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606-02798A-10

Proposed Committee Substitute by the Committee on Transportation  
and Economic Development Appropriations

A bill to be entitled

An act relating to regional workforce boards; amending  
s. 445.007, F.S.; prohibiting board members and their  
relatives from contracting with or having a financial  
interest in a contract with the regional workforce  
board on which the member serves; requiring a member  
who is employed by or who receives remuneration from a  
contracting entity to abstain from voting on a  
contract with that entity; requiring the chief elected  
officers within a region to approve the appointment of  
any executive director to the staff of a regional  
workforce board; providing that the chairperson of a  
regional workforce board is subject to confirmation by  
the Senate; prohibiting workforce boards from  
expending federal or state funds for the purpose of  
providing meals, food, or beverages or recreational  
activities and entertainment for board members, staff,  
or employees of regional workforce boards, Workforce  
Florida, Inc., or the Agency for Workforce Innovation  
except as expressly authorized by state law;  
authorizing the reimbursement of certain expenses;  
providing an effective date.

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

Section 1. Subsections (1) and (2) of section 445.007,  
Florida Statutes, are amended, and subsections (10) and (11) are



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28 added to that section, to read:

29 445.007 Regional workforce boards.—

30 (1) One regional workforce board shall be appointed in each  
31 designated service delivery area and shall serve as the local  
32 workforce investment board pursuant to Pub. L. No. 105-220. The  
33 membership of the board shall be consistent with Pub. L. No.  
34 105-220, Title I, s. 117(b), and contain one representative from  
35 a nonpublic postsecondary educational institution that is an  
36 authorized individual training account provider within the  
37 region and confers certificates and diplomas, one representative  
38 from a nonpublic postsecondary educational institution that is  
39 an authorized individual training account provider within the  
40 region and confers degrees, and three representatives of  
41 organized labor. The board shall include one nonvoting  
42 representative from a military installation if a military  
43 installation is located within the region and the appropriate  
44 military command or organization authorizes such representation.  
45 It is the intent of the Legislature that membership of a  
46 regional workforce board include persons who are current or  
47 former recipients of welfare transition assistance as defined in  
48 s. 445.002(3) or workforce services as provided in s. 445.009(1)  
49 or that such persons be included as ex officio members of the  
50 board or of committees organized by the board. The importance of  
51 minority and gender representation shall be considered when  
52 making appointments to the board. The board, its committees,  
53 subcommittees, and subdivisions, and other units of the  
54 workforce system, including units that may consist in whole or  
55 in part of local governmental units, may use any method of  
56 telecommunications to conduct meetings, including establishing a



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57 quorum through telecommunications, provided that the public is  
58 given proper notice of the telecommunications meeting and  
59 reasonable access to observe and, when appropriate, participate.  
60 Regional workforce boards are subject to chapters 119 and 286  
61 and s. 24, Art. I of the State Constitution. A member of a  
62 regional workforce board is prohibited from contracting with or  
63 having a financial interest in a contract with the regional  
64 workforce board on which the member serves, except that a board  
65 may contract with a public or not-for-profit entity that has a  
66 representative who is a member of the board. This prohibition on  
67 contracting with a board member also applies to contracts with a  
68 relative of a board member. If the regional workforce board  
69 enters into a contract with a public or not-for-profit entity  
70 that is an organization or individual represented on the board  
71 of directors, the contract must be approved by a two-thirds vote  
72 of the entire board, and the board member who could benefit  
73 financially from the transaction or who is employed by or  
74 receives remuneration from the contracting entity must abstain  
75 from voting on the contract. A board member must disclose all  
76 conflicts any such conflict in a manner that is consistent with  
77 the procedures outlined in s. 112.3143. With the exception of an  
78 employee's employment contract with the board, this prohibition  
79 on contracting also applies to contracts between a board and its  
80 employees or the relatives of its employees. As used in this  
81 section, the term "relative" has the same meaning as in s.  
82 112.3143. Any executive director appointed to the staff of a  
83 regional workforce board must be approved by the chief elected  
84 officials.

85 (2) The regional workforce board shall elect a chair from



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86 among the representatives described in Pub. L. No. 105-220,  
87 Title I, s. 117(b)(2)(A)(i) to serve for a term of no more than  
88 2 years and shall serve no more than two terms. The chair is  
89 subject to confirmation by the Senate.

90 (10) Federal or state funds may not be used directly or  
91 indirectly to pay for meals, food, or beverages for board  
92 members, staff, or employees of regional workforce boards,  
93 Workforce Florida, Inc., or the Agency for Workforce Innovation  
94 except as expressly authorized by state law. Preapproved,  
95 reasonable, and necessary per diem allowances and travel  
96 expenses may be reimbursed. Such reimbursement shall be at the  
97 standard travel reimbursement rates established in s. 112.061  
98 and shall be in compliance with all applicable federal and state  
99 requirements. The expenditure of federal or state funds for the  
100 provision of meals, food, or beverages to board members, staff,  
101 or employees of regional workforce boards, Workforce Florida,  
102 Inc., or the Agency for Workforce Innovation during board or  
103 staff meetings is deemed not reasonable or necessary.

104 (11) Federal or state funds may not be used to pay for  
105 recreational activities or entertainment costs, as these terms  
106 are defined by 2 C.F.R. part 230, on behalf or to the benefit of  
107 board members, staff, or employees of regional workforce boards,  
108 Workforce Florida, Inc., or the Agency for Workforce Innovation.

109 Section 2. This act shall take effect July 1, 2010.