

By the Committee on Transportation and Economic Development
Appropriations; and Senator Fasano

606-03284-10

20101646c1

1 A bill to be entitled
2 An act relating to regional workforce boards; amending
3 s. 445.007, F.S.; prohibiting board members and their
4 relatives from contracting with or having a financial
5 interest in a contract with the regional workforce
6 board on which the member serves; requiring a member
7 who is employed by or who receives remuneration from a
8 contracting entity to abstain from voting on a
9 contract with that entity; requiring the chief elected
10 officers within a region to approve the appointment of
11 any executive director to the staff of a regional
12 workforce board; providing that the chairperson of a
13 regional workforce board is subject to confirmation by
14 the Senate; prohibiting workforce boards from
15 expending federal or state funds for the purpose of
16 providing meals, food, or beverages or recreational
17 activities and entertainment for board members, staff,
18 or employees of regional workforce boards, Workforce
19 Florida, Inc., or the Agency for Workforce Innovation,
20 except as expressly authorized by state law;
21 authorizing the reimbursement of certain expenses;
22 providing an effective date.

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

25
26 Section 1. Subsections (1) and (2) of section 445.007,
27 Florida Statutes, are amended, and subsections (10) and (11) are
28 added to that section, to read:

29 445.007 Regional workforce boards.—

606-03284-10

20101646c1

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
57 quorum through telecommunications, provided that the public is
58 given proper notice of the telecommunications meeting and

606-03284-10

20101646c1

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
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

606-03284-10

20101646c1

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.