions or deletions to lists of
7 locally targeted occupations approved by the Workforce
8 Development Board.

9 (b) Principals.--The Commissioner of Education, the
10 president of the Workforce Development Board,the Executive
11 Office of the Governor, the director of the Office of Tourism,
12 Trade, and Economic Development, ~~the Secretary of Labor,~~and
13 the coordinator of the Office of Economic and Demographic
14 Research, or their designees, are the principals of the
15 Workforce Estimating Occupational Forecasting Conference. The
16 Commissioner of Education, or the commissioner's designee,
17 shall preside over the sessions of the conference. In
18 fulfilling the responsibilities of the conference, the
19 principals shall seek the participation and advice of
20 nonprincipals who have expertise in workforce development,
21 economic development, and education matters at the state,
22 regional, and local levels, including, but not limited to, the
23 Executive Director of the State Board of Community Colleges;
24 the Chancellor of the State University System; a
25 representative of the Independent Colleges and Universities of
26 Florida, Inc.; a representative of the Florida Association of
27 Postsecondary Schools and Colleges; and the president of
28 Enterprise Florida, Inc., or their designees. The principals
29 shall convene at least two sessions of the conference each
30 fiscal year.

31

1 Section 3. Paragraph (c) of subsection (4) and
2 subsections (7) and (9) of section 239.115, Florida Statutes,
3 are amended to read:

4 239.115 Funds for operation of adult general education
5 and vocational education programs.--

6 (4) The Florida Workforce Development Education Fund
7 is created to provide performance-based funding for all
8 workforce development programs, whether the programs are
9 offered by a school district or a community college. Funding
10 for all workforce development education programs must be from
11 the Workforce Development Education Fund and must be based on
12 cost categories, performance output measures, and performance
13 outcome measures. This subsection takes effect July 1, 1999.

14 (c) The performance outcome measures for programs
15 funded through the Workforce Development Education Fund are
16 associated with placement and retention of students after
17 reaching a completion point or completing a program of study.
18 These measures include placement or retention in employment
19 that is related to the program of study; placement into or
20 retention in employment in an occupation on the Workforce
21 Estimating Occupational Forecasting Conference list of
22 high-wage, high-skill occupations with sufficient openings;
23 and placement and retention of WAGES clients or former WAGES
24 clients in employment. Continuing postsecondary education at a
25 level that will further enhance employment is a performance
26 outcome for adult general education programs. Placement and
27 retention must be reported pursuant to ss. 229.8075 and
28 239.233.

29 (7)(a) Beginning in fiscal year 1999-2000, a school
30 district or a community college that provides workforce
31 development education funded through the Workforce Development

1 Education Fund shall receive funds in accordance with
2 distributions for base and performance funding established by
3 the Legislature in the General Appropriations Act, pursuant to
4 the following conditions:

5 1.~~(a)~~ Base funding shall not exceed 85 percent of the
6 current fiscal year total Workforce Development Education Fund
7 allocation, which shall be distributed by the Legislature in
8 the General Appropriations Act based on a maximum of 85
9 percent of the institution's prior year total allocation from
10 base and performance funds.

11 2.~~(b)~~ Performance funding shall be at least 15 percent
12 of the current fiscal year total Workforce Development
13 Education Fund allocation, which shall be distributed by the
14 Legislature in the General Appropriations Act based on the
15 previous fiscal year's achievement of output and outcomes in
16 accordance with formulas adopted pursuant to subsection (9).
17 Performance funding must incorporate payments for at least
18 three levels of placements that reflect wages and workforce
19 demand. Payments for completions must not exceed 60 percent of
20 the payments for placement. For fiscal year 1999-2000, school
21 districts and community colleges shall be awarded funds
22 pursuant to this paragraph based on performance output data
23 generated for fiscal year 1998-1999 and performance outcome
24 data available in that year.

25 3.~~(c)~~ If a local educational agency achieves a level
26 of performance sufficient to generate a full allocation as
27 authorized by the workforce development funding formula, the
28 agency may earn performance incentive funds as appropriated
29 for that purpose in a General Appropriations Act. If
30 performance incentive funds are funded and awarded, these
31 funds must be added to the local educational agency's prior

1 year total allocation from the Workforce Development Education
2 Fund and shall be used to calculate the following year's base
3 funding.

4 (b) A response fund is established to assist school
5 districts and community colleges in responding to the needs of
6 new and expanding businesses and thereby strengthening the
7 state's workforce and economy. The response fund shall be
8 funded in the General Appropriations Act or it shall be
9 constituted by up to 5 percent of each community college's and
10 school district's annual total allocation from the Workforce
11 Development Education Fund. A school district or community
12 college may expend funds from the response fund without regard
13 to performance criteria set forth in subparagraph (a)2. The
14 school district or community college shall use its response
15 fund to provide customized training for businesses which
16 satisfies the requirements of s. 288.047. Balances remaining
17 in the response fund at the end of the fiscal year shall not
18 revert to the general fund, but shall be carried over for 1
19 additional year and used for the purpose of serving incumbent
20 worker training needs of area businesses with fewer than 100
21 employees. Priority shall be given to businesses that must
22 increase or upgrade their use of technology to remain
23 competitive.

24 (9) The Department of Education, the State Board of
25 Community Colleges, and the Workforce Development Board ~~Jobs~~
26 ~~and Education Partnership~~ shall provide the Legislature with
27 recommended formulas, criteria, timeframes, and mechanisms for
28 distributing performance funds. The commissioner shall
29 consolidate the recommendations and develop a consensus
30 proposal for funding. The Legislature shall adopt a formula
31 and distribute the performance funds to the Division of

1 Community Colleges and the Division of Workforce Development
2 through the General Appropriations Act. These recommendations
3 shall be based on formulas that would discourage
4 low-performing or low-demand programs and encourage through
5 performance-funding awards:

6 (a) Programs that prepare people to enter high-wage
7 occupations identified by the Workforce Estimating
8 ~~Occupational Forecasting~~ Conference created by s. 216.136 and
9 other programs as approved by the Jobs and Education
10 Partnership. At a minimum, performance incentives shall be
11 calculated for adults who reach completion points or complete
12 programs that lead to specified high-wage employment and to
13 their placement in that employment.

14 (b) Programs that successfully prepare adults who are
15 eligible for public assistance, economically disadvantaged,
16 disabled, not proficient in English, or dislocated workers for
17 high-wage occupations. At a minimum, performance incentives
18 shall be calculated at an enhanced value for the completion of
19 adults identified in this paragraph and job placement of such
20 adults upon completion. In addition, adjustments may be made
21 in payments for job placements for areas of high unemployment.

22 (c) Programs that are specifically designed to be
23 consistent with the workforce needs of private enterprise and
24 regional economic-development strategies, as defined in
25 guidelines set by the Workforce Development Board. The
26 Workforce Development Board shall develop guidelines to
27 identify such needs and strategies based on localized research
28 of private employers and economic-development practitioners.

29 (d)~~(e)~~ Programs identified by the Workforce
30 Development Board ~~Jobs and Education Partnership~~ as increasing
31 the effectiveness and cost efficiency of education.

1 Section 4. Paragraph (c) of subsection (2) of section
2 239.229, Florida Statutes, is amended to read:
3 239.229 Vocational standards.--
4 (2)
5 (c) Department of Education accountability for career
6 education includes, but is not limited to:
7 1. The provision of timely, accurate technical
8 assistance to school districts and community colleges.
9 2. The provision of timely, accurate information to
10 the State Board for Career Education, the Legislature, and the
11 public.
12 3. The development of policies, rules, and procedures
13 that facilitate institutional attainment of the accountability
14 standards and coordinate the efforts of all divisions within
15 the department.
16 4. The development of program standards and
17 industry-driven benchmarks for vocational, adult, and
18 community education programs, which must be updated every 3
19 years. The standards must include technical, academic, and
20 workplace skills; viability of distance learning for
21 instruction; and work/learn cycles that are responsive to
22 business and industry.
23 5. Overseeing school district and community college
24 compliance with the provisions of this chapter.
25 6. Ensuring that the educational outcomes for the
26 technical component of workforce development programs and
27 secondary vocational job-preparatory programs are uniform and
28 designed to provide a graduate of high quality who is capable
29 of entering the workforce on an equally competitive basis
30 regardless of the institution of choice.
31

1 Section 5. Subsection (3) of section 239.514, Florida
2 Statutes, is amended to read:

3 239.514 Workforce Development Capitalization Incentive
4 Grant Program.--The Legislature recognizes that the need for
5 school districts and community colleges to be able to respond
6 to emerging local or statewide economic development needs is
7 critical to the workforce development system. The Workforce
8 Development Capitalization Incentive Grant Program is created
9 to provide grants to school districts and community colleges
10 on a competitive basis to fund some or all of the costs
11 associated with the creation or expansion of workforce
12 development programs that serve specific employment workforce
13 needs.

14 (3) The commission shall give highest priority to
15 programs that train people to enter high-skill, high-wage
16 occupations identified by the Workforce Estimating
17 ~~occupational forecasting~~ Conference and other programs
18 approved by the Jobs and Education Partnership; programs that
19 train people to enter occupations on the WAGES list; or
20 programs that train for the workforce adults who are eligible
21 for public assistance, economically disadvantaged, disabled,
22 not proficient in English, or dislocated workers. The
23 commission shall consider the statewide geographic dispersion
24 of grant funds in ranking the applications and shall give
25 priority to applications from education agencies that are
26 making maximum use of their workforce development funding by
27 offering high-performing, high-demand programs.

28 Section 6. Paragraph (b) of subsection (5) of section
29 240.209, Florida Statutes, is amended to read:

30 240.209 Board of Regents; powers and duties.--

31 (5) The Board of Regents is responsible for:

1 (b) Coordinating with the Postsecondary Education
2 Planning Commission the programs, including doctoral programs,
3 to be reviewed every 5 years or whenever the board determines
4 that the effectiveness or efficiency of a program is
5 jeopardized. The board shall define the indicators of quality
6 and the criteria for program review for every program. Such
7 indicators shall include need, student demand, industry-driven
8 competencies for advanced technology and related programs, and
9 resources available to support continuation. The results of
10 the program reviews shall be tied to the university budget
11 requests.

12 Section 7. Subsections (4) through (8) of section
13 240.311, Florida Statutes, are renumbered as subsections (5)
14 through (9), respectively, and a new subsection (4) is added
15 to said section to read:

16 240.311 State Board of Community Colleges; powers and
17 duties.--

18 (4) The State Board of Community Colleges shall
19 identify, using the Critical Jobs Initiative, the occupational
20 forecasting process, or any other compatible mechanism, a
21 collection of programs designed to train broadband digital
22 media specialists. Programs identified by the board shall be
23 added to the statewide lists for demand occupations, if they
24 meet the high-skill/high-wage criteria as established by the
25 Workforce Estimating Conference created by s. 216.136.

26 Section 8. Subsection (5) is added to section
27 240.3341, Florida Statutes, to read:

28 240.3341 Incubator facilities for small business
29 concerns.--

30 (5) Community colleges are encouraged to establish
31 incubator facilities through which emerging small businesses

1 supportive of development of content and technology for
2 digital broadband media and digital broadcasting may be
3 served.

4 Section 9. Paragraph (a) of subsection (1) of section
5 240.40207, Florida Statutes, is amended to read:

6 240.40207 Florida Gold Seal Vocational Scholars
7 award.--The Florida Gold Seal Vocational Scholars award is
8 created within the Florida Bright Futures Scholarship Program
9 to recognize and reward academic achievement and vocational
10 preparation by high school students who wish to continue their
11 education.

12 (1) A student is eligible for a Florida Gold Seal
13 Vocational Scholars award if the student meets the general
14 eligibility requirements for the Florida Bright Futures
15 Scholarship Program and the student:

16 (a) Completes the secondary school portion of a
17 sequential program of studies that requires at least three
18 secondary school vocational credits taken over at least 2
19 academic years, and is continued in a planned, related
20 postsecondary education program. If the student's school does
21 not offer such a two-plus-two or tech-prep program, the
22 student must complete a job-preparatory career education
23 program selected by the Workforce Estimating Occupational
24 ~~Forecasting~~ Conference or the Workforce Development Board of
25 Enterprise Florida for its ability to provide high-wage
26 employment in an occupation with high potential for employment
27 opportunities. On-the-job training may not be substituted for
28 any of the three required vocational credits.

29 Section 10. Section 240.710, Florida Statutes, is
30 created to read:

31 240.710 Digital Media Education Coordination Group.--

1 (1) The Board of Regents shall create a Digital Media
2 Education Coordination Group composed of representatives of
3 the universities within the State University System that shall
4 work in conjunction with the State Board of Community Colleges
5 and the Articulation Coordinating Committee on the development
6 of a plan to enhance Florida's ability to meet the current and
7 future workforce needs of the digital media industry. The
8 following purposes of the group shall be included in its plan
9 development process:

10 (a) Coordinate the use of existing academic programs,
11 research, and faculty resources to promote the development of
12 a digital media industry in this state.

13 (b) Address strategies to improve opportunities for
14 interdisciplinary study and research within the emerging field
15 of digital media through the development of tracts in existing
16 degree programs, new interdisciplinary degree programs, and
17 interdisciplinary research centers.

18 (c) Address the sharing of resources among
19 universities in such a way as to allow a student to take
20 courses from multiple departments or multiple educational
21 institutions in pursuit of competency, certification, and
22 degrees in digital information and media technology.

23 (2) Where practical, private accredited institutions
24 of higher learning in this state should be encouraged to
25 participate.

26 (3) In addition to the elements of the plan governed
27 by the purposes described in subsection (1), the plan shall
28 include, to the maximum extent practical, the coordination of
29 educational resources to be provided by distance learning and
30 shall facilitate to the maximum extent possible articulation
31 and transfer of credits between community colleges and the

1 state universities. The plan shall address student enrollment
2 in affected programs with emphasis on enrollment beginning as
3 early as the fall term of 2001.

4 (4) The Digital Media Education Coordination Group
5 shall submit its plan to the President of the Senate and the
6 Speaker of the House of Representatives no later than January
7 1, 2001.

8 Section 11. Section 288.046, Florida Statutes, is
9 amended to read:

10 288.046 Quick-response training; legislative
11 intent.--The Legislature recognizes the importance of
12 providing a skilled workforce for attracting new industries
13 and retaining and expanding existing businesses and industries
14 in this state. It is the intent of the Legislature that a
15 program exist to meet the short-term, immediate,
16 workforce-skill needs of such businesses and industries. It
17 is further the intent of the Legislature that funds provided
18 for the purposes of s. 288.047 be expended on businesses and
19 industries that support the state's economic development
20 goals, particularly high value-added businesses ~~in Florida's~~
21 ~~Targeted Industrial Clusters~~ or businesses that locate in and
22 provide jobs in the state's distressed urban and rural areas,
23 and that instruction funded pursuant to s. 288.047 lead to
24 permanent, quality employment opportunities.

25 Section 12. Section 288.047, Florida Statutes, is
26 amended to read:

27 288.047 Quick-response training for economic
28 development.--

29 (1) The Quick-Response Training Program is created to
30 meet the workforce-skill needs of existing, new, and expanding
31 industries. The program shall be administered by Enterprise

1 Florida, Inc., in conjunction with the Department of
2 Education. Enterprise Florida, Inc., shall adopt guidelines
3 for the administration of this program. Enterprise Florida,
4 Inc., shall provide technical services and shall identify
5 businesses that seek services through the program. ~~The~~
6 ~~Department of Education shall provide services related to the~~
7 ~~development and implementation of instructional programs.~~
8 ~~(2)(a) A Quick-Response Advisory Committee, composed~~
9 ~~of the director of the Division of Workforce Development of~~
10 ~~the Department of Education; the director of the Division of~~
11 ~~Community Colleges of the Department of Education; and the~~
12 ~~director of the Division of Jobs and Benefits of the~~
13 ~~Department of Labor and Employment Security, or their~~
14 ~~respective designees, and four private sector members, shall~~
15 ~~review training funded through this program and shall provide~~
16 ~~policy advice to Enterprise Florida, Inc., in the~~
17 ~~implementation of this program. The committee shall elect a~~
18 ~~chair from among its members. Members of the committee may~~
19 ~~receive reimbursement for per diem and travel expenses as~~
20 ~~provided in s. 112.061.~~
21 ~~(b) The four private sector members appointed to the~~
22 ~~Quick-Response Advisory Committee must be selected from a~~
23 ~~slate of nominees submitted by the board of directors of~~
24 ~~Enterprise Florida, Inc. The president of Enterprise Florida,~~
25 ~~Inc., shall appoint private sector members from this slate for~~
26 ~~terms of 4 years, except that in making the initial~~
27 ~~appointments, the president shall appoint members for~~
28 ~~staggered terms, one for 1 year, 2 years, 3 years, and 4~~
29 ~~years, respectively. To the maximum extent possible, the~~
30 ~~president shall select private sector members who are~~
31 ~~representative of diverse industries and regions of the state.~~

1 ~~The importance of minority representation must be considered~~
2 ~~when making appointments for each private sector position.~~
3 ~~Private sector members may be removed for cause. Absence from~~
4 ~~three consecutive meetings results in the automatic removal of~~
5 ~~a private sector member.~~

6 ~~(c) The Quick-Response Advisory Committee shall meet~~
7 ~~at the call of its chair, at the request of a majority of the~~
8 ~~membership, at the request of Enterprise Florida, Inc., or at~~
9 ~~times prescribed by its rules. The committee shall serve to~~
10 ~~advise Enterprise Florida, Inc., regarding the administration~~
11 ~~of the Quick-Response Training Program.~~

12 ~~(2)(3)~~ Enterprise Florida, Inc., shall ensure that
13 instruction funded pursuant to this section is not available
14 through the local community college or school district, ~~or~~
15 ~~private industry council~~ and that the instruction promotes
16 economic development by providing specialized training
17 ~~entry-level skills~~ to new workers or retraining for
18 ~~supplemental skills to current employees to meet changing~~
19 skill requirements caused by new technology or new product
20 lines and to prevent potential layoffs whose job descriptions
21 ~~are changing~~. Such funds may not be expended to subsidize the
22 ~~ongoing staff development program of any business or industry~~
23 ~~or~~ to provide training for instruction related to retail
24 businesses or to reimburse businesses for trainee wages. Funds
25 made available pursuant to this section may not be expended in
26 connection with the relocation of a business from one
27 community to another community in this state unless Enterprise
28 Florida, Inc., determines that without such relocation the
29 business will move outside this state or determines that the
30 business has a compelling economic rationale for the
31 relocation which creates additional jobs.

1 (3)~~(4)~~ Requests for funding through the Quick-Response
2 Training Program may be produced through inquiries from a
3 specific business or industry, inquiries from a school
4 district director of career education or community college
5 occupational dean on behalf of a business or industry, or
6 through official state or local economic development efforts.
7 In allocating funds for the purposes of the program,
8 Enterprise Florida, Inc., shall establish criteria for
9 approval of requests for funding and shall select the entity
10 that provides the most efficient, cost-effective instruction
11 meeting such criteria. Program funds may be allocated to any
12 area technical center, community college, or state university.
13 Program funds may be allocated to private postsecondary
14 institutions only upon a review that includes, but is not
15 limited to, accreditation and licensure documentation and
16 prior approval by Enterprise Florida, Inc.~~a majority of the~~
17 ~~advisory committee.~~ Instruction funded through the program
18 must terminate when participants demonstrate competence at the
19 level specified in the request; however, the grant term
20 ~~instruction~~ may not exceed 24 ~~18~~ months. Costs and
21 expenditures for the Quick-Response Training Program must be
22 documented and separated from those incurred by the training
23 provider.

24 (4)~~(5)~~ For the first 6 months of each fiscal year,
25 Enterprise Florida, Inc., shall set aside 30 percent of the
26 amount appropriated for the Quick-Response Training Program by
27 the Legislature to fund instructional programs for businesses
28 located in an enterprise zone or brownfield area ~~to instruct~~
29 ~~residents of an enterprise zone.~~ Any unencumbered funds
30 remaining undisbursed from this set-aside at the end of the
31

1 6-month period may be used to provide funding for any program
2 qualifying for funding pursuant to this section.

3 (5)~~(6)~~ Prior to the allocation of funds for any
4 request pursuant to this section, Enterprise Florida, Inc.,
5 shall prepare a grant agreement between the business or
6 industry requesting funds, the educational institution
7 receiving funding through the program, and Enterprise Florida,
8 Inc. Such agreement must include, but is not limited to:

9 ~~(a) An identification of the facility in which the~~
10 ~~instruction will be conducted and the respective~~
11 ~~responsibilities of the parties for paying costs associated~~
12 ~~with facility use.~~

13 ~~(b) An identification of the equipment necessary to~~
14 ~~conduct the program, the respective responsibilities of the~~
15 ~~parties for paying costs associated with equipment purchase,~~
16 ~~maintenance, and repair, as well as an identification of which~~
17 ~~party owns the equipment upon completion of the instruction.~~

18 (a)~~(c)~~ An identification of the personnel necessary to
19 conduct the instructional program, the qualifications of such
20 personnel, and the respective responsibilities of the parties
21 for paying costs associated with the employment of such
22 personnel.

23 (b)~~(d)~~ An identification of the estimated length of
24 the instructional program. ~~Such program may not exceed 12~~
25 ~~months of full-time instruction or 18 months of total~~
26 ~~instruction.~~

27 (c) An identification of all direct, training-related
28 costs, including tuition and fees, curriculum development,
29 books and classroom materials, and overhead or indirect costs,
30 not to exceed 5 percent of the grant amount.

31

1 (d)~~(e)~~ An identification of special program
2 requirements that are not addressed otherwise in the
3 agreement.

4 (e)~~(f)~~ Permission to access information specific to
5 the wages and performance of participants upon the completion
6 of instruction for evaluation purposes. Information which, if
7 released, would disclose the identity of the person to whom
8 the information pertains or disclose the identity of the
9 person's employer is confidential and exempt from the
10 provisions of s. 119.07(1). The agreement must specify that
11 any evaluations published subsequent to the instruction may
12 not identify the employer or any individual participant.

13 (6)~~(7)~~ For the purposes of this section, Enterprise
14 Florida, Inc., may accept grants of money, materials,
15 services, or property of any kind from any agency,
16 corporation, or individual.

17 ~~(8) Enterprise Florida, Inc., may procure equipment as~~
18 ~~necessary to meet the purposes of this section. Title to and~~
19 ~~control of such equipment is vested in the Department of~~
20 ~~Education. Upon the conclusion of instruction, the Department~~
21 ~~of Education may transfer title to the district school board,~~
22 ~~community college district board of trustees, or Board of~~
23 ~~Regents on behalf of a specific state university, where the~~
24 ~~equipment is physically located. The department may also~~
25 ~~lease such equipment to the district school board, community~~
26 ~~college district board of trustees, or Board of Regents for a~~
27 ~~maximum of 1 year. Such lease may provide for automatic~~
28 ~~renewal. Either party to a lease has the right to cancel the~~
29 ~~lease upon a 60-day notice in writing. Any equipment for which~~
30 ~~no title transfer or lease exists must be returned to a~~

31

1 ~~warehouse reserve and be available for use by an instructional~~
2 ~~program in any area of the state.~~

3 ~~(7)(9)~~ In providing instruction pursuant to this
4 section, materials that relate to methods of manufacture or
5 production, potential trade secrets, business transactions, or
6 proprietary information received, produced, ascertained, or
7 discovered by employees of the respective departments,
8 district school boards, community college district boards of
9 trustees, or other personnel employed for the purposes of this
10 section is confidential and exempt from the provisions of s.
11 119.07(1). The state may seek copyright protection for all
12 instructional materials and ancillary written documents
13 developed wholly or partially with state funds as a result of
14 instruction provided pursuant to this section, except for
15 materials that are confidential and exempt from the provisions
16 of s. 119.07(1).

17 ~~(8)(10)~~ There is created a Quick-Response Training
18 Program for Work and Gain Economic Self-sufficiency (WAGES)
19 participants. Enterprise Florida, Inc., may, at the discretion
20 of the State WAGES Emergency Response Team, award
21 quick-response training grants and develop applicable
22 guidelines for the training of participants in the WAGES
23 Program. In addition to a local economic development
24 organization, grants must be endorsed by the applicable local
25 WAGES coalition and regional workforce development board.

26 (a) Training funded pursuant to this subsection may
27 not exceed 12 months, and may be provided by the local
28 community college, school district, regional workforce
29 ~~development~~ board, or the business employing the participant,
30 including on-the-job training. Training will provide
31

1 entry-level skills to new workers, including those employed in
2 retail, who are participants in the WAGES Program.

3 (b) WAGES participants trained pursuant to this
4 subsection must be employed at a wage not less than ~~\$6.00~~
5 per hour.

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

10 (9) Notwithstanding any other provision of law,
11 eligible matching contributions received under the
12 Quick-Response Training Program under this section may be
13 counted toward the private-sector support of Enterprise
14 Florida, Inc., under s. 288.90151(5)(d).

15 (10) The Workforce Development Board and Enterprise
16 Florida, Inc., shall ensure maximum coordination and
17 cooperation in administering this section, in such a manner
18 that any division of responsibility between the two
19 organizations which relates to marketing or administering the
20 Quick-Response Training Program is not apparent to a business
21 that inquires about or applies for funding under this section.
22 The organizations shall provide such a business with a single
23 point of contact for information and assistance.

24 Section 13. Subsection (7) of section 288.0656,
25 Florida Statutes, is amended to read:

26 288.0656 Rural Economic Development Initiative.--

27 (7) REDI may recommend to the Governor up to three
28 rural areas of critical economic concern. A rural area of
29 critical economic concern must be a rural community, or a
30 region composed of such, that has been adversely affected by
31 an extraordinary economic event or a natural disaster or that

1 presents a unique economic development opportunity of regional
2 impact that will create more than 1,000 jobs over a 5-year
3 period. The Governor may by executive order designate up to
4 three rural areas of critical economic concern which will
5 establish these areas as priority assignments for REDI as well
6 as to allow the Governor, acting through REDI, to waive
7 criteria, requirements, or similar provisions of any economic
8 development incentive. Such incentives shall include, but not
9 be limited to: the Qualified Target Industry Tax Refund
10 Program under s. 288.106, the Quick Response Training Program
11 under s. 288.047, the WAGES Quick Response Training Program
12 under s. 288.047(8)~~(10)~~, transportation projects under s.
13 288.063, the brownfield redevelopment bonus refund under s.
14 288.107, and the rural job tax credit program under ss.
15 212.098 and 220.1895. Designation as a rural area of critical
16 economic concern under this subsection shall be contingent
17 upon the execution of a memorandum of agreement among the
18 Office of Tourism, Trade, and Economic Development; the
19 governing body of the county; and the governing bodies of any
20 municipalities to be included within a rural area of critical
21 economic concern. Such agreement shall specify the terms and
22 conditions of the designation, including, but not limited to,
23 the duties and responsibilities of the county and any
24 participating municipalities to take actions designed to
25 facilitate the retention and expansion of existing businesses
26 in the area, as well as the recruitment of new businesses to
27 the area.

28 Section 14. Section 288.9951, Florida Statutes, is
29 amended to read:

30 288.9951 One-Stop delivery system ~~Career Centers~~.--
31

- 1 (1) The one-stop delivery system is ~~Career Centers~~
2 ~~comprise~~ the state's primary initial customer-service strategy
3 ~~delivery system~~ for offering every Floridian access, through
4 service sites or telephone or computer networks, to the
5 following services:
- 6 (a) Job search, referral, and placement assistance.
 - 7 (b) Career counseling and educational planning.
 - 8 (c) Consumer reports on service providers.
 - 9 (d) Recruitment and eligibility determination.
 - 10 (e) Support services, including child care and
11 transportation assistance to gain employment.
 - 12 (f) Employability skills training.
 - 13 (g) Adult education and basic skills training.
 - 14 (h) Technical training leading to a certification and
15 degree.
 - 16 (i) Claim filing for unemployment compensation
17 services.
 - 18 (j) Temporary income, health, nutritional, and housing
19 assistance.
 - 20 (k) Other appropriate and available workforce
21 development services.
- 22 ~~(2) In addition to the mandatory partners identified~~
23 ~~in Pub. L. No. 105-220, Food Stamp Employment and Training,~~
24 ~~Food Stamp work programs, and WAGES/TANF programs shall, upon~~
25 ~~approval by the Governor of a transition plan prepared by the~~
26 ~~Workforce Development Board in collaboration with the WAGES~~
27 ~~Program State Board of Directors, participate as partners in~~
28 ~~each One-Stop Career Center. Based on this plan, each partner~~
29 ~~is prohibited from operating independently from a One-Stop~~
30 ~~Career Center unless approved by the regional workforce~~
31 ~~development board. Services provided by partners who are not~~

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

3 (2)(a)(3) Subject to a process designed by the
4 Workforce Development Board, and in compliance with Pub. L.
5 No. 105-220, regional workforce ~~development~~ boards shall
6 designate one-stop delivery system ~~Career Center~~ operators.

7 (b) A regional workforce board may not designate as
8 its service provider any public or private entity that is
9 eligible to provide training services under any state or
10 federal workforce program that is a mandatory or discretionary
11 partner in the region's one-stop delivery system. The
12 Workforce Development Board may waive this prohibition upon a
13 showing that, based upon the availability of potential,
14 qualified public or private entities in the region, such
15 prohibition would unduly impede the ability of the regional
16 workforce board to identify a service provider or fiscal
17 agent. As a condition of authorizing a regional workforce
18 board to designate such an entity as its service provider or
19 fiscal agent, the Workforce Development Board must require the
20 regional workforce board to demonstrate that safeguards are in
21 place to ensure that the service provider or fiscal agent will
22 not exercise an unfair competitive advantage or unfairly refer
23 or direct customers of the one-stop delivery system to
24 training programs provided by that service provider or fiscal
25 agent. A regional workforce ~~development~~ board may retain its
26 current one-stop delivery system ~~Career Center~~ operator
27 without further procurement action where the board has
28 established a one-stop delivery system ~~Career Center~~ that has
29 complied with federal and state law.

30 (3)(4) Notwithstanding any other provision of law, any
31 memorandum of understanding in effect on June 30, 2000,

1 between a regional workforce board and the Department of Labor
2 and Employment Security governing the delivery of workforce
3 services shall remain in effect until September 30, 2000.
4 Beginning October 1, 2000, any memorandum of understanding
5 governing the delivery of workforce services must be
6 performance-based effective July 1, 1999, regional workforce
7 ~~development boards shall enter into a memorandum of~~
8 ~~understanding with the Department of Labor and Employment~~
9 ~~Security for the delivery of employment services authorized by~~
10 ~~Wagner-Peyser. For fiscal year 1999-2000, the memorandum of~~
11 ~~understanding with the Department of Labor and Employment~~
12 ~~Security must be performance-based, dedicating 15 percent of~~
13 ~~the funds to performance payments. Performance payments shall~~
14 ~~be based on performance measures developed by the Workforce~~
15 ~~Development Board.~~

16 (a) Unless otherwise required by federal law, at least
17 90 percent of the Wagner-Peyser funding must go into direct
18 customer service costs.

19 (b) Employment services must be provided through the
20 one-stop delivery system Career Centers, under the guidance of
21 one-stop delivery system Career Center operators.

22 ~~(4)(5)~~ One-stop delivery system Career Center partners
23 ~~identified in subsection (2)~~ shall enter into a memorandum of
24 understanding pursuant to Pub. L. No. 105-220, Title I, s.
25 121, with the regional workforce ~~development~~ board. Failure of
26 a local partner to participate cannot unilaterally block the
27 majority of partners from moving forward with their one-stop
28 delivery system Career Centers, and the Workforce Development
29 Board, pursuant to s. 288.9952(5)~~(4)~~(d), may make notification
30 of a local partner that fails to participate.
31

1 ~~(5)(a)(6)~~ To the extent possible, core services, as
2 defined by Pub. L. No. 105-220, shall be provided
3 electronically, using ~~utilizing~~ existing systems ~~and public~~
4 ~~libraries~~. These electronic systems shall be linked and
5 integrated into a comprehensive service system to simplify
6 access to core services by:

7 1. Maintaining staff to serve as the first point of
8 contact with the public seeking access to employment services
9 who are knowledgeable about each program housed in each
10 one-stop delivery system center as well as related services.
11 An initial determination of the programs for which a customer
12 is likely to be eligible and any referral for a more thorough
13 eligibility determination must be made at this first point of
14 contact.

15 2. Establishing an automated, integrated intake
16 screening and eligibility process where customers will provide
17 information through a self-service intake process that may be
18 accessed by staff from any participating program.

19 (b) To expand electronic capabilities, the Workforce
20 Development Board, working with regional workforce ~~development~~
21 boards, shall develop a centralized help center to assist
22 regional workforce ~~development~~ boards in fulfilling core
23 services, minimizing the need for fixed-site one-stop delivery
24 system ~~Career~~ centers.

25 (c) To the extent feasible, core services shall be
26 accessible through the Internet. Through this technology, core
27 services shall be made available at public libraries, schools,
28 community centers, kiosks, neighborhood facilities, and
29 satellite one-stop delivery system sites. Each regional
30 workforce board's web page shall serve as an access point for
31 contacting potential employees by integrating the placement

1 efforts of universities and private companies, including
2 staffing-services firms, into the existing one-stop delivery
3 system.

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

14 (7)(8)(a) Individual Training Accounts must be
15 expended on programs that prepare people to enter high-wage
16 occupations identified by the Workforce Estimating
17 ~~Occupational Forecasting~~ Conference created by s. 216.136, and
18 on other programs as approved by the Workforce Development
19 Board.

20 (b) For each approved training program, regional
21 workforce ~~development~~ boards, in consultation with training
22 providers, shall establish a fair-market purchase price to be
23 paid through an Individual Training Account. The purchase
24 price must be based on prevailing costs and reflect local
25 economic factors, program complexity, and program benefits,
26 including time to beginning of training and time to
27 completion. The price shall ensure the fair participation of
28 public and nonpublic postsecondary educational institutions as
29 authorized service providers and shall prohibit the use of
30 unlawful remuneration to the student in return for attending
31

1 an institution. Unlawful remuneration does not include student
2 financial assistance programs.

3 (c) The Workforce Development Board shall review
4 Individual Training Account pricing schedules developed by
5 regional workforce ~~development~~ boards and present findings and
6 recommendations for process improvement to the President of
7 the Senate and the Speaker of the House of Representatives ~~by~~
8 ~~January 1, 2000.~~

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

17 (e) Training services provided through Individual
18 Training Accounts must be performance-based, with successful
19 job placement triggering full payment.

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

29 ~~(8)(9)~~(a) The Department of Management Services,
30 working with the Workforce Development Board, shall coordinate
31 among the agencies a plan for a One-Stop ~~Career Center~~

1 Electronic Network made up of one-stop delivery system ~~Career~~
2 centers and other partner agencies that are operated by
3 authorized public or private for-profit or not-for-profit
4 agents. The plan shall identify resources within existing
5 revenues to establish and support this electronic network for
6 service delivery that includes Government Services Direct.
7 (b) The network shall assure that a uniform method is
8 used to determine eligibility for and management of services
9 provided by agencies that conduct workforce development
10 activities. The Department of Management Services shall
11 develop strategies to allow access to the databases and
12 information management systems of the following systems in
13 order to link information in those databases with the one-stop
14 delivery system ~~Career Centers~~:
15 1. The Unemployment Compensation System of the
16 Department of Labor and Employment Security.
17 2. The Job Service System of the Department of Labor
18 and Employment Security.
19 3. The FLORIDA System and the components related to
20 WAGES, food stamps, and Medicaid eligibility.
21 4. The Workers' Compensation System of the Department
22 of Labor and Employment Security.
23 5. The Student Financial Assistance System of the
24 Department of Education.
25 6. Enrollment in the public postsecondary education
26 system.
27
28 The systems shall be fully coordinated at both the state and
29 local levels ~~by January 1, 2000~~.
30 Section 15. Section 288.9952, Florida Statutes, is
31 amended to read:

1 288.9952 Workforce Development Board.--
2 (1) There is created within the not-for-profit
3 corporate structure of Enterprise Florida, Inc., a
4 not-for-profit public-private Workforce Development Board.
5 (2) The Workforce Development Board is the principal
6 workforce organization for the state.The purpose of the
7 Workforce Development Board is to design and implement
8 strategies that help Floridians enter, remain in, and advance
9 in the workplace, becoming more highly skilled and successful,
10 benefiting these Floridians, Florida businesses, and the
11 entire state, and to assist in developing the state's business
12 climate.
13 (3)(2)(a) The Workforce Development Board shall be
14 governed by a 25-voting-member board of directors whose
15 membership and appointment must be consistent with Pub. L. No.
16 105-220, Title I, s. 111(b), and contain three representatives
17 of organized labor. Notwithstanding s. 114.05(1)(f)~~114.05(f)~~,
18 the Governor may appoint members of the current Workforce
19 Development Board to serve on the reconstituted board as
20 required by this section. By June 1, 1999, the Workforce
21 Development Board will provide to the Governor a transition
22 plan to incorporate the changes required by this act and Pub.
23 L. No. 105-220, specifying the ~~timeframe and~~ manner of changes
24 to the board. This plan shall govern the transition, unless
25 otherwise notified by the Governor. The importance of minority
26 and gender representation shall be considered when making
27 appointments to the board and the geographic representation of
28 board members shall also be considered. ~~Additional members may~~
29 ~~be appointed when necessary to conform to the requirements of~~
30 ~~Pub. L. No. 105-220.~~
31

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

4 (c) Private-sector members appointed by the Governor
5 must be appointed for 4-year, staggered terms. Public-sector
6 members appointed by the Governor must be appointed to 4-year
7 terms. Members appointed by the Governor serve at the pleasure
8 of the Governor.

9 (d) The Governor shall appoint members to the board of
10 directors of the Workforce Development Board within 30 days
11 after the receipt of nominations.

12 (e) A member of the board of directors of the
13 Workforce Development Board may be removed by the Governor for
14 cause. Absence from three consecutive meetings results in
15 automatic removal. The chairperson ~~chair~~ of the Workforce
16 Development Board shall notify the Governor of such absences.

17 (f) Representatives of businesses appointed to the
18 board of directors may not include providers of workforce
19 services.

20 ~~(4)(3)~~(a) The president of the Workforce Development
21 Board shall be hired by the president of Enterprise Florida,
22 Inc., and shall serve in the capacity of an executive director
23 and secretary of the Workforce Development Board.

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

27 (c) A majority of the total current membership of the
28 board of directors of the Workforce Development Board
29 comprises a quorum of the board.

30 (d) A majority of those voting is required to organize
31 and conduct the business of the ~~Workforce Development~~ board,

1 except that a majority of the entire board of directors ~~of the~~
2 ~~Workforce Development Board~~ is required to adopt or amend the
3 operational plan.

4 (e) Except as delegated or authorized by the board of
5 directors of the Workforce Development Board, individual
6 members have no authority to control or direct the operations
7 of the Workforce Development Board or the actions of its
8 officers and employees, including the president.

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

12 (f)(g) Members of the board of directors of the
13 Workforce Development Board and its committees shall serve
14 without compensation, but these members, the president, and
15 all employees of the Workforce Development Board may be
16 reimbursed for all reasonable, necessary, and actual expenses,
17 ~~as determined by the board of directors of Enterprise Florida,~~
18 ~~Inc.~~

19 (g)(h) The board of directors of the Workforce
20 Development Board may establish an executive committee
21 consisting of the chair and at least two additional board
22 members selected by the board of directors. The executive
23 committee and the president shall have such authority as the
24 ~~board of directors of the Workforce Development Board~~
25 delegates to it, except that the board of directors may not
26 delegate to the executive committee authority to take action
27 that requires approval by a majority of the entire board of
28 directors.

29 (h)(i) The chairperson ~~board of directors of the~~
30 ~~Workforce Development Board~~ may appoint committees to fulfill
31 its responsibilities, to comply with federal requirements, or

1 to obtain technical assistance, and must incorporate members
2 of regional workforce development boards into its structure.
3 At a minimum, the chairperson shall establish the following
4 standing committees: the First Jobs/First Wages Council, the
5 Better Jobs/Better Wages Council, and the High Skills/High
6 Wages Council. For purposes of Pub. L. No. 105-220, the First
7 Jobs/First Wages Council shall serve as the state's youth
8 council.

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

14 (5)(4) The Workforce Development Board shall have all
15 the powers and authority, not explicitly prohibited by
16 statute, necessary or convenient to carry out and effectuate
17 the purposes as determined by statute, Pub. L. No. 105-220,
18 and the Governor, as well as its functions, duties, and
19 responsibilities, including, but not limited to, the
20 following:

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

27 (b) Providing guidance with regard to workforce
28 development and supervising the expenditure, management, and
29 administration of funds for the following programs:

30 1. Programs authorized under Title I of the Workforce
31 Investment Act of 1998, Pub. L. No. 105-220, with the

- 1 exception of programs funded directly by the United States
2 Department of Labor under Title I, s. 167.
- 3 2. Programs authorized under the Wagner-Peyser Act of
4 1933, as amended, 29 U.S.C. ss. 49 et seq.
- 5 3. Welfare-to-work grants administered by the United
6 States Department of Labor under Title IV, s. 403, of the
7 Social Security Act, as amended.
- 8 4. Activities authorized under Title II of the Trade
9 Act of 1974, as amended; 2 U.S.C. ss. 2271 et seq.; and the
10 Trade Adjustment Assistance Program.
- 11 5. Activities authorized under 38 U.S.C., chapter 41,
12 including job counseling, training, and placement for
13 veterans.
- 14 6. Employment and training activities carried out
15 under the Community Services Block Grant Act, 42 U.S.C. ss.
16 9901 et seq.
- 17 7. Employment and training activities carried out
18 under funds awarded to this state by the United States
19 Department of Housing and Urban Development.
- 20 8. Welfare-transition services funded by the Temporary
21 Assistance for Needy Families Program, created under the
22 Personal Responsibility and Work Opportunity Reconciliation
23 Act of 1996, as amended, Pub. L. No. 104-193, and Title IV, s.
24 403 of the Social Security Act, as amended.
- 25 9. Apprenticeship services, provided under ss.
26 446.011-446.092.
- 27 10. Displaced homemaker programs, provided under s.
28 446.50.
- 29 11. The Florida Bonding Program, provided under Pub.
30 L. No. 97-300, s. 164(a)(1).
31

1 12. The Food Stamp Employment and Training Program,
2 provided under the Food Stamp Act of 1977, U.S.C. ss.
3 2011-2032; the Food Security Act of 1988, Pub. L. No. 99-198;
4 and the Hunger Prevention Act, Pub. L. No. 100-435.

5 13. The Quick-Response Training Program, provided
6 under ss. 288.046 and 288.047.

7 14. The Work Opportunity Tax Credit, provided under
8 the Tax and Trade Relief Extension Act of 1998, Pub. L. No.
9 105-277, and the Taxpayer Relief Act of 1997, Pub. L. 105-34.

10 15. Offender-placement services, provided under ss.
11 944.707 and 944.708.

12 16. Programs authorized under the National and
13 Community Service Act of 1990, 42 U.S.C. ss. 12501 et seq.,
14 and the Service-America programs, the National Service Trust
15 programs, the Civilian Community Corps, the Corporation for
16 National and Community Service, the American Conservation and
17 Youth Service Corps, and the Points of Light Foundation
18 programs, if such programs are awarded to the state.

19 17. Other programs funded by federal or state
20 appropriations, as determined by the Legislature in the
21 General Appropriations Act or by law.

22 (c)(b) Contracting with public and private entities as
23 necessary to further the directives of this section. All
24 contracts executed by the Workforce Development Board must
25 include specific performance expectations and deliverables and
26 must specify administrative costs., except that any contract
27 made with an organization represented on the board of
28 directors of Enterprise Florida, Inc., or on the board of
29 directors of the Workforce Development Board must be approved
30 by a two-thirds vote of the entire board of directors of the
31 Workforce Development Board, and, if applicable, the board

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

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

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

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

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

11 (f) Archiving records with the Bureau of Archives and
12 Records Management of the Division of Library and Information
13 Services of the Department of State.

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

20 (6) The Workforce Development Board may take action
21 that it deems necessary to achieve the purposes of this
22 section, including, but not limited to ~~and consistent with the~~
23 ~~policies of the board of directors of Enterprise Florida,~~
24 ~~Inc., in partnership with private enterprises, public~~
25 ~~agencies, and other organizations. The Workforce Development~~
26 ~~Board shall advise and make recommendations to the board of~~
27 ~~directors of Enterprise Florida, Inc., and through that board~~
28 ~~of directors to the State Board of Education and the~~
29 ~~Legislature concerning action needed to bring about the~~
30 ~~following benefits to the state's social and economic~~
31 ~~resources:~~

1 (a) Creating a state employment, education, and
2 training policy that ensures that programs to prepare workers
3 are responsive to present and future business and industry
4 needs and complement the initiatives of Enterprise Florida,
5 Inc.

6 (b) Establishing a funding system that provides
7 incentives to improve the outcomes of vocational education
8 programs, and of registered apprenticeship and work-based
9 learning programs, and that focuses resources on occupations
10 related to new or emerging industries that add greatly to the
11 value of the state's economy.

12 (c) Implementing a comprehensive approach to the
13 education and training of target populations such as those who
14 have disabilities, are economically disadvantaged, receive
15 public assistance, are not proficient in English, or are
16 dislocated workers. This approach should ensure the effective
17 use of federal, state, local, and private resources in
18 reducing the need for public assistance.

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

31

1 ~~Development Board to provide a coordinated approach to~~
2 ~~workforce development in this industry.~~

3 (e) Implementing a system to project and evaluate
4 labor market supply and demand using the results of the
5 Workforce Estimating Occupational Forecasting Conference
6 created in s. 216.136 and the career education performance
7 standards identified under s. 239.233.

8 (f) Reviewing ~~A review~~ of the performance of public
9 programs that are responsible for economic development,
10 education, employment, and training. The review must include
11 an analysis of the return on investment of these programs.

12 (g) Expanding the occupations identified by the
13 Workforce Estimating Conference to meet needs created by local
14 emergencies or plant closings or to capture occupations within
15 emerging industries.

16 (7) By December 1 of each year, Enterprise Florida,
17 Inc., shall submit to the Governor, the President of the
18 Senate, the Speaker of the House of Representatives, the
19 Senate Minority Leader, and the House Minority Leader a
20 complete and detailed annual report ~~by the Workforce~~
21 ~~Development Board~~ setting forth:

22 (a) All audits, including the audit in subsection (8),
23 if conducted.

24 (b) The operations and accomplishments of the
25 partnership including the programs or entities listed in
26 subsection (6).

27 (8) The Auditor General may, pursuant to his or her
28 own authority or at the direction of the Legislative Auditing
29 Committee, conduct an audit of the Workforce Development Board
30 or the programs or entities created by the Workforce
31 Development Board.

1 (9) The Workforce Development Board, in collaboration
2 with the regional workforce ~~development~~ boards and appropriate
3 state agencies and local public and private service providers,
4 and in consultation with the Office of Program Policy Analysis
5 and Government Accountability, shall establish uniform
6 measures and standards to gauge the performance of the
7 workforce development strategy. These measures and standards
8 must be organized into three outcome tiers.

9 (a) The first tier of measures must be organized to
10 provide benchmarks for systemwide outcomes. The Workforce
11 Development Board must, in collaboration with the Office of
12 Program Policy Analysis and Government Accountability,
13 establish goals for the tier-one outcomes. Systemwide outcomes
14 may include employment in occupations demonstrating continued
15 growth in wages; continued employment after 3, 6, 12, and 24
16 months; reduction in and elimination of public assistance
17 reliance; job placement; employer satisfaction; and positive
18 return on investment of public resources.

19 (b) The second tier of measures must be organized to
20 provide a set of benchmark outcomes for the initiatives of the
21 First Jobs/First Wages Council, the Better Jobs/Better Wages
22 Council, and the High Skills/High Wages Council ~~One-Stop~~
23 ~~Career Centers~~ and for each of the strategic components of the
24 workforce development strategy. ~~A set of standards and~~
25 ~~measures must be developed for One-Stop Career Centers, youth~~
26 ~~employment activities, WAGES, and High Skills/High Wages,~~
27 ~~targeting the specific goals of each particular strategic~~
28 ~~component.~~ Cost per entered employment, earnings at placement,
29 retention in employment, job placement, and entered employment
30 rate must be included among the performance outcome measures.
31

1 1. ~~Appropriate measures for One-Stop Career Centers~~
2 ~~may include direct job placements at minimum wage, at a wage~~
3 ~~level established by the Occupational Forecasting Conference,~~
4 ~~and at a wage level above the level established by the~~
5 ~~Occupational Forecasting Conference.~~

6 2. ~~Appropriate measures for youth employment~~
7 ~~activities may include the number of students enrolling in and~~
8 ~~completing work-based programs, including apprenticeship~~
9 ~~programs; job placement rate; job retention rate; wage at~~
10 ~~placement; and wage growth.~~

11 3. ~~WAGES measures may include job placement rate, job~~
12 ~~retention rate, wage at placement, wage growth, reduction and~~
13 ~~elimination of reliance on public assistance, and savings~~
14 ~~resulting from reduced reliance on public assistance.~~

15 4. ~~High Skills/High Wages measures may include job~~
16 ~~placement rate, job retention rate, wage at placement, and~~
17 ~~wage growth.~~

18 (c) The third tier of measures must be the operational
19 output measures to be used by the agency implementing
20 programs, and it may be specific to federal requirements. The
21 tier-three measures must be developed by the agencies
22 implementing programs, and the Workforce Development Board may
23 be consulted in this effort. Such measures must be reported to
24 the Workforce Development Board by the appropriate
25 implementing agency.

26 (d) Regional differences must be reflected in the
27 establishment of performance goals and may include job
28 availability, unemployment rates, average worker wage, and
29 available employable population. ~~All performance goals must be~~
30 ~~derived from the goals, principles, and strategies established~~
31 ~~in the Workforce Florida Act of 1996.~~

1 (e) Job placement must be reported pursuant to s.
2 229.8075. Positive outcomes for providers of education and
3 training must be consistent with ss. 239.233 and 239.245.

4 (f) The uniform measures of success that are adopted
5 by the Workforce Development Board or the regional workforce
6 ~~development~~ boards must be developed in a manner that provides
7 for an equitable comparison of the relative success or failure
8 of any service provider in terms of positive outcomes.

9 (g) By December 1 ~~October 15~~ of each year, the
10 Workforce Development Board shall provide the Legislature with
11 a report detailing the performance of Florida's workforce
12 development system, as reflected in the three-tier measurement
13 system. Additionally, this report must benchmark Florida
14 outcomes, at all tiers, against other states that collect data
15 similarly.

16 (10) The workforce-development strategy for the state
17 shall be designed by the Workforce Development Board and shall
18 be centered around the strategies of First Jobs/First Wages,
19 Better Jobs/Better Wages, and High Skills/High Wages.

20 (a) First Jobs/First Wages is the state's strategy to
21 promote successful entry into the workforce through education
22 and workplace experience that lead to self-sufficiency and
23 career advancement. The components of the strategy include
24 efforts that enlist business, education, and community support
25 for students to achieve long-term career goals, ensuring that
26 young people have the academic and occupational skills
27 required to succeed in the workplace.

28 (b) Better Jobs/Better Wages is the state's strategy
29 for assisting employers in upgrading or updating the skills of
30 their employees and for assisting incumbent workers in
31 improving their performance in their current jobs or acquiring

1 the education or training needed to secure a better job with
2 better wages.

3 (c) High Skills/High Wages is the state's strategy for
4 aligning education and training programs with high-paying,
5 high-demand occupations that advance individuals' careers,
6 build a more skilled workforce, and enhance Florida's efforts
7 to attract and expand job-creating business.

8 (11) The workforce development system shall use a
9 charter-process approach aimed at encouraging local design and
10 control of service delivery and targeted activities. The
11 Workforce Development Board shall be responsible for granting
12 charters to regional workforce boards that have a membership
13 consistent with the requirements of federal and state law and
14 that have developed a plan consistent with the state's
15 workforce-development strategy. The plan must specify methods
16 for allocating the resources and programs in a manner that
17 eliminates unwarranted duplication, minimizes administrative
18 costs, meets the existing job-market demands and the
19 job-market demands resulting from successful
20 economic-development activities, ensures access to quality
21 workforce-development services for all Floridians, and
22 maximizes successful outcomes. As part of the charter process,
23 the Workforce Development Board shall establish incentives for
24 effective coordination of federal and state programs, outline
25 rewards for successful job placements, and institute
26 collaborative approaches among local service providers. Local
27 decisionmaking and control shall be important components for
28 inclusion in this charter application. All charters granted by
29 the Workforce Development Board must include specific
30 performance expectations.

31

1 Section 16. Sections 288.99521, 288.99522, 288.99523,
2 288.99524, and 288.99525, Florida Statutes, are created to
3 read:

4 288.99521 First Jobs/First Wages Council, Better
5 Jobs/Better Wages Council, and High Skills/High Wages Council
6 of the Workforce Development Board.--

7 (1) The chairperson of the Workforce Development Board
8 shall establish by October 1, 2000, and shall maintain at
9 least until September 30, 2002, three standing councils, which
10 shall be known as the First Jobs/First Wages Council, the
11 Better Jobs/Better Wages Council, and the High Skills/High
12 Wages Council.

13 (a) The chairperson of the Workforce Development Board
14 shall determine the number of members to serve on each
15 council.

16 (b) Each council shall be composed of individuals
17 appointed by the chairperson of the Workforce Development
18 Board from the membership of the board of directors and
19 individuals from outside the Workforce Development Board who
20 possess relevant experience or expertise in the subject area
21 of the council. A majority of the membership of each council
22 must be members of the board of directors of the Workforce
23 Development Board.

24 (c) The chairperson of the Workforce Development Board
25 shall name a chairperson for each council from among the
26 members of the council who are also members of the board of
27 directors.

28 (d) Each council may meet at the call of its
29 chairperson or at the direction of the board of directors of
30 the Workforce Development Board, but shall meet at least
31 quarterly.

1 (2) The First Jobs/First Wages Council shall develop
2 strategies for approval by the board of directors of the
3 Workforce Development Board which promote the successful entry
4 of individuals, including young people and adults working for
5 the first time, into the workforce. The council shall advise
6 the board of directors and make recommendations on
7 implementing programs and expending funds in support of such
8 youth workforce strategies. The council shall serve as the
9 state's youth council for purposes of Pub. L. No. 105-220.

10 (3) The Better Jobs/Better Wages Council shall develop
11 strategies for approval by the board of directors of the
12 Workforce Development Board which promote the ability of adult
13 workers to build careers by obtaining and retaining jobs with
14 potential for advancement over time. The mission of the
15 council includes developing strategies that promote the
16 ability of participants in the welfare-transition program to
17 succeed in the workforce and avoid a return to dependence upon
18 cash assistance from the government. The council shall advise
19 the board of directors and make recommendations on
20 implementing programs and expending funds in support of such
21 adult workforce strategies.

22 (4) The High Skills/High Wages Council shall develop
23 strategies for approval by the board of directors of the
24 Workforce Development Board which align the education and
25 training programs with high-paying, high-demand occupations
26 that advance individuals' careers, build a more skilled
27 workforce, and enhance the state's efforts to attract and
28 expand job-creating businesses. The council shall advise the
29 board of directors and make recommendations on implementing
30 programs and expending funds in support of such
31 high-skills/high-wages strategies.

1 (5) Prior to the 2002 legislative session, the board
2 of directors of the Workforce Development Board shall report
3 to the Governor, the President of the Senate, and the Speaker
4 of the House of Representatives on the contribution of the
5 councils toward fulfilling the goals of the Workforce
6 Development Board. The report must include recommendations on
7 whether the councils should be continued and on any proposed
8 legislative action concerning the councils.

9 288.99522 Strategic plan for workforce development.--

10 (1) The Workforce Development Board, in conjunction
11 with state and local partners in the workforce system, shall
12 develop a strategic plan for workforce, with the goal of
13 producing skilled employees for employers in the state. The
14 strategic plan shall be submitted to the Governor, the
15 President of the Senate, and the Speaker of the House of
16 Representatives by February 1, 2001. The strategic plan shall
17 be updated or modified by January 1 of each year thereafter,
18 unless the board of directors of the Workforce Development
19 Board determines that updates or modifications are not
20 necessary, in which case the Workforce Development Board shall
21 notify the Governor, the President of the Senate, and the
22 Speaker of the House of Representatives of such determination.
23 The plan must include, but need not be limited to, strategies
24 for:

25 (a) Fulfilling the workforce system goals and
26 strategies prescribed in s. 288.9952.

27 (b) Aggregating, integrating, and leveraging workforce
28 system resources.

29 (c) Coordinating the activities of federal, state, and
30 local workforce system partners.

31

1 (d) Addressing the workforce needs of small
2 businesses.

3 (e) Fostering the participation of rural communities
4 and distressed urban cores in the workforce system.

5 (2) As a component of the strategic plan required
6 under this section, the Workforce Development Board shall
7 develop a workforce marketing plan, with the goal of educating
8 individuals inside and outside the state about the employment
9 market and employment conditions in the state. The marketing
10 plan must include, but need not be limited to, strategies for:

11 (a) Distributing information to secondary and
12 postsecondary education institutions about the diversity of
13 businesses in the state, specific clusters of businesses or
14 business sectors in the state, and occupations by industry
15 which are in demand by employers in the state.

16 (b) Distributing information about and promoting use
17 of the Internet-based job-matching and labor-market
18 information system authorized under s. 288.99524.

19 (c) Coordinating with Enterprise Florida, Inc., to
20 ensure that workforce marketing efforts complement the
21 economic development marketing efforts of the state.

22 (3) The strategic plan must include performance
23 measures, standards, measurement criteria, and contract
24 guidelines in the following areas with respect to participants
25 in the welfare-transition program:

26 (a) Work-participation rates, by type of activity.

27 (b) Caseload trends.

28 (c) Recidivism.

29 (d) Participation in diversion and relocation
30 assistance programs.

31 (e) Employment retention.

1 (f) Wage growth.
2 (g) Other issues identified by the board of directors
3 of the Workforce Development Board.
4 (4) The strategic plan must include criteria for
5 allocating workforce resources to regional workforce boards.
6 With respect to allocating funds to serve customers of the
7 welfare-transition program, such criteria may include
8 weighting factors that indicate the relative degree of
9 difficulty associated with securing and retaining employment
10 placements for specific subsets of the welfare-transition
11 caseload.
12 (5)(a) The strategic plan must include a
13 performance-based payment structure to be used for all
14 welfare-transition program customers which takes into account:
15 1. The degree of difficulty associated with placement
16 and retention.
17 2. The quality of the placement with respect to
18 salary, benefits, and opportunities for advancement.
19 3. The employee's retention in the placement.
20 (b) The payment structure must provide that a minimum
21 of 15 percent of the total amount of the contract for services
22 be reserved until receipt of evidence of satisfactory
23 performance under the contract.
24 288.99523 Workforce system information technology;
25 principles and information sharing.--
26 (1) The following principles shall guide the
27 development and management of workforce system information
28 resources:
29 (a) Workforce system entities should be committed to
30 information sharing.
31

1 (b) Cooperative planning by workforce-system entities
2 is a prerequisite for the effective development of systems to
3 enable the sharing of data.

4 (c) Workforce-system entities should maximize public
5 access to data while complying with legitimate security,
6 privacy, and confidentiality requirements.

7 (d) When the capture of data for the mutual benefit of
8 workforce-system entities can be accomplished, the costs for
9 capturing, managing, and disseminating those data should be
10 shared.

11 (e) The redundant capture of data should, insofar as
12 possible, be eliminated.

13 (f) Only data that are auditable, or that otherwise
14 can be determined to be accurate, valid, and reliable, should
15 be maintained in workforce-information systems.

16 (g) The design of workforce-information systems should
17 support technological flexibility for users without
18 compromising system integration or data integrity, be based
19 upon open standards, and use platform-independent technologies
20 to the fullest extent possible.

21 (2) Information that is essential to the integrated
22 delivery of services through the one-stop delivery system must
23 be shared between partner agencies within the workforce system
24 to the full extent permitted under state and federal law. In
25 order to enable the full integration of services for a
26 specific workforce-system customer, that customer must be
27 offered the opportunity to provide written consent prior to
28 sharing any information concerning that customer between the
29 workforce-system partners which is subject to confidentiality
30 under state or federal law.

31 288.99524 Workforce information systems.--

1 (1) The Workforce Development Board shall implement,
2 subject to legislative appropriation, automated information
3 systems that are necessary for the efficient and effective
4 operation and management of the workforce-development system.
5 These information systems shall include, but need not be
6 limited to, the following:

7 (a) An integrated management system for the one-stop
8 service delivery system, which includes, at a minimum, common
9 registration and intake, screening for needs and benefits,
10 case planning and tracking, training-benefits management,
11 service and training provider management, performance
12 reporting, executive information and reporting, and customer
13 satisfaction tracking and reporting.

14 (b) An automated job-matching information system that
15 is accessible to employers, job seekers, and other users via
16 the Internet, and that includes, at a minimum:

17 1. Skill-match information, including skill-gap
18 analysis; resume creation; job-order creation; skill tests;
19 job search by area, employer type, and employer name; and
20 training-provider linkage.

21 2. Job-market information based on surveys, including
22 local, state, regional, and national occupational and
23 job-availability information.

24 3. Service-provider information, including education
25 and training providers, child care facilities and related
26 information, health and social service agencies, and other
27 providers of services that would be useful to job seekers.

28 (2) In procuring workforce information systems, the
29 Workforce Development Board shall employ competitive
30 processes, including requests for proposals, competitive
31 negotiation, and other competitive processes, to ensure that

1 the procurement results in the most cost-effective investment
2 of state funds.

3 (3) The Workforce Development Board may procure
4 independent verification and validation services associated
5 with developing and implementing any workforce information
6 system.

7 (4) The Workforce Development Board shall coordinate
8 development and implementation of workforce information
9 systems with the state's Chief Information Officer in the
10 State Technology Office to ensure compatibility with the
11 state's information system strategy and enterprise
12 architecture.

13 288.99525 Small business workforce service
14 initiative.--

15 (1) Subject to legislative appropriation, the
16 Workforce Development Board shall establish a program to
17 encourage regional workforce development boards to establish
18 one-stop delivery systems that maximize the provision of
19 workforce and human-resource support services to small
20 businesses. Under the program, a regional workforce board may
21 apply, on a competitive basis, for funds to support the
22 provision of such services to small businesses through the
23 region's one-stop delivery system.

24 (2) Eligible uses of funds under this program include,
25 but are not limited to:

26 (a) Identifying common training needs among small
27 businesses.

28 (b) Developing curriculum to address common training
29 needs among small businesses.

30 (c) Facilitating the provision of training services
31 for such small businesses through eligible training providers.

1 (d) Assisting small businesses to identify incentives
2 and complete applications or other paperwork associated with
3 such incentives.

4 (e) Establishing a single point of contact for the
5 provision of preemployment and postemployment services to
6 small businesses.

7 (3) The Workforce Development Board shall establish
8 guidelines governing the administration of this program and
9 shall establish criteria to be used in evaluating applications
10 for funding. Such criteria must include, but need not be
11 limited to, a showing that the regional board has in place a
12 detailed plan for establishing a one-stop delivery system
13 designed to meet the workforce needs of small businesses and
14 for leveraging other funding sources in support of such
15 activities.

16 (4) For purposes of this section, the term "small
17 business" means an independently owned and operated business
18 concern that employs 30 or fewer permanent full-time employees
19 and that, together with its affiliates, has a net worth of not
20 more than \$3 million and an average net income, after federal
21 income taxes and excluding any carryover losses, of not more
22 than \$2 million for the preceding 2 years.

23 Section 17. Section 288.9953, Florida Statutes, is
24 amended to read:

25 288.9953 Regional Workforce ~~Development~~ Boards.--

26 (1) One regional workforce ~~development~~ board shall be
27 appointed in each designated service delivery area and shall
28 serve as the local workforce investment board pursuant to Pub.
29 L. No. 105-220. The membership of the board shall be
30 consistent with Pub. L. No. 105-220, Title I, s. 117(b), and
31 contain three representatives of organized labor. No person

1 appointed to the board may serve more than two consecutive
2 terms. Each regional workforce board shall appoint a
3 chairperson. Any person appointed as chairperson must have,
4 at a minimum, an earned university degree in the area of
5 education or business. The importance of minority and gender
6 representation shall be considered when making appointments to
7 the board. If the regional workforce board enters into a
8 contract with an organization or individual represented on the
9 board of directors, the contract must be approved by a
10 two-thirds vote of the entire board, and the board member who
11 could benefit financially from the transaction must abstain
12 from voting on the contract. A board member must disclose any
13 such conflict in a manner that is consistent with the
14 procedures outlined in s. 112.3143. ~~A member of a regional~~
15 ~~workforce development board may not vote on a matter under~~
16 ~~consideration by the board regarding the provision of services~~
17 ~~by such member, or by an entity that such member represents;~~
18 ~~vote on a matter that would provide direct financial benefit~~
19 ~~to such member or the immediate family of such member; or~~
20 ~~engage in any other activity determined by the Governor to~~
21 ~~constitute a conflict of interest as specified in the state~~
22 ~~plan.~~

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

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

1 (4) In addition to the duties and functions specified
2 by the Workforce Development Board and by the interlocal
3 agreement approved by the local county or city governing
4 bodies, the regional workforce ~~development~~ board shall have
5 the following responsibilities:

6 (a) Develop, submit, ratify, or amend the local plan
7 pursuant to Pub. L. No. 105-220, Title I, s. 118.

8 (b) Conclude agreements necessary to designate the
9 fiscal agent and service provider ~~administrative entity~~. A
10 public or private entity that makes a majority of the
11 appointments to a regional workforce board may not serve as
12 the board's service provider. The Workforce Development Board
13 may waive this prohibition upon a showing that, based upon the
14 availability of potential, qualified public or private
15 entities in the region, such prohibition would unduly impede
16 the ability of the regional workforce board to identify a
17 service provider or fiscal agent. As a condition of
18 authorizing a regional workforce board to designate the local
19 governmental unit or a council of government consortium as the
20 board's service provider, the Workforce Development Board must
21 require the regional workforce board to demonstrate that a
22 fair and competitive process was used to select the service
23 provider.

24 (c) Complete assurances required for the Workforce
25 Development Board charter process and provide ongoing
26 oversight related to administrative costs, duplicated
27 services, career counseling, economic development, equal
28 access, compliance and accountability, and performance
29 outcomes.

30 (d) Oversee the one-stop delivery system ~~Career~~
31 ~~Centers~~ in its local area.

1 (5) The Workforce Development Board shall implement a
2 training program for the regional workforce ~~development~~ boards
3 to familiarize board members with the state's workforce
4 development goals and strategies. The regional workforce
5 ~~development~~ board shall designate all local service providers
6 and shall not transfer this authority to a third party. In
7 order to exercise independent oversight, the regional
8 workforce ~~development~~ board shall not be a direct provider of
9 intake, assessment, eligibility determinations, or other
10 direct provider services.

11 (6) Regional workforce ~~development~~ boards may appoint
12 local committees to obtain technical assistance on issues of
13 importance, including those issues affecting older workers.

14 (7) Each regional workforce ~~development~~ board shall
15 establish by October 1, 2000, and shall maintain at least
16 until September 30, 2002, a high skills/high wages committee
17 consisting of at least five private-sector business
18 representatives appointed in consultation with local chambers
19 of commerce by the primary county economic-development
20 organization within the region, as identified by Enterprise
21 Florida, Inc.; a representative of each primary county
22 economic-development organization within the region;
23 ~~including the regional workforce ~~development~~ board~~ chairperson
24 ~~chair;~~ the presidents of all community colleges within the
25 board's region; those district school superintendents with
26 authority for conducting postsecondary educational programs
27 within the region; and two representatives ~~a representative~~
28 ~~from a nonpublic postsecondary educational institutions~~
29 ~~institution that are is an~~ authorized individual training
30 account providers ~~provider~~ within the region, appointed by the
31 chairperson of the regional workforce board. The business

1 representatives appointed by the primary county
2 economic-development organizations ~~other than the board chair~~
3 ~~need not be members of the regional workforce development~~
4 board and shall represent those industries that are of primary
5 importance to the region's current and future economy. In a
6 multicounty region, each primary county economic-development
7 organization within the region shall appoint at least one
8 business representative and shall consult with the other
9 primary county economic-development organizations within the
10 region to make joint appointments when necessary.

11 (a) At least annually ~~During fiscal year 1999-2000,~~
12 each high skills/high wages committee shall submit, ~~quarterly,~~
13 recommendations to the Workforce Development Board related to:

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

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

21 (b) The committees shall also make reports to the
22 Workforce Development Board annually, on dates specified by
23 the Workforce Development Board that identify occupations in
24 the region deemed critical to business retention, expansion,
25 and recruitment activities, based on guidelines set by the
26 Workforce Development Board. Such guidelines shall include
27 research of the workforce needs of private employers in the
28 region, in consultation with local chambers of commerce and
29 economic-development organizations. Occupations identified
30 pursuant to this paragraph shall be considered by the
31 Workforce Development Board for inclusion in the region's

1 ~~targeted occupation list. After fiscal year 1999-2000, the~~
2 ~~Workforce Development Board has the discretion to decrease the~~
3 ~~frequency of reporting by the high skills/high wages~~
4 ~~committees, but the committees shall meet and submit any~~
5 ~~recommendations at least annually.~~

6 ~~(c) Annually, the Workforce Development Board shall~~
7 ~~compile all the recommendations of the high skills/high wages~~
8 ~~committees, research their feasibility, and make~~
9 ~~recommendations to the Governor, the President of the Senate,~~
10 ~~and the Speaker of the House of Representatives.~~

11 (8) Each regional workforce board shall establish a
12 better jobs/better wages committee consisting of at least five
13 members. Initial appointments to this committee shall include
14 at least three members of the local WAGES coalition,
15 established pursuant to chapter 96-175, Laws of Florida.

16 (9) Each regional workforce board shall establish a
17 first jobs/first wages committee consisting of at least five
18 members. This committee shall serve as the youth council for
19 purposes of Pub. L. No. 105-220.

20 (10) The importance of minority and gender
21 representation shall be considered when appointments are made
22 to any committee established by the regional workforce board.

23 (11) For purposes of procurement, regional workforce
24 boards and their administrative entities are not state
25 agencies, but the boards and their administrative entities
26 must comply with state procurement laws and procedures until
27 the Workforce Development Board adopts the provisions or
28 alternative procurement procedures that meet the requirements
29 of federal law. All contracts executed by regional workforce
30 boards must include specific performance expectations and
31 deliverables.

1 Section 18. Section 288.9956, Florida Statutes, is
2 amended to read:

3 288.9956 Implementation of the federal Workforce
4 Investment Act of 1998.--

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

8 (a) Streamlining Services.--Florida's employment and
9 training programs must be coordinated and consolidated at
10 locally managed one-stop delivery system ~~Career~~ centers.

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

14 (c) Universal Access.--Through a one-stop delivery
15 system ~~Career Centers~~, every Floridian will have access to
16 employment services.

17 (d) Increased Accountability.--The state, localities,
18 and training providers will be held accountable for their
19 performance.

20 (e) Local Board and Private Sector Leadership.--Local
21 boards will focus on strategic planning, policy development,
22 and oversight of the local system, choosing local managers to
23 direct the operational details of their one-stop delivery
24 system center ~~Career Centers~~.

25 (f) Local Flexibility and Integration.--Localities
26 will have exceptional flexibility to build on existing
27 reforms. Unified planning will free local groups from
28 conflicting micromanagement, while waivers and WorkFlex will
29 allow local innovations.

30 (2) FIVE-YEAR PLAN.--The Workforce Development Board
31 shall prepare and submit a 5-year plan, which includes

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

18 (3) FUNDING.--

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

26 1. At least 50 percent of the Title I funds for Adults
27 and Dislocated Workers that are passed through to regional
28 workforce ~~development~~ boards shall be allocated to Individual
29 Training Accounts unless a regional workforce ~~development~~
30 board obtains a waiver from the Workforce Development Board.
31 Tuition, fees, and performance-based incentive awards paid in

1 compliance with Florida's Performance-Based Incentive Fund
2 Program qualify as an Individual Training Account expenditure,
3 as do other programs developed by regional workforce
4 ~~development~~ boards in compliance with the Workforce
5 Development Board's policies.

6 2. Fifteen percent of Title I funding shall be
7 retained at the state level and shall be dedicated to state
8 administration and used to design, develop, induce, and fund
9 innovative Individual Training Account pilots, demonstrations,
10 and programs. Of such funds retained at the state level, \$2
11 million shall be reserved for the Incumbent Worker Training
12 Program created under subparagraph 3.Eligible state
13 administration costs include the costs of: funding for ~~of~~ the
14 ~~Workforce Development~~ board and Workforce Development Board's
15 staff; operating fiscal, compliance, and management
16 accountability systems through the Workforce Development
17 Board; conducting evaluation and research on workforce
18 development activities; and providing technical and capacity
19 building assistance to regions at the direction of the
20 Workforce Development Board. Notwithstanding s. 288.9952, such
21 administrative costs shall not exceed 25 percent of these
22 funds. An amount not to exceed 75 ~~Seventy~~ percent of these
23 funds shall be allocated to Individual Training Accounts and
24 other workforce development strategies for: the Minority
25 Teacher Education Scholars program, the Certified Teacher-Aide
26 program, the Self-Employment Institute, and other ~~Individual~~
27 training ~~Accounts~~ designed and tailored by the Workforce
28 Development Board, including, but not limited to, programs for
29 incumbent workers, displaced homemakers, nontraditional
30 employment, empowerment zones, and enterprise zones. The
31 Workforce Development Board shall design, adopt, and fund

1 Individual Training Accounts for distressed urban and rural
2 communities. ~~The remaining 5 percent shall be reserved for the~~
3 ~~Incumbent Worker Training Program.~~

4 3. The Incumbent Worker Training Program is created
5 for the purpose of providing grant funding for continuing
6 education and training of incumbent employees at existing
7 Florida businesses. The program will provide reimbursement
8 grants to businesses that pay for preapproved, direct,
9 training-related costs.

10 a. The Incumbent Worker Training Program will be
11 administered by ~~a private business organization, known as the~~
12 ~~grant administrator, under contract with~~ the Workforce
13 Development Board. The Workforce Development Board, at its
14 discretion, may contract with a private business organization
15 to serve as grant administrator.

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

27 c. All costs reimbursed by the program must be
28 preapproved by the grant administrator. The program will not
29 reimburse businesses for trainee wages, the purchase of
30 capital equipment, or the purchase of any item or service that
31 may possibly be used outside the training project. A business

1 approved for a grant may be reimbursed for preapproved,
2 direct, training-related costs including tuition and fees;
3 books and classroom materials; and overhead or indirect
4 ~~administrative~~ costs not to exceed 5 percent of the grant
5 amount.

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

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

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

25 g. No more than 10 percent of the Incumbent Worker
26 Training Program's total appropriation may be used for
27 overhead or indirect ~~administrative~~ purposes.

28 h. The grant administrator shall ~~is required to~~ submit
29 a report to the Workforce Development Board and the
30 Legislature on the financial and general operations of the
31 Incumbent Worker Training Program. Such report will be due

1 before October ~~December~~ 1 of any fiscal year for which the
2 program is funded by the Legislature.

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

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

30 1. All policy direction to regional workforce
31 ~~development~~ boards regarding Title I programs and Rapid

1 Response activities shall emanate from the Workforce
2 Development Board.

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

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

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

17 (4) FEDERAL REQUIREMENTS, EXCEPTIONS AND REQUIRED
18 MODIFICATIONS.--

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

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

30 (c) The Workforce Development Board may make
31 modifications to the state's plan, policies, and procedures to

1 comply with federally mandated requirements that in its
2 judgment must be complied with to maintain funding provided
3 pursuant to Pub. L. No. 105-220. The board shall notify in
4 writing the Governor, the President of the Senate, and the
5 Speaker of the House of Representatives within 30 days after
6 ~~of~~ any such changes or modifications.

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

11 (6) LONG-TERM CONSOLIDATION OF WORKFORCE
12 DEVELOPMENT.--

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

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

30 ~~(7) TERMINATION OF SET-ASIDE.--For those state and~~
31 ~~federal set-asides terminated by the federal Workforce~~

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

12 Section 19. The Workforce Development Board of
13 Enterprise Florida, Inc., shall reserve up to \$1 million of
14 fiscal year 2000-2001 funds dedicated for Incumbent Worker
15 Training for the digital media industry. Training may be
16 provided by public or private training providers for broadband
17 digital media jobs listed on the Occupational Forecast List
18 developed by the Workforce Estimating Conference or the
19 Targeted Occupations List of the Workforce Development Board.
20 Programs that operate outside the normal semester time periods
21 and coordinate the use of industry and public resources should
22 be given priority status for such reserved funds.

23 Section 20. Paragraph (b) of subsection (8) of section
24 443.151, Florida Statutes, is amended to read:

25 443.151 Procedure concerning claims.--

26 (8) BILINGUAL REQUIREMENTS.--

27 (b) The division shall ensure that one-stop delivery
28 system centers ~~jobs and benefits offices~~ and appeals bureaus
29 in counties subject to the requirements of paragraph (c)
30 prominently post notices in the appropriate languages that
31

1 translators are available in those centers ~~offices~~ and
2 bureaus.

3 Section 21. Paragraph (d) of subsection (6) of section
4 443.231, Florida Statutes, is amended to read:

5 443.231 Florida Training Investment Program.--The
6 Florida Training Investment Program is designed to extend
7 additional benefit eligibility to dislocated workers
8 throughout Florida who have lost their jobs, have limited
9 marketable skills, and enroll in vocational training intended
10 to lead to employment in a recognized occupation for which
11 there is labor market demand. Pursuant thereto:

12 (6) PROCEDURE.--

13 (d) A determination or redetermination will become
14 final unless the claimant files, by mail or in person at the
15 local one-stop delivery system center ~~jobs and benefits~~
16 ~~office~~, an appeal of a determination or redetermination within
17 20 calendar days after the mailing of the Notice of
18 Determination or Redetermination to the claimant's last known
19 address, or if such notice is not mailed, within 20 calendar
20 days after the date of delivery of such notice. Appeals by
21 mail shall be considered filed when postmarked by the United
22 States Postal Service.

23 Section 22. Section 446.40, Florida Statutes, is
24 amended to read:

25 446.40 Rural Workforce ~~Manpower~~ Services Act; short
26 title.--Sections 446.40-446.44 may ~~shall~~ be cited as the
27 "Rural Workforce ~~Manpower~~ Services Act."

28 Section 23. Section 446.41, Florida Statutes, is
29 amended to read:

30 446.41 Legislative intent with respect to rural
31 workforce ~~manpower~~ training and development; establishment of

1 Rural Workforce ~~Manpower~~ Services Program.--In order that the
2 state may achieve its full economic and social potential,
3 consideration must be given to rural workforce ~~manpower~~
4 training and development to enable its rural citizens as well
5 as urban citizens to develop their maximum capacities and
6 participate productively in our society. It is, therefore,
7 the policy of the state to make available those services
8 needed to assist individuals and communities in rural areas to
9 improve their quality of life. It is with a great sense of
10 urgency that a Rural Workforce ~~Manpower~~ Services Program is
11 established within the Division of Jobs and Benefits of the
12 Department of Labor and Employment Security to provide equal
13 access to all workforce ~~manpower~~ training programs available
14 to rural as well as urban areas.

15 Section 24. Section 446.42, Florida Statutes, is
16 amended to read:

17 446.42 General purpose of Rural Workforce ~~Manpower~~
18 Services Program.--A trained labor force is an essential
19 ingredient for industrial as well as agricultural growth.
20 Therefore, it shall be the general responsibility of the Rural
21 Workforce ~~Manpower~~ Services Program to provide rural business
22 and potential rural businesses with the employment and
23 workforce ~~manpower~~ training services and resources necessary
24 to train and retain Florida's rural workforce.

25 Section 25. Section 446.43, Florida Statutes, is
26 amended to read:

27 446.43 Scope and coverage of Rural Workforce ~~Manpower~~
28 Services Program.--The scope of the area to be covered by the
29 Rural Workforce ~~Manpower~~ Services Program will include all
30 counties of the state not classified as standard metropolitan
31 statistical areas (SMSA) by the United States Department of

1 Labor Manpower Administration. Florida's designated SMSA labor
2 areas include: Broward, Dade, Duval, Escambia, Hillsborough,
3 Pinellas, Leon, Orange, and Palm Beach Counties.

4 Section 26. Section 446.44, Florida Statutes, is
5 amended to read:

6 446.44 Duties of Rural Workforce Manpower Services
7 Program.--It shall be the direct responsibility of the Rural
8 Workforce Manpower Services Program to promote and deliver ~~all~~
9 employment and workforce manpower services and resources to
10 the rural undeveloped and underdeveloped counties of the state
11 in an effort to:

12 (1) Slow down out-migration of untrained rural
13 residents to the state's overcrowded large metropolitan
14 centers.

15 (2) Assist Enterprise Florida, Inc., ~~the department's~~
16 ~~Economic Development Division~~ in attracting light,
17 pollution-free industry to the rural counties.

18 (3) Improve the economic status of the impoverished
19 rural residents.

20 (4) Provide present and new industry with the
21 workforce manpower training resources necessary for them to
22 train the untrained rural workforce toward gainful employment.

23 (5) Develop rural workforce manpower programs that
24 ~~which~~ will be evaluated, planned, and implemented through
25 communications and planning with appropriate:

26 (a) Departments of state and federal governments.

27 (b) Units of Enterprise Florida, Inc. ~~Divisions,~~
28 ~~bureaus, or sections of the Department of Commerce.~~

29 (c) Agencies and organizations of the public and
30 private sectors at the state, regional, and local levels.

31

1 Section 27. Paragraph (a) of subsection (3) and
2 subsection (11) of section 239.249, Florida Statutes, are
3 amended to read:

4 239.249 Market-driven, performance-based incentive
5 funding for vocational and technical education programs.--

6 (3) In any year in which the Legislature designates
7 funds for performance-based incentive funding for vocational
8 and technical education programs provided by school districts
9 or community colleges, the Division of Workforce Development
10 shall provide the Jobs and Education Partnership with
11 recommended formulae, criteria, timeframes, and mechanisms for
12 distributing funds. The partnership shall adopt a formula and
13 advise the Division of Community Colleges and the Division of
14 Workforce Development of the expected incentive award earnings
15 of school districts or colleges. The partnership shall base
16 these calculations on formulae that would provide incentive
17 awards or grants for:

18 (a) Programs that prepare people to enter high-wage
19 occupations identified by the Workforce Estimating
20 ~~Occupational Forecasting~~ Conference created by s. 216.136 and
21 other programs as approved by the Jobs and Education
22 Partnership. Local school district superintendents, community
23 college presidents, and private industry councils shall
24 receive the Workforce Estimating ~~Occupational Forecasting~~
25 Conference results for their respective geographic areas to
26 assess local applicability. At a minimum, performance
27 incentives shall be calculated for people who complete
28 programs that lead to specified high-wage employment and their
29 placement in that employment. Leavers with marketable skills
30 may also be calculated for the purposes of this paragraph.
31 Baseline information for these calculations shall be based

1 upon institutional information compiled by the Florida
2 Education and Training Placement Information Program for the
3 1992-1993 school year. The baseline information calculated for
4 the purposes of this paragraph shall be adjusted for a
5 3-percent annual increase in productivity beginning in
6 1995-1996.

7 (11) The Jobs and Education Partnership may add
8 occupations to the list of recommendations produced by the
9 Workforce Estimating ~~Occupational Forecasting~~ Conference if
10 the Quick-Response Advisory Committee recommends them as
11 emerging occupations according to s. 288.047.

12 Section 28. Paragraph (g) of subsection (3) and
13 subsection (5) of section 288.9950, Florida Statutes, are
14 amended to read:

15 288.9950 Workforce Florida Act of 1996.--

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

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 Workforce
21 Estimating ~~Occupational Forecasting~~ Conference under s.
22 216.136.

23 (5) The workforce development system shall utilize a
24 charter process approach aimed at encouraging local design and
25 control of service delivery and targeted activities. The
26 Workforce Development Board shall be responsible for granting
27 charters to regional workforce ~~development~~ boards that have a
28 membership consistent with the requirements of federal and
29 state law and that have developed a plan consistent with the
30 state's workforce development strategy. The plan shall specify
31 methods for allocating the resources and programs in a manner

1 that eliminates unwarranted duplication, minimizes
2 administrative costs, meets the existing job market demands
3 and the job market demands resulting from successful economic
4 development activities, ensures access to quality workforce
5 development services for all Floridians, and maximizes
6 successful outcomes. As part of the charter process, the
7 Workforce Development Board shall establish incentives for
8 effective coordination of federal and state programs, outline
9 rewards for successful job placements, and institute
10 collaborative approaches among local service providers. Local
11 decisionmaking and control shall be important components for
12 inclusion in this charter application.

13 Section 29. Subsections (1), (3), (4), (5), and (7) of
14 section 288.9953, Florida Statutes, are amended to read:

15 288.9953 Regional Workforce Development Boards.--

16 (1) One regional workforce ~~development~~ board shall be
17 appointed in each designated service delivery area and shall
18 serve as the local workforce investment board pursuant to Pub.
19 L. No. 105-220. The membership of the board shall be
20 consistent with Pub. L. No. 105-220, Title I, s. 117(b), and
21 contain three representatives of organized labor. A member of
22 a regional workforce ~~development~~ board may not vote on a
23 matter under consideration by the board regarding the
24 provision of services by such member, or by an entity that
25 such member represents; vote on a matter that would provide
26 direct financial benefit to such member or the immediate
27 family of such member; or engage in any other activity
28 determined by the Governor to constitute a conflict of
29 interest as specified in the state plan.

30 (3) The Workforce Development Board shall assign staff
31 to meet with each regional workforce ~~development~~ board

1 annually to review the board's performance and to certify that
2 the board is in compliance with applicable state and federal
3 law.

4 (4) In addition to the duties and functions specified
5 by the Workforce Development Board and by the interlocal
6 agreement approved by the local county or city governing
7 bodies, the regional workforce ~~development~~ board shall have
8 the following responsibilities:

9 (a) Develop, submit, ratify, or amend the local plan
10 pursuant to Pub. L. No. 105-220, Title I, s. 118.

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

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

19 (d) Oversee the one-stop delivery system ~~Career~~
20 ~~Centers~~ in its local area.

21 (5) The Workforce Development Board shall implement a
22 training program for the regional workforce ~~development~~ boards
23 to familiarize board members with the state's workforce
24 development goals and strategies. The regional workforce
25 ~~development~~ board shall designate all local service providers
26 and shall not transfer this authority to a third party. In
27 order to exercise independent oversight, the regional
28 workforce ~~development~~ board shall not be a direct provider of
29 intake, assessment, eligibility determinations, or other
30 direct provider services.

31

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

1 recommendations to the Governor, the President of the Senate,
2 and the Speaker of the House of Representatives.

3 Section 30. Section 288.9954, Florida Statutes, is
4 amended to read:

5 288.9954 Consultation, consolidation, and
6 coordination.--The Workforce Development Board and the WAGES
7 Program State Board of Directors shall consult with each other
8 in developing each of their statewide implementation plans and
9 strategies. The regional workforce ~~development~~ boards and
10 local WAGES coalitions may elect to consolidate into one board
11 provided that the consolidated board membership complies with
12 the requirements of Pub. L. No. 105-220, Title I, s. 117(b),
13 and with any other law delineating the membership requirements
14 for either of the separate boards. The regional workforce
15 ~~development~~ boards and local WAGES coalitions shall
16 collaboratively coordinate, to the maximum extent possible,
17 the local services and activities provided by and through each
18 of these boards and coalitions and their designated local
19 service providers.

20 Section 31. Subsections (2), (3), and (6) of section
21 288.9957, Florida Statutes, are amended to read:

22 288.9957 Florida Youth Workforce Council.--

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

31

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

8 (6) Ten percent of youth funds allocated under Pub. L.
9 No. 105-220 to the regional workforce ~~development~~ boards shall
10 be used to leverage public schools' dropout-prevention funds
11 through performance payments for outcomes specified by the
12 Workforce Development Board.

13 Section 32. Subsection (1) of section 288.9958,
14 Florida Statutes, is amended to read:

15 288.9958 Employment, Occupation, and Performance
16 Information Coordinating Committee.--

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

28 Section 33. Subsections (1) and (2) of section
29 288.9959, Florida Statutes, are amended to read:

30 288.9959 Operational Design and Technology Procurement
31 Committee.--

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

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

21 Section 34. Paragraph (a) of subsection (5) of section
22 411.01, Florida Statutes, is amended to read:

23 411.01 Florida Partnership for School Readiness;
24 school readiness coalitions.--

25 (5) CREATION OF SCHOOL READINESS COALITIONS.--

26 (a) School readiness coalitions.--

27 1. If a coalition's plan would serve less than 400
28 birth-to-kindergarten age children, the coalition must either
29 join with another county to form a multicounty coalition,
30 enter an agreement with a fiscal agent to serve more than one
31 coalition, or demonstrate to the partnership its ability to

1 effectively and efficiently implement its plan as a
2 single-county coalition and meet all required performance
3 standards and outcome measures.

4 2. Each coalition shall have at least 18 but not more
5 than 25 members and such members must include the following:

6 a. A Department of Children and Family Services
7 district administrator.

8 b. A district superintendent of schools.

9 c. A regional workforce ~~development~~ board chair or
10 director, where applicable.

11 d. A county health department director or his or her
12 designee.

13 e. A children's services council or juvenile welfare
14 board chair or executive director, if applicable.

15 f. A child care licensing agency head.

16 g. One member appointed by a Department of Children
17 and Family Services district administrator.

18 h. One member appointed by a board of county
19 commissioners.

20 i. One member appointed by a district school board.

21 j. A central child care agency administrator.

22 k. A Head Start director.

23 l. A representative of private child care providers.

24 m. A representative of faith-based child care
25 providers.

26

27 More than one-third of the coalition members must be from the
28 private sector, and neither they nor their families may earn
29 an income from the early education and child care industry. To
30 meet this requirement a coalition must appoint additional
31 members from a list of nominees presented to the coalition by

1 a chamber of commerce or economic development council within
2 the geographic area of the coalition.

3 3. No member of a coalition may appoint a designee to
4 act in his or her place. A member may send a representative to
5 coalition meetings, but that representative will have no
6 voting privileges.

7 4. The school readiness coalition shall replace the
8 district interagency coordinating council required under s.
9 230.2305.

10 5. Members of the coalition are subject to the ethics
11 provisions in part III of chapter 112.

12 6. Multicounty coalitions shall include representation
13 from each county.

14 7. The terms of all appointed members of the coalition
15 must be staggered.

16 Section 35. Subsection (6) of section 413.82, Florida
17 Statutes, is amended to read:

18 413.82 Definitions.--As used in ss. 413.81-413.93, the
19 term:

20 (6) "Region" means a service area for a regional
21 workforce ~~development~~ board established by the Workforce
22 Development Board.

23 Section 36. The introductory paragraph, paragraph (a)
24 of subsection (1), subsection (2), paragraph (d) of subsection
25 (4), and subsection (5) of section 414.028, Florida Statutes,
26 are amended to read:

27 414.028 Local WAGES coalitions.--The WAGES Program
28 State Board of Directors shall create and charter local WAGES
29 coalitions to plan and coordinate the delivery of services
30 under the WAGES Program at the local level. The boundaries of
31 the service area for a local WAGES coalition shall conform to

1 the boundaries of the service area for the regional workforce
2 ~~development~~ board established under the Enterprise Florida
3 workforce development board. The local delivery of services
4 under the WAGES Program shall be coordinated, to the maximum
5 extent possible, with the local services and activities of the
6 local service providers designated by the regional workforce
7 ~~development~~ boards.

8 (1)(a) Each local WAGES coalition must have a minimum
9 of 11 members, of which at least one-half must be from the
10 business community. The composition of the coalition
11 membership must generally reflect the racial, gender, and
12 ethnic diversity of the community as a whole. All members
13 shall be appointed to 3-year terms. The membership of each
14 coalition must include:

15 1. Representatives of the principal entities that
16 provide funding for the employment, education, training, and
17 social service programs that are operated in the service area,
18 including, but not limited to, representatives of local
19 government, the regional workforce ~~development~~ board, and the
20 United Way.

21 2. A representative of the health and human services
22 board.

23 3. A representative of a community development board.

24 4. Three representatives of the business community who
25 represent a diversity of sizes of businesses.

26 5. Representatives of other local planning,
27 coordinating, or service-delivery entities.

28 6. A representative of a grassroots community or
29 economic development organization that serves the poor of the
30 community.

31

1 (2) A local WAGES coalition and a regional workforce
2 ~~development~~ board may be combined into one board if the
3 membership complies with subsection (1), and if the membership
4 of the combined board meets the requirements of Pub. L. No.
5 105-220, s. 117(b)(2), and with any law delineating the
6 membership requirements for the regional workforce ~~development~~
7 boards.

8 (4) Each local WAGES coalition shall perform the
9 planning, coordination, and oversight functions specified in
10 the statewide implementation plan, including, but not limited
11 to:

12 (d) In cooperation with the regional workforce
13 ~~development~~ board, coordinating the implementation of the
14 one-stop delivery system ~~career centers~~.

15 (5) By October 1, 1998, local WAGES coalitions shall
16 deliver through the one-stop delivery system ~~career centers~~,
17 the full continuum of services provided under the WAGES
18 Program, including services that are provided at the point of
19 application. Local WAGES coalitions may not determine an
20 individual's eligibility for temporary cash assistance, and
21 all education and training shall be provided through
22 agreements with regional workforce ~~development~~ boards.

23 Section 37. Section 414.055, Florida Statutes, is
24 amended to read:

25 414.055 One-stop delivery system ~~career~~ centers.--

26 (1) It is the intent of the Legislature that one-stop
27 delivery system ~~career~~ centers developed by community
28 coalitions or public/private partnerships that involve the
29 business community, educational institutions, governmental
30 entities, and community-based organizations should be the
31 principal service-delivery mechanism for services associated

1 with the WAGES Program, employment services, and workforce
2 development.

3 (2) Local WAGES coalitions and regional workforce
4 boards must coordinate the planning and implementation of
5 one-stop delivery system ~~career~~ centers and services so as to
6 avoid unnecessary duplication of services and facilities.

7 (3) If a one-stop delivery system ~~career~~ center as
8 described in subsection (1) has been established, neither the
9 Department of Children and Family Services nor the Department
10 of Labor and Employment Security may establish a one-stop
11 delivery system ~~career~~ center to serve the same population or
12 geographic area. The Department of Children and Family
13 Services and the Department of Labor and Employment Security
14 must assign to the established one-stop delivery system ~~career~~
15 center the number and classification of staff which is
16 appropriate and necessary for effective operation of the
17 one-stop delivery system ~~career~~ center.

18 (4) Staff of the Division of Jobs and Benefits of the
19 Department of Labor and Employment Security, staff of the
20 Department of Children and Family Services, and staff of other
21 public and private agencies and institutions shall deliver
22 services to applicants for and participants in the WAGES
23 Program at one-stop delivery system ~~career~~ centers.

24 (5) At ~~the~~ one-stop delivery system ~~career~~ centers,
25 staff of the Department of Children and Family Services shall:

26 (a) Accept applications and determine or redetermine
27 the eligibility of a family to participate in the WAGES
28 Program.

29 (b) Accept applications and determine or redetermine
30 the eligibility of an individual or family to receive
31

1 subsidized child care or emergency assistance, including
2 housing assistance.

3 (c) Assess need and arrange for providing diversion
4 assistance or emergency assistance.

5 (6) At the one-stop delivery system ~~career~~ centers,
6 local WAGES coalitions shall assign a participant in the WAGES
7 Program to approved work activities.

8 Section 38. Paragraph (g) of subsection (1) and
9 paragraph (a) of subsection (10) of section 414.065, Florida
10 Statutes, are amended to read:

11 414.065 Work requirements.--

12 (1) WORK ACTIVITIES.--The following activities may be
13 used individually or in combination to satisfy the work
14 requirements for a participant in the WAGES Program:

15 (g) Vocational education or training.--Vocational
16 education or training is education or training designed to
17 provide participants with the skills and certification
18 necessary for employment in an occupational area. Vocational
19 education or training may be used as a primary program
20 activity for participants when it has been determined that the
21 individual has demonstrated compliance with other phases of
22 program participation and successful completion of the
23 vocational education or training is likely to result in
24 employment entry at a higher wage than the participant would
25 have been likely to attain without completion of the
26 vocational education or training. Vocational education or
27 training may be combined with other program activities and
28 also may be used to upgrade skills or prepare for a higher
29 paying occupational area for a participant who is employed.

30 1. Unless otherwise provided in this section,
31 vocational education shall not be used as the primary program

1 activity for a period which exceeds 12 months. The 12-month
2 restriction applies to instruction in a career education
3 program and does not include remediation of basic skills,
4 including English language proficiency, if remediation is
5 necessary to enable a WAGES participant to benefit from a
6 career education program. Any necessary remediation must be
7 completed before a participant is referred to vocational
8 education as the primary work activity. In addition, use of
9 vocational education or training shall be restricted to the
10 limitation established in federal law. Vocational education
11 included in a program leading to a high school diploma shall
12 not be considered vocational education for purposes of this
13 section.

14 2. When possible, a provider of vocational education
15 or training shall use funds provided by funding sources other
16 than the department or the local WAGES coalition. Either
17 department may provide additional funds to a vocational
18 education or training provider only if payment is made
19 pursuant to a performance-based contract. Under a
20 performance-based contract, the provider may be partially paid
21 when a participant completes education or training, but the
22 majority of payment shall be made following the participant's
23 employment at a specific wage or job retention for a specific
24 duration. Performance-based payments made under this
25 subparagraph are limited to education or training for targeted
26 occupations identified by the Workforce Estimating
27 ~~Occupational Forecasting~~ Conference under s. 216.136, or other
28 programs identified by the Workforce Development Board as
29 beneficial to meet the needs of designated groups, such as
30 WAGES participants, who are hard to place. If the contract
31 pays the full cost of training, the community college or

1 school district may not report the participants for other
2 state funding, except that the college or school district may
3 report WAGES clients for performance incentives or bonuses
4 authorized for student enrollment, completion, and placement.

5 (10) USE OF CONTRACTS.--The department and local WAGES
6 coalitions shall provide work activities, training, and other
7 services, as appropriate, through contracts. In contracting
8 for work activities, training, or services, the following
9 applies:

10 (a) All education and training provided under the
11 WAGES Program shall be provided through agreements with
12 regional workforce ~~development~~ boards.

13 Section 39. Paragraph (b) of subsection (1) of section
14 414.20, Florida Statutes, is amended to read:

15 414.20 Other support services.--Support services shall
16 be provided, if resources permit, to assist participants in
17 complying with work activity requirements outlined in s.
18 414.065. If resources do not permit the provision of needed
19 support services, the department and the local WAGES coalition
20 may prioritize or otherwise limit provision of support
21 services. This section does not constitute an entitlement to
22 support services. Lack of provision of support services may be
23 considered as a factor in determining whether good cause
24 exists for failing to comply with work activity requirements
25 but does not automatically constitute good cause for failing
26 to comply with work activity requirements, and does not affect
27 any applicable time limit on the receipt of temporary cash
28 assistance or the provision of services under this chapter.
29 Support services shall include, but need not be limited to:

30 (1) TRANSPORTATION.--Transportation expenses may be
31 provided to any participant when the assistance is needed to

1 comply with work activity requirements or employment
2 requirements, including transportation to and from a child
3 care provider. Payment may be made in cash or tokens in
4 advance or through reimbursement paid against receipts or
5 invoices. Transportation services may include, but are not
6 limited to, cooperative arrangements with the following:
7 public transit providers; community transportation
8 coordinators designated under chapter 427; school districts;
9 churches and community centers; donated motor vehicle
10 programs, van pools, and ridesharing programs; small
11 enterprise developments and entrepreneurial programs that
12 encourage WAGES participants to become transportation
13 providers; public and private transportation partnerships; and
14 other innovative strategies to expand transportation options
15 available to program participants.

16 (b) Transportation disadvantaged funds as defined in
17 chapter 427 do not include WAGES support services funds or
18 funds appropriated to assist persons eligible under the Job
19 Training Partnership Act. It is the intent of the Legislature
20 that local WAGES coalitions and regional workforce ~~development~~
21 boards consult with local community transportation
22 coordinators designated under chapter 427 regarding the
23 availability and cost of transportation services through the
24 coordinated transportation system prior to contracting for
25 comparable transportation services outside the coordinated
26 system.

27 Section 40. The introductory paragraph and subsections
28 (2), (3), and (4) of section 414.223, Florida Statutes, are
29 amended to read:

30 414.223 Retention Incentive Training Accounts.--To
31 promote job retention and to enable upward job advancement

1 into higher skilled, higher paying employment, the WAGES
2 Program State Board of Directors, the Workforce Development
3 Board, regional workforce ~~development~~ boards, and local WAGES
4 coalitions may jointly assemble, from postsecondary education
5 institutions, a list of programs and courses for WAGES
6 participants who have become employed which promote job
7 retention and advancement.

8 (2) RITAs may pay for tuition, fees, educational
9 materials, coaching and mentoring, performance incentives,
10 transportation to and from courses, child care costs during
11 education courses, and other such costs as the regional
12 workforce ~~development~~ boards determine are necessary to effect
13 successful job retention and advancement.

14 (3) Regional workforce ~~development~~ boards shall retain
15 only those courses that continue to meet their performance
16 standards as established in their local plan.

17 (4) Regional workforce ~~development~~ boards shall report
18 annually to the Legislature on the measurable retention and
19 advancement success of each program provider and the
20 effectiveness of RITAs, making recommendations for any needed
21 changes or modifications.

22 Section 41. The Workforce Development Board of
23 Enterprise Florida, Inc., shall by August 31, 2000, develop a
24 plan for the use of Targeted Assistance to Needy Families
25 funds, Workforce Investment Act funds, Quick Response funds,
26 Incumbent Worker Training funds, and other training-related
27 resources to enhance the workforce of digital media-related
28 industries. The plan must provide the industries with a
29 program to train and assess the status of industry workforce
30 readiness for the digital era and shall be done in conjunction
31 with the broadcast and cable industries.

1 Section 42. The Workforce Development Board shall
2 submit a report to the Legislature by January 1, 2001,
3 regarding joint programs, nonjoint programs, and other
4 programs that provide formalized on-the-job training for
5 skilled trades. The report must include recommendations for
6 improving the efficiency of the programs, decreasing the cost
7 of the programs, improving or retaining current practices
8 regarding admission requirements, reducing the duration of the
9 programs, and increasing the number of persons who
10 successfully complete the programs.

11 Section 43. Enterprise Florida, Inc., shall convene an
12 organizational meeting for industries involved in broadband
13 digital media to organize and facilitate future activities of
14 associated industry groups or facilitate the ongoing
15 activities of a similar group. Enterprise Florida, Inc.,
16 shall make all necessary preparations to identify and
17 designate a digital media sector as part of its sector
18 strategy and identify the sector as a priority recruitment and
19 retention set of industries.

20 Section 44. (1) Enterprise Florida, Inc., shall award
21 a contract for the establishment of a digital media incubator
22 to encourage companies developing content and technology for
23 digital broadband media and digital broadcasting to locate and
24 grow their businesses in this state. Qualifications of an
25 applicant for a contract as a digital media incubator shall at
26 a minimum include the following:

27 (a) Demonstrated expertise in developing content and
28 technology for digital broadband media and digital
29 broadcasting.

30 (b) Demonstrated ability in venture capital
31 fundraising.

1 (c) Demonstrated expertise in the development of
2 digital media businesses.

3 (d) Demonstrated ability in coordinating public and
4 private educational institutions and business entities in
5 digital technology joint business ventures. The awarding of
6 the contract shall follow the procedures outlined in chapter
7 287, Florida Statutes.

8 (2) There is appropriated the sum of \$2 million from
9 the General Revenue Fund to Enterprise Florida, Inc., for the
10 purpose of providing operational and investment seed funding
11 to encourage the financial and strategic participation of
12 venture capital firms, corporate and institutional sponsors,
13 and targeted start-up companies in the establishment of the
14 digital incubator. Initial state investment in the incubator
15 must be matched with contributions from the industry with
16 participating industry partners including, but not limited to,
17 venture capitalists, digital media manufacturers, and digital
18 media content providers.

19 (3) Maximized leveraging of funds must be a priority
20 consideration in the location of the digital media incubator.
21 Consideration shall be given to colocation of the incubator
22 with an existing state-of-the-art media lab or an upgraded or
23 newly created media lab funded through the Digital Media
24 Education Infrastructure Fund in the Office of Tourism, Trade,
25 and Economic Development.

26 Section 45. ITFlorida, in consultation with Enterprise
27 Florida, Inc., shall develop a marketing plan to promote the
28 state as digital-media friendly, as a digital-media ready
29 environment, and as a national leader in the development and
30 distribution of broadband digital media content, technology,
31 and education. The marketing plan shall identify critical

1 roles for various public and private partners and establish a
2 marketing timeline and goals. The plan shall be completed by
3 December 31, 2000.

4 Section 46. If any provision of this act or its
5 application to any person or circumstance is held invalid, the
6 invalidity does not affect other provisions or applications of
7 the act which can be given effect without the invalid
8 provision or application, and to this end the provisions of
9 this act are severable.

10 Section 47. (1) For the small business workforce
11 service initiative established pursuant to s. 288.99525,
12 Florida Statutes, the sum of \$1 million in nonrecurring
13 general revenue is appropriated to the Office of Tourism,
14 Trade, and Economic Development in the Executive Office of the
15 Governor for the Workforce Development Board.

16 (2) For the workforce information systems required by
17 s. 288.99524, Florida Statutes, the sum of \$20 million is
18 appropriated from nonrecurring Temporary Assistance for Needy
19 Families funds to the Office of Tourism, Trade, and Economic
20 Development in the Executive Office of the Governor for the
21 Workforce Development Board.

22 Section 48. Except as otherwise provided herein, this
23 act shall take effect July 1, 2000.
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HOUSE SUMMARY

Revises various provisions of law relating to workforce innovation. Provides additional duties of the Office of Tourism, Trade, and Economic Development within the Executive Office of the Governor with respect to workforce development. Redesignates the Occupational Forecasting Conference as the "Workforce Estimating Conference" and specifies additional duties of the conference with respect to developing forecasts for employment demands and occupational trends. Provides for funding customized training for businesses. Requires the Department of Education to update vocational, adult, and community education programs. Requires the State Board of Community Colleges to identify and recommend training programs for broadband digital media specialists. Encourages community colleges to establish incubator facilities for digital media content and technology development. Requires the Board of Regents to create a Digital Media Education Coordination Group. Redesignates one-stop career centers as the "one-stop delivery system" and provides for the system to be the state's primary strategy for providing workforce-development services. Requires the Workforce Development Board to establish the First Jobs/First Wages Council, the Better Jobs/Better Wages Council, and the High Skills/High Wages Council and provides for the councils to advise the board of directors of the Workforce Development Board and make recommendations for implementing workforce strategies. Requires the Workforce Development Board to develop a strategic plan for workforce development and requires a marketing plan as part of the strategic plan. Provides principles for developing and managing information technology for the workforce system and requires the sharing of information between agencies within the workforce system. Requires the Workforce Development Board to implement a workforce information system. Provides for a small business workforce service initiative and requires the Workforce Development Board to establish a program for support services to small businesses. Redesignates regional workforce development boards as "regional workforce boards." Redesignates the Rural Manpower Services Program as the "Rural Workforce Services Program." Requires the Workforce Development Board to reserve funds for digital media industry training. Requires the Workforce Development Board to develop a plan to enhance workforce of digital media related industries. Requires Enterprise Florida, Inc., to convene a broadband digital media industries group, requires identification, designation, and priority of digital media sector in sector strategy, and requires Enterprise Florida, Inc., to contract for establishment of a digital media incubator. Requires ITFlorida to prepare a marketing plan promoting the state to digital media industries. See bill for details.