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Mr. John Cornyn  
 Attorney General  
 P. O. Box 12548  
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OPINION COMMITTEE

*RQ-0240-gc*

RE: Opinion request relating to the membership of a local workforce development committee's board which is defined in Section 1512 of the Job Training Partnership Act, Section 2308.256 of the Texas Government Code, and Title 40 of the Texas Administrative Code, Section 801.01.

Dear General Cornyn,

Currently the Chairperson of the Alamo Workforce Development Inc (AWD). Board, which operates state programs in Bexar and its surrounding counties, is employed at the Brown Schools Rehabilitation Center in Austin, Texas. There has been a request for re-appointment submitted to the local Chief Elected Officials who make the appointments to the AWD Board.

According to the Texas Administrative Code Title 40, Section 801.01 "Private sector membership should represent the composition of the local pool of employers. The private sector membership should include representatives of the region's larger employers and emerging growth industries. . .CEO's must develop a profile of the area's major industries using locally obtained information and state published data. . .Documentation submitted with the application must show how the regional employer profile is reflected in the board membership."

I request an opinion to clarify two issues. First, if the chairperson is not currently employed in the local service area, is she considerable for re-appointment to the Board? Second, would the Board be required to replace the Chairperson during her current term, as she no longer meets the requirements for service on the Board? I have enclosed a copy of a legal opinion relating to this issue prepared by the Texas Workforce Commission legal staff for your perusal.

Thank you in advance for your time and effort on this issue, please contact me or Victoria Ford, my Legislative Assistant, should you require any additional information.

Yours truly,

*Frank Madla*

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FM/vf  
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