

27 Inc., is created as a nonprofit corporation organized under the
 28 laws of this state and operating as a direct-support
 29 organization of the Department of Economic Opportunity.

30 (b) The council shall operate under a written contract
 31 with the department which provides, at a minimum, for:

32 1. Approval of the articles of incorporation and bylaws of
 33 the council by the department.

34 2. Submission of an annual budget for approval by the
 35 department.

36 3. Reversion of moneys and property held in trust by the
 37 council for concrete masonry education to the department if the
 38 council ceases to exist or to the state if the department ceases
 39 to exist.

40 (c) The council shall:

41 1. Plan, implement, and conduct programs of education for
 42 the purpose of training individuals in the field of concrete
 43 masonry.

44 2. Develop and improve access to education for individuals
 45 seeking employment in the field of concrete masonry.

46 3. Develop and implement outreach programs to ensure
 47 diversity among individuals trained in the programs conducted
 48 pursuant to this section.

49 4. Coordinate educational programs with national programs
 50 or programs of other states.

51 5. Inform and educate the public about the sustainability
 52 and economic benefits of concrete masonry products in order to

53 increase employment opportunities for individuals trained in the
 54 programs conducted pursuant to this section.

55 6. Develop, implement, and monitor a system for the
 56 collection of a self-imposed voluntary assessment on each
 57 concrete masonry unit produced and sold by concrete masonry
 58 manufacturers in this state.

59 7. Submit a report to the Governor, the President of the
 60 Senate, and the Speaker of the House of Representatives by
 61 January 15 of each year outlining the revenues received by the
 62 council, the percentage of the industry participating in the
 63 programs, the use of the funds received, goals and objectives
 64 for the year and methods of achieving such goals and objectives,
 65 the number of individuals who have received training or
 66 assistance from the programs supported by the council, and
 67 information relating to job placements and industry workforce
 68 needs.

69 (d) The council may:

70 1. Provide to governmental bodies, on request, information
 71 relating to subjects of concern to the concrete masonry industry
 72 and act jointly or in cooperation with the state or Federal
 73 Government, and agencies thereof, in the development or
 74 administration of programs that the council considers to be
 75 consistent with the objectives of this section.

76 2. Sue and be sued as a council without individual
 77 liability of the members for actions of the council when acting
 78 within the scope of the powers conferred by this section and in

79 the manner prescribed by the laws of this state.

80 3. Maintain a financial reserve for emergency use, the
 81 total of which must not exceed 10 percent of the council's
 82 anticipated annual income.

83 4. Employ subordinate officers and employees of the
 84 council, prescribe their duties, and fix their compensation and
 85 terms of employment.

86 5. Cooperate with any local, state, regional, or
 87 nationwide organization or agency engaged in work or activities
 88 consistent with the objectives of this section.

89 6. Meet with concrete masonry manufacturers in this state
 90 to coordinate the collection of self-imposed voluntary
 91 assessments on concrete masonry units.

92 (e)1. The council may not participate or intervene in any
 93 political campaign on behalf of or in opposition to any
 94 candidate for public office or any state or local ballot
 95 initiative, including, but not limited to, the publication or
 96 distribution of any statement.

97 2. The net receipts of the council may not in any part
 98 inure to the benefit of or be distributable to its directors,
 99 its officers, or other private persons; however, the council may
 100 pay reasonable compensation for services rendered by council
 101 officers and employees and may make payments and distributions
 102 in furtherance of the purposes of this section.

103 3. Notwithstanding any other provision of law, the council
 104 may not carry on any other activity not permitted to be carried

105 on by a corporation:

106 a. That is exempt from federal income taxation under s.
 107 501(c)(3) of the Internal Revenue Code; or

108 b. To which charitable contributions are deductible under
 109 s. 170(c)(2) of the Internal Revenue Code.

110 (2)(a) The Florida Concrete Masonry Education Council,
 111 Inc., shall be governed by a board of directors composed of 13
 112 voting members as follows:

113 1. Eight members representing concrete masonry
 114 manufacturers of various sizes. After receiving recommendations
 115 from the Masonry Association of Florida, the Governor shall
 116 appoint two of these board members, and the President of the
 117 Senate and the Speaker of the House of Representatives shall
 118 each appoint three of these board members. Of the eight board
 119 members appointed under this subparagraph, at least five members
 120 must be representatives of manufacturers that are members of the
 121 Masonry Association of Florida. A manufacturer may not be
 122 represented by more than one board member.

123 2. One member representing a major building industry
 124 association in the state appointed by the Governor.

125 3. One member having expertise in apprenticeship or
 126 workforce education training appointed by the Speaker of the
 127 House of Representatives.

128 4. One member who is not a masonry contractor or
 129 manufacturer or an employee of a masonry contractor or
 130 manufacturer but who is otherwise a stakeholder in the masonry

131 industry. This member shall be appointed by the President of the
 132 Senate.

133 5. Two members who are masonry contractors and who are
 134 members of the Masonry Association of Florida, one of whom shall
 135 be appointed by the President of the Senate and one of whom
 136 shall be appointed by the Speaker of the House of
 137 Representatives.

138 (b)1. Five of the initial board members shall be appointed
 139 to serve 1-year terms. Of the five members, one shall be
 140 appointed by the Governor, two shall be appointed by the
 141 President of the Senate, and two shall be appointed by the
 142 Speaker of the House of Representatives.

143 2. Four of the initial board members shall be appointed to
 144 serve 2-year terms. Of the four members, one shall be appointed
 145 by the Governor, one shall be appointed by the President of the
 146 Senate, and two shall be appointed by the Speaker of the House
 147 of Representatives.

148 3. Four of the initial board members shall be appointed to
 149 serve 3-year terms. Of the four members, one shall be appointed
 150 by the Governor, two shall be appointed by the President of the
 151 Senate, and one shall be appointed by the Speaker of the House
 152 of Representatives.

153 4. Each subsequent vacancy on the board of directors shall
 154 be filled in accordance with the initial appointment.
 155 Thereafter, each board member shall be appointed to serve a 3-
 156 year term and may be reappointed to serve an additional

157 consecutive term. However, a member may not serve more than two
 158 consecutive terms.

159 (c) A board member may not be required to participate in a
 160 voluntary assessment on concrete masonry units as a condition of
 161 appointment. A member representing a manufacturer must have been
 162 employed by a manufacturer engaging in the trade of manufacture
 163 of concrete masonry products for at least 5 years immediately
 164 preceding the first day of his or her service on the board. All
 165 members of the board shall serve without compensation but are
 166 entitled to reimbursement for per diem and travel expenses
 167 incurred in carrying out the intents and purposes of this
 168 section in accordance with s. 112.061, Florida Statutes.

169 (d) In addition to the 13 voting members described in
 170 paragraph (a), the executive director of the Department of
 171 Economic Opportunity, or his or her designee, shall serve ex
 172 officio as a nonvoting member of the board of directors of the
 173 council.

174 (3) The council may accept grants, donations,
 175 contributions, or gifts from any source if the use of such
 176 resources is not restricted in a manner that the council
 177 considers to be inconsistent with the objectives of this
 178 section.

179 (4) (a) The council may make payments to other
 180 organizations for work or services performed that are consistent
 181 with the objectives of this section.

182 (b) Before making payments described in this subsection,

183 the council must secure a written agreement that the
 184 organization receiving payment will furnish at least annually,
 185 or more frequently upon request of the council, written or
 186 printed reports of program activities and reports of financial
 187 data that are relative to the council's funding of such
 188 activities.

189 (c) The council may require adequate proof of security
 190 bonding on the payments to any individual, business, or other
 191 organization.

192 (5) (a) The self-imposed voluntary assessment shall be paid
 193 for each masonry unit produced and sold by the manufacturer.

194 (b) Each manufacturer that elects to pay the self-imposed
 195 voluntary assessment must commit to paying the assessment for at
 196 least 1 year. Thereafter, the manufacturer may elect to
 197 terminate payment or continue payment for the next year.

198 (c) The manufacturer shall collect all such moneys and
 199 forward them quarterly to the council.

200 (d) The council shall maintain within its financial
 201 records a separate accounting of all moneys received under this
 202 subsection. The council shall provide for an annual financial
 203 audit of its accounts and records in accordance with s. 215.981,
 204 Florida Statutes.

205 (6) (a) The council shall, by September 30, 2014, adopt
 206 bylaws to carry out the intents and purposes of this section.
 207 Before adoption by the council, the bylaws must be approved by
 208 the department. The bylaws must conform to the requirements of

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209 this section but may also address any matter not in conflict
 210 with the general laws of this state.

211 (b) Amendments to adopted bylaws may be proposed with 30
 212 days' notice to board members at any regular or special meeting
 213 called for such purpose and may be adopted by the council
 214 following approval by the department.

215 Section 3. This act shall take effect July 1, 2014.