

Bill No. CS for SB 1114

Amendment No. ____

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senators Harris, Turner, and Kirkpatrick moved the following amendment:

Senate Amendment (with title amendment)
Delete everything after the enacting clause

and insert:

Section 1. Present subsection (4) of section 414.026, Florida Statutes, is redesignated as subsection (6) and amended, and new subsections (4) and (5) are added to that section, to read:

414.026 WAGES Program State Board of Directors.--
(4) The WAGES Program State Board of Directors must approve the WAGES State Plan, the operating budget and any amendments thereto, and any WAGES-related proposed administrative rules. In addition, state agencies charged by law with implementation of the WAGES Program and the Workforce Development Board of Enterprise Florida, Inc., shall collaborate with the staff of the WAGES Program State Board of Directors on all WAGES-related policies, requests for proposals, and related directives.

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1 (5)(a) The Governor, by executive order, may designate
2 the WAGES Program State Board of Directors as a nonprofit
3 corporation for the purpose of receiving federal funds and
4 providing oversight and maintenance to the WAGES Program and
5 in administering the State Plans for Aid and Services to Needy
6 Families with Children under 42 U.S.C. s. 602, as amended. The
7 nonprofit corporation shall be known as WAGES, Inc., and may,
8 by executive order, be designated as the state agency required
9 by 42 U.S.C. s. 602(a)(3).

10 (b) The executive order designating the nonprofit
11 corporation must include provisions for the governance and
12 organizational structure of the corporation which are
13 consistent with 42 U.S.C. s. 602(a)(5).

14 (c) The nonprofit corporation shall be organized under
15 chapter 617 and shall possess all the powers granted by that
16 chapter.

17 (d) The designated nonprofit corporation is eligible
18 to use the state communications system in accordance with s.
19 282.105(3).

20 (e) Pursuant to the applicable provisions of chapter
21 284, the Division of Risk Management of the Department of
22 Insurance may insure the nonprofit corporation under the same
23 general terms and conditions as other nonprofit, statutory
24 corporations.

25 (f) All departments, officers, agencies, coalitions,
26 and institutions of the state shall cooperate with the
27 designated nonprofit corporation in the performance of its
28 duties.

29 (g) The designated nonprofit corporation shall make
30 provisions for an annual postaudit of its financial accounts
31 by an independent certified public accountant. The annual

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1 audit shall be submitted to the Executive Office of the
2 Governor for review.

3 (h) WAGES, Inc., shall make all arrangements and
4 fulfill all legal conditions to become a nonprofit
5 corporation.

6 (i) The nonprofit corporation shall make available to
7 the public, upon request, copies of 42 U.S.C. s. 602, as
8 amended; applicable state laws; and any executive orders
9 establishing WAGES, Inc.

10 (j) The nonprofit corporation is subject to the
11 provisions of chapter 119, relating to public records, and
12 those provisions of chapter 286 relating to public meetings
13 and records.

14 (k) The nonprofit corporation is authorized to hire an
15 executive director and appropriate staff. The nonprofit
16 corporation shall annually, by February 1, provide the
17 Legislature with a list of staff and salaries.

18 (6)(4) This section expires June 30, 2002 ~~1999~~, and
19 shall be reviewed by the Legislature prior to that date. In
20 its review, the Legislature shall assess the status of the
21 WAGES Program and shall determine if the responsibility for
22 administering the program should be transferred to other state
23 agencies.

24 Section 2. Section 414.028, Florida Statutes, is
25 amended to read:

26 414.028 Local WAGES coalitions.--The WAGES Program
27 State Board of Directors shall create and charter local WAGES
28 coalitions to plan and coordinate the delivery of services
29 under the WAGES Program at the local level. The boundaries of
30 the service area for a local WAGES coalition shall conform to
31 the boundaries of the service area for the regional workforce

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

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

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

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

22 3. A representative of a community development board.

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

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

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

30 (b) A person may be a member of a local WAGES
31 coalition or a combined WAGES coalition as provided in

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1 subsection (2) regardless of whether the member, or an
2 organization represented by a member, could benefit
3 financially from transactions of the coalition. However, if
4 the coalition enters into a contract with an organization or
5 individual represented on the coalition, the contract must be
6 approved by a two-thirds vote of the entire board, and the
7 board member who could benefit financially from the
8 transaction must abstain from voting. A board member must
9 disclose any such conflict in a manner that is approved by the
10 WAGES Program State Board of Directors and is consistent with
11 the procedures outlined in s. 112.3143.~~A representative of an~~
12 ~~agency or entity that could benefit financially from funds~~
13 ~~appropriated under the WAGES Program may not be a member of a~~
14 ~~local WAGES coalition.~~

15 (c) A member of the board of a public or private
16 educational institution may not serve as a member of a local
17 WAGES coalition.

18 (d) A representative of any county or municipal
19 governing body that elects to provide services through the
20 local WAGES coalition shall be an ex officio, nonvoting member
21 of the coalition.

22 (e) A representative of a county health department or
23 a representative of a healthy start coalition shall serve as
24 an ex officio, nonvoting member of the coalition.

25 (f) This subsection does not prevent a local WAGES
26 coalition from extending regular, voting membership to not
27 more than one representative of a county health department and
28 not more than one representative of a healthy start coalition.

29 (2) A local WAGES coalition and a regional workforce
30 development board may be combined into one board if the
31 membership complies with subsection (1), and if the membership

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1 of the combined board meets the requirements of Pub. L. No.
2 97-300, the federal Job Training Partnership Act, as amended,
3 and with any law delineating the membership requirements for
4 the regional workforce development boards. ~~Notwithstanding~~
5 ~~paragraph (1)(b), in a region in which the duties of the two~~
6 ~~boards are combined, a person may be a member of the WAGES~~
7 ~~coalition even if the member, or the member's principal, could~~
8 ~~benefit financially from transactions of the coalition.~~
9 ~~However, members must recuse themselves from voting on all~~
10 ~~matters from which they or their principals could benefit~~
11 ~~financially. Failure to recuse on any such vote will~~
12 ~~constitute grounds for immediate removal from the local WAGES~~
13 ~~coalition.~~

14 (3) The statewide implementation plan prepared by the
15 WAGES Program State Board of Directors shall prescribe and
16 publish the process for chartering the local WAGES coalitions.

17 (4) Each local WAGES coalition shall perform the
18 planning, coordination, and oversight functions specified in
19 the statewide implementation plan, including, but not limited
20 to:

21 (a) Developing a program and financial plan to achieve
22 the performance outcomes specified by the WAGES Program State
23 Board of Directors for current and potential program
24 participants in the service area. The plan must reflect the
25 needs of service areas for seed money to create programs that
26 assist children of WAGES participants. The plan must also
27 include provisions for providing services for victims of
28 domestic violence.

29 (b) Developing a funding strategy to implement the
30 program and financial plan which incorporates resources from
31 all principal funding sources.

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1 (c) Identifying employment, service, and support
2 resources in the community which may be used to fulfill the
3 performance outcomes of the WAGES Program.

4 (d) In cooperation with the regional workforce
5 development board, coordinating the implementation of one-stop
6 career centers.

7 (e) Advising the Department of Children and Family
8 Services and the Department of Labor and Employment Security
9 with respect to the competitive procurement of services under
10 the WAGES Program.

11 (f) Selecting an entity to administer the program and
12 financial plan, such as a unit of a political subdivision
13 within the service area, a not-for-profit private organization
14 or corporation, or any other entity agreed upon by the local
15 WAGES coalition.

16 (g) Developing a plan for services for victims of
17 domestic violence.

18 1. The WAGES Program State Board of Directors shall
19 specify requirements for the local plan, including:

20 a. Criteria for determining eligibility for exceptions
21 to state work requirements;

22 b. The programs and services to be offered to victims
23 of domestic violence;

24 c. Time limits for exceptions to program requirements,
25 which may not result in an adult participant exceeding the
26 federal time limit for exceptions or the state lifetime
27 benefit limit that the participant would otherwise be entitled
28 to receive; and

29 d. An annual report on domestic violence, including
30 the progress made in reducing domestic violence as a barrier
31 to self-sufficiency among WAGES participants, local policies

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1 and procedures for granting exceptions and exemptions from
2 program requirements due to domestic violence, and the number
3 and percentage of cases in which such exceptions and
4 exemptions are granted.

5 2. Each local WAGES coalition plan must specify
6 provisions for coordinating and, where appropriate, delivering
7 services, including:

8 a. Provisions for the local coalition to coordinate
9 with law enforcement agencies and social service agencies and
10 organizations that provide services and protection to victims
11 of domestic violence;

12 b. Provisions for allowing participants access to
13 domestic violence support services and ensuring that WAGES
14 participants are aware of domestic violence shelters,
15 hotlines, and other domestic violence services and policies;

16 c. Designation of the agency that is responsible for
17 determining eligibility for exceptions from program
18 requirements due to domestic violence;

19 d. Provisions that require each individual who is
20 granted an exemption from program requirements due to domestic
21 violence to participate in a program that prepares the
22 individual for self-sufficiency and safety; and

23 e. Where possible and necessary, provisions for job
24 assignments and transportation arrangements that take maximum
25 advantage of opportunities to preserve the safety of the
26 victim of domestic violence and the victim's dependents.

27 (5) By October 1, 1998, local WAGES coalitions shall
28 deliver through one-stop career centers, the full continuum of
29 services provided under the WAGES Program, including services
30 that are provided at the point of application. The State WAGES
31 Board may direct the Department of Labor and Employment

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1 Security to provide such services to WAGES participants if a
2 local WAGES coalition is unable to provide services due to
3 decertification. Local WAGES coalitions may not determine an
4 individual's eligibility for temporary cash assistance and all
5 education and training shall be provided through agreements
6 with regional workforce development boards. The local WAGES
7 coalitions shall develop a transition plan to be approved by
8 the WAGES Program State Board of Directors. Should career
9 service employees of the Department of Labor and Employment
10 Security be subject to layoff due to the local WAGES
11 coalitions taking over the delivery of such services, such
12 employees shall be given priority consideration for employment
13 by the local WAGES coalitions. Positions associated with
14 operation of WAGES Program functions that will be transferred
15 to local WAGES coalitions must be vacated within 60 days after
16 transfer of such functions and placed in reserve by the
17 Executive Office of the Governor. When positions have been
18 vacated, funds associated with those positions are to be
19 transferred to local WAGES coalitions to support operation of
20 the transferred functions. The amount of funds provided to
21 each local WAGES coalition will be determined by an allocation
22 formula to be developed by the WAGES Program State Board of
23 Directors.

24 (6)(5) The WAGES Program State Board of Directors may
25 not approve the program and financial plan of a local
26 coalition unless the plan provides a teen pregnancy prevention
27 component that includes, but is not necessarily limited to, a
28 plan for implementing the Florida Education Now and Babies
29 Later (ENABL) program under s. 411.242 and the Teen Pregnancy
30 Prevention Community Initiative within each county segment of
31 the service area in which the teen childhood birth rate is

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1 higher than the state average. Each local WAGES coalition is
2 authorized to fund community-based welfare prevention and
3 reduction initiatives that increase the support provided by
4 noncustodial parents to their welfare-dependent children and
5 are consistent with program and financial guidelines developed
6 by the WAGES Program State Board of Directors and the
7 Commission on Responsible Fatherhood. These initiatives may
8 include, but are not limited to, improved paternity
9 establishment, work activities for noncustodial parents, and
10 programs aimed at decreasing out-of-wedlock pregnancies,
11 encouraging the involvement of fathers with their children,
12 and increasing child-support payments.

13 (7)(6) At the option of the local WAGES coalition,
14 local employees of the department and the Department of Labor
15 and Employment Security shall provide staff support for the
16 local WAGES coalitions. ~~At the option of the local WAGES~~
17 ~~coalition, Staff support may be provided by another agency, or~~
18 ~~entity, or by contract if it can be provided at no cost to the~~
19 ~~state and if the support is not provided by an agency or other~~
20 ~~entity that could benefit financially from funds appropriated~~
21 ~~to implement the WAGES Program.~~

22 (8)(7) There shall be no liability on the part of, and
23 no cause of action of any nature shall arise against, any
24 member of a local WAGES coalition or its employees or agents
25 for any lawful action taken by them in the performance of
26 their powers and duties under this section and s. 414.029.

27 Section 3. Paragraph (b) of subsection (1) and
28 subsection (7) of section 414.065, Florida Statutes, are
29 amended and subsection (12) is added to that section to read:

30 414.065 Work requirements.--

31 (1) WORK ACTIVITIES.--The following activities may be

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1 used individually or in combination to satisfy the work
2 requirements for a participant in the WAGES Program:

3 (b) Subsidized private sector employment.--Subsidized
4 private sector employment is employment in a private
5 for-profit enterprise or a private not-for-profit enterprise
6 which is directly supplemented by federal or state funds. A
7 subsidy may be provided in one or more of the forms listed in
8 this paragraph.

9 1. Work supplementation.--A work supplementation
10 subsidy diverts a participant's temporary cash assistance
11 under the program to the employer. The employer must pay the
12 participant wages that equal or exceed the applicable federal
13 minimum wage. Work supplementation may not exceed 6 months. At
14 the end of the supplementation period, the employer is
15 expected to retain the participant as a regular employee
16 without receiving a subsidy ~~for at least 12 months. A~~ The work
17 supplementation agreement may not be continued with any
18 employer who exhibits a pattern of failing to provide
19 participants with continued employment after the period of
20 work supplementation ends ~~must provide that if the employee is~~
21 ~~dismissed at any time within 12 months after termination of~~
22 ~~the supplementation period due in any part to loss of the~~
23 ~~supplement, the employer shall repay some or all of the~~
24 ~~supplement previously paid as a subsidy to the employer under~~
25 ~~the WAGES Program.~~

26 2. On-the-job training.--On-the-job training is
27 full-time, paid employment in which the employer or an
28 educational institution in cooperation with the employer
29 provides training needed for the participant to perform the
30 skills required for the position. The employer or the
31 educational institution on behalf of the employer receives a

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1 subsidy to offset the cost of the training provided to the
2 participant. Upon satisfactory completion of the training, the
3 employer is expected to retain the participant as a regular
4 employee without receiving a subsidy. An ~~The~~ on-the-job
5 training agreement may not be continued with any employer who
6 exhibits a pattern of failing to provide participants with
7 continued employment after the on-the-job training subsidy
8 ends ~~must provide that in the case of dismissal of a~~
9 ~~participant due to loss of the subsidy, the employer shall~~
10 ~~repay some or all of the subsidy previously provided by the~~
11 ~~department and the Department of Labor and Employment~~
12 ~~Security.~~

13 3. Incentive payments.--The department and the
14 Department of Labor and Employment Security may provide
15 additional incentive payments to encourage employers to employ
16 program participants. Incentive payments may include payments
17 to encourage the employment of hard-to-place participants, in
18 which case the amount of the payment shall be weighted
19 proportionally to the extent to which the participant has
20 limitations associated with the long-term receipt of welfare
21 and difficulty in sustaining employment. In establishing
22 incentive payments, the department and the Department of Labor
23 and Employment Security shall consider the extent of prior
24 receipt of welfare, lack of employment experience, lack of
25 education, lack of job skills, and other appropriate factors.
26 A participant who has complied with program requirements and
27 who is approaching the time limit for receiving temporary cash
28 assistance may be defined as "hard-to-place." Incentive
29 payments may include payments in which an initial payment is
30 made to the employer upon the employment of a participant, and
31 the majority of the incentive payment is made after the

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1 employer retains the participant as a full-time employee for
2 at least 12 months. An ~~The~~ incentive agreement may not be
3 continued with any employer who exhibits a pattern of failing
4 to provide participants with continued employment after the
5 incentive payments end ~~must provide that if the employee is~~
6 ~~dismissed at any time within 12 months after termination of~~
7 ~~the incentive payment period due in any part to loss of the~~
8 ~~incentive, the employer shall repay some or all of the payment~~
9 ~~previously paid as an incentive to the employer under the~~
10 ~~WAGES Program.~~

11 4. Tax credits.--An employer who employs a program
12 participant may qualify for enterprise zone property tax
13 credits under s. 220.182, the tax refund program for qualified
14 target industry businesses under s. 288.106, or other federal
15 or state tax benefits. The department and the Department of
16 Labor and Employment Security shall provide information and
17 assistance, as appropriate, to use such credits to accomplish
18 program goals.

19 5. WAGES training bonus.--An employer who hires a
20 WAGES participant who has less than 6 months of eligibility
21 for temporary cash assistance remaining and who pays the
22 participant a wage that precludes the participant's
23 eligibility for temporary cash assistance may receive \$240 for
24 each full month of employment for a period that may not exceed
25 3 months. An employer who receives a WAGES training bonus for
26 an employee may not receive a work supplementation subsidy for
27 the same employee. Employment is defined as 35 hours per week
28 at a wage of no less than \$6 per hour.

29 (7) EXCEPTIONS TO NONCOMPLIANCE PENALTIES.--The
30 situations listed in this subsection shall constitute
31 exceptions to the penalties for noncompliance with

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1 participation requirements, except that these situations do
2 not constitute exceptions to the applicable time limit for
3 receipt of temporary cash assistance:

4 (a) Noncompliance related to child care.--Temporary
5 cash assistance may not be terminated for refusal to
6 participate in work activities if the individual is a single
7 custodial parent caring for a child who has not attained 6
8 years of age, and the adult proves to the department or to the
9 Department of Labor and Employment Security an inability to
10 obtain needed child care for one or more of the following
11 reasons:

12 1. Unavailability of appropriate child care within a
13 reasonable distance from the individual's home or worksite.

14 2. Unavailability or unsuitability of informal child
15 care by a relative or under other arrangements.

16 3. Unavailability of appropriate and affordable formal
17 child care arrangements.

18 (b) Noncompliance related to domestic violence.--An
19 individual who is determined to be unable to comply with the
20 work requirements because such compliance would make it
21 probable that the individual would be unable to escape
22 domestic violence shall be exempt from work requirements
23 pursuant to s. 414.028(4)(g). However, the individual shall
24 comply with a plan that specifies alternative requirements
25 that prepare the individual for self-sufficiency while
26 providing for the safety of the individual and the
27 individual's dependents. An exception granted under this
28 paragraph does not constitute an exception to the time
29 limitations on benefits specified under s. 414.105.

30 (c) Noncompliance related to treatment or remediation
31 of past effects of domestic violence.--An individual who is

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1 determined to be unable to comply with the work requirements
2 under this section due to mental or physical impairment
3 related to past incidents of domestic violence may be exempt
4 from work requirements for a specified period pursuant to s.
5 414.028(4)(g), except that such individual shall comply with a
6 plan that specifies alternative requirements that prepare the
7 individual for self-sufficiency while providing for the safety
8 of the individual and the individual's dependents. The plan
9 must include counseling or a course of treatment necessary for
10 the individual to resume participation. The need for treatment
11 and the expected duration of such treatment must be verified
12 by a physician licensed under chapter 458 or chapter 459; a
13 psychologist licensed under s. 490.005(1), s. 490.006, or the
14 provision identified as s. 490.013(2) in s. 1, chapter 81-235,
15 Laws of Florida; a therapist as defined in s. 491.003(2) or
16 (6); or a treatment professional who is registered under s.
17 415.605(1)(g), is authorized to maintain confidentiality under
18 s. 90.5036(1)(d), and has a minimum of 2 years experience at a
19 certified domestic violence center. An exception granted under
20 this paragraph does not constitute an exception from the time
21 limitations on benefits specified under s. 414.105.

22 (d)(b) Noncompliance related to medical
23 incapacity.--If an individual cannot participate in assigned
24 work activities due to a medical incapacity, the individual
25 may be excepted from the activity for a specific period,
26 except that the individual shall be required to comply with
27 the course of treatment necessary for the individual to resume
28 participation. A participant may not be excused from work
29 activity requirements unless the participant's medical
30 incapacity is verified by a physician licensed under chapter
31 458 or chapter 459, in accordance with procedures established

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1 by rule of the Department of Labor and Employment Security.
 2 (e)(c) Other good cause exceptions for
 3 noncompliance.--Individuals who are temporarily unable to
 4 participate due to circumstances beyond their control may be
 5 excepted from the noncompliance penalties. The Department of
 6 Labor and Employment Security may define by rule situations
 7 that would constitute good cause. These situations must
 8 include caring for a disabled family member when the need for
 9 the care has been verified and alternate care is not
 10 available.

11 (12) PROTECTION FOR CURRENT EMPLOYEES.--In
 12 establishing and contracting for work-experience and community
 13 service activities, other work-experience activities,
 14 on-the-job training, subsidized employment, and work
 15 supplementation under the WAGES Program, an employed worker
 16 may not be displaced, either completely or partially. A WAGES
 17 participant may not be assigned to an activity or employed in
 18 a position if the employer has created the vacancy or
 19 terminated an existing employee without good cause in order to
 20 fill that position with a WAGES participant.

21 Section 4. Section 414.20, Florida Statutes, is
 22 amended to read:

23 414.20 Other support services.--Support services shall
 24 be provided, if resources permit, to assist participants in
 25 complying with work activity requirements outlined in s.
 26 414.065. If resources do not permit the provision of needed
 27 support services, the department and the Department of Labor
 28 and Employment Security may prioritize or otherwise limit
 29 provision of support services. This section does not
 30 constitute an entitlement to support services. Lack of
 31 provision of support services may be considered as a factor in

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1 determining whether good cause exists for failing to comply
2 with work activity requirements but does not automatically
3 constitute good cause for failing to comply with work activity
4 requirements, and does not affect any applicable time limit on
5 the receipt of temporary cash assistance or the provision of
6 services under this chapter. Support services shall include,
7 but need not be limited to:

8 (1) TRANSPORTATION.--Transportation expenses may be
9 provided to any participant when the assistance is needed to
10 comply with work activity requirements or employment
11 requirements, including transportation to and from a child
12 care provider. Payment may be made in cash or tokens in
13 advance or through reimbursement paid against receipts or
14 invoices. Transportation services may include, but are not
15 limited to, cooperative arrangements with the following:
16 public transit providers; community transportation
17 coordinators designated under chapter 427; school districts,
18 churches and community centers; donated motor vehicle
19 programs, vanpools, and ridesharing programs; small enterprise
20 developments and entrepreneurial programs that encourage WAGES
21 participants to become transportation providers; public and
22 private transportation partnerships; and other innovative
23 strategies to expand transportation options available to
24 program participants.

25 (a) Local WAGES coalitions are authorized to provide
26 payment for vehicle operational and repair expenses, including
27 repair expenditures necessary to make a vehicle functional;
28 vehicle registration fees; driver's license fees; and
29 liability insurance for the vehicle for a period of up to 6
30 months. Request for vehicle repairs must be accompanied by an
31 estimate of the cost prepared by a repair facility registered

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1 under s. 559.904.

2 (b) Transportation disadvantaged funds as defined in
3 chapter 427 do not include WAGES support services funds or
4 funds appropriated to assist persons eligible under the Job
5 Training Partnership Act. It is the intent of the Legislature
6 that local WAGES coalitions and regional workforce development
7 boards consult with local community transportation
8 coordinators designated under chapter 427 regarding the
9 availability and cost of transportation services through the
10 coordinated transportation system prior to contracting for
11 comparable transportation services outside the coordinated
12 system. Support services funds may also be used to develop
13 transportation resources to expand transportation options
14 available to participants. These services may include
15 cooperative arrangements with local transit authorities or
16 school districts and small enterprise development.

17 (2) ANCILLARY EXPENSES.--Ancillary expenses such as
18 books, tools, clothing, fees, and costs necessary to comply
19 with work activity requirements or employment requirements may
20 be provided.

21 (3) MEDICAL SERVICES.--A family that meets the
22 eligibility requirements for Medicaid shall receive medical
23 services under the Medicaid program.

24 (4) PERSONAL AND FAMILY COUNSELING AND
25 THERAPY.--Counseling may be provided to participants who have
26 a personal or family problem or problems caused by substance
27 abuse that is a barrier to compliance with work activity
28 requirements or employment requirements. In providing these
29 services, the department and the Department of Labor and
30 Employment Security shall use services that are available in
31 the community at no additional cost. If these services are not

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1 available, the department and the Department of Labor and
2 Employment Security may use support services funds. Personal
3 or family counseling not available through Medicaid may not be
4 considered a medical service for purposes of the required
5 statewide implementation plan or use of federal funds.

6 Section 5. Section 414.105, Florida Statutes, is
7 amended to read:

8 414.105 Time limitations of temporary cash
9 assistance.--Unless otherwise expressly provided in this
10 chapter, an applicant or current participant shall receive
11 temporary cash assistance for episodes of not more than 24
12 cumulative months in any consecutive 60-month period that
13 begins with the first month of participation and for not more
14 than a lifetime cumulative total of 48 months as an adult.

15 (1) The time limitation for episodes of temporary cash
16 assistance may not exceed 36 cumulative months in any
17 consecutive 72-month period that begins with the first month
18 of participation and may not exceed a lifetime cumulative
19 total of 48 months of temporary cash assistance as an adult,
20 for cases in which the participant:

21 (a) Has received aid to families with dependent
22 children or temporary cash assistance for any 36 months of the
23 preceding 60 months; or

24 (b) Is a custodial parent under the age of 24 who:

25 1. Has not completed a high school education or its
26 equivalent; or

27 2. Had little or no work experience in the preceding
28 year.

29 (2) A participant who is not exempt from work activity
30 requirements may earn 1 month of eligibility for extended
31 temporary cash assistance, up to a maximum of 12 additional

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1 months, for each month in which the participant is working
2 full-time, part-time, or otherwise fully complying with all
3 the requirements of the WAGES Program. The period for which
4 extended temporary cash assistance is granted shall be based
5 upon compliance with WAGES Program requirements beginning
6 October 1, 1996. A participant may not receive temporary cash
7 assistance under this subsection, in combination with other
8 periods of temporary cash assistance, for longer than 48
9 months.

10 ~~(3)~~(2) Hardship exemptions to the time limitations of
11 this chapter shall be limited to 10 percent of participants in
12 the first year of implementation of this chapter, 15 percent
13 of participants in the second year of implementation of this
14 chapter, and 20 percent of participants in all subsequent
15 years. Criteria for hardship exemptions include:

16 (a) Diligent participation in activities, combined
17 with inability to obtain employment.

18 (b) Diligent participation in activities, combined
19 with extraordinary barriers to employment, including the
20 conditions which may result in an exemption to work
21 requirements.

22 (c) Significant barriers to employment, combined with
23 a need for additional time.

24 (d) Diligent participation in activities and a need by
25 teen parents for an exemption in order to have 24 months of
26 eligibility beyond receipt of the high school diploma or
27 equivalent.

28 (e) A recommendation of extension for a minor child of
29 a participating family that has reached the end of the
30 eligibility period for temporary cash assistance. The
31 recommendation must be the result of a review which determines

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1 that the termination of the child's temporary cash assistance
2 would be likely to result in the child being placed into
3 emergency shelter or foster care. Temporary cash assistance
4 shall be provided through a protective payee. Staff of the
5 Children and Families ~~Family Services~~ Program Office of the
6 department shall conduct all assessments in each case in which
7 it appears a child may require continuation of temporary cash
8 assistance through a protective payee.

9
10 At the recommendation of the local WAGES coalition, temporary
11 cash assistance under a hardship exemption for a participant
12 who is eligible for work activities and who is not working
13 shall be reduced by 10 percent. Upon the employment of the
14 participant, full benefits shall be restored.

15 (4) In addition to the exemptions listed in subsection
16 (3), a victim of domestic violence may be granted a hardship
17 exemption if the effects of such domestic violence delay or
18 otherwise interrupt or adversely affect the individual's
19 participation in the program. Hardship exemptions granted
20 under this subsection shall not be subject to the percentage
21 limitations in subsection (3).

22 (5)~~(3)~~ The department shall establish a procedure for
23 reviewing and approving hardship exemptions, and the local
24 WAGES coalitions may assist in making these determinations.
25 The composition of any review panel must generally reflect the
26 racial, gender, and ethnic diversity of the community as a
27 whole. Members of a review panel shall serve without
28 compensation, but are entitled to receive reimbursement for
29 per diem and travel expenses as provided in s. 112.016.

30 (6)~~(4)~~ The cumulative total of all hardship exemptions
31 may not exceed 12 months, may include reduced benefits at the

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1 option of the community review panel, and shall, in
2 combination with other periods of temporary cash assistance as
3 an adult, total no more than 48 months of temporary cash
4 assistance. If an individual fails to comply with program
5 requirements during a hardship exemption period, the hardship
6 exemption shall be removed.

7 ~~(7)(5)~~ For individuals who have moved from another
8 state and have legally resided in this state for less than 12
9 months, the time limitation for temporary cash assistance
10 shall be the shorter of the respective time limitations used
11 in the two states, and months in which temporary cash
12 assistance was received under a block grant program that
13 provided temporary assistance for needy families in any state
14 shall count towards the cumulative 48-month benefit limit for
15 temporary cash assistance.

16 ~~(8)(6)~~ For individuals subject to a time limitation
17 under the Family Transition Act of 1993, that time limitation
18 shall continue to apply. Months in which temporary cash
19 assistance was received through the family transition program
20 shall count towards the time limitations under this chapter.

21 ~~(9)(7)~~ Except when temporary cash assistance was
22 received through the family transition program, the
23 calculation of the time limitation for temporary cash
24 assistance shall begin with the first month of receipt of
25 temporary cash assistance after the effective date of this
26 act.

27 ~~(10)(8)~~ Child-only cases are not subject to time
28 limitations, and temporary cash assistance received while an
29 individual is a minor child shall not count towards time
30 limitations.

31 ~~(11)(9)~~ An individual who receives benefits under the

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1 Supplemental Security Income program or the Social Security
2 Disability Insurance program is not subject to time
3 limitations.

4 (12) A person who is totally responsible for the
5 personal care of a disabled family member is not subject to
6 time limitations if the need for the care is verified and
7 alternative care is not available for the family member. The
8 department shall annually evaluate an individual's
9 qualifications for this exemption.

10 (13)~~(10)~~ A member of the WAGES Program staff shall
11 interview and assess the employment prospects and barriers of
12 each participant who is within 6 months of reaching the
13 24-month time limit. The staff member shall assist the
14 participant in identifying actions necessary to become
15 employed prior to reaching the benefit time limit for
16 temporary cash assistance and, if appropriate, shall refer the
17 participant for services that could facilitate employment.

18 Section 6. Present subsections (4), (5), (6), (7),
19 (8), (9), and (10) of section 414.0252, Florida Statutes, are
20 renumbered as subsections (5), (7), (8), (9), (10), (11), and
21 (12) of that section, respectively, and new subsections (4)
22 and (6) are added to that section, to read:

23 414.0252 Definitions.--As used in ss. 414.015-414.45,
24 the term:

25 (4) "Domestic violence" means any assault, aggravated
26 assault, battery, aggravated battery, sexual assault, sexual
27 battery, stalking, aggravated stalking, kidnapping, false
28 imprisonment, or any criminal offense that results in the
29 physical injury or death of one family or household member by
30 another.

31 (6) "Family or household member" means spouses, former

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1 spouses, noncohabitating partners, persons related by blood or
2 marriage, persons who are presently residing together as if a
3 family or who have resided together in the past as if a
4 family, and persons who have a child in common regardless of
5 whether they have been married or have resided together at any
6 time.

7 Section 7. Paragraph (g) is added to subsection (10)
8 of section 414.095, Florida Statutes, and subsection (3) and
9 paragraph (d) of subsection (15) of that section are amended
10 to read:

11 414.095 Determining eligibility for the WAGES
12 Program.--

13 (3) ELIGIBILITY FOR NONCITIZENS.--A"qualified
14 noncitizen" is an individual who is lawfully present in the
15 United States as a refugee or who is granted asylum under ss.
16 207 and 208 of the Immigration and Nationality Act, an alien
17 whose deportation is withheld under s. 243(h) of the
18 Immigration and Nationality Act, or an alien who has been
19 admitted as a permanent resident and meets specific criteria
20 under federal law. In addition, a "qualified noncitizen"
21 includes an individual who has been battered or subject to
22 extreme cruelty in the United States by a spouse or a parent,
23 and has applied for or received protection under the federal
24 Violence Against Women Act of 1994, Pub. L. No. 103-322, if
25 the need for benefits is related to the abuse.A"nonqualified
26 noncitizen" is a nonimmigrant alien, including a tourist,
27 business visitor, foreign student, exchange visitor, temporary
28 worker, or diplomat. In addition, a"nonqualified noncitizen"
29 includes an individual paroled into the United States for less
30 than 1 year. A qualified noncitizen who is otherwise eligible
31 may receive temporary cash assistance to the extent permitted

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1 by federal law. The income or resources of a sponsor and the
2 sponsor's spouse shall be included in determining eligibility
3 to the maximum extent permitted by federal law.

4 (a) A child born in the United States to an illegal or
5 ineligible alien is eligible for temporary cash assistance
6 under this chapter if the family meets all eligibility
7 requirements.

8 (b) If the parent may legally work in this country,
9 the parent must participate in the work activity requirements
10 provided in s. 414.065, to the extent permitted under federal
11 law.

12 (c) The department shall participate in the Systematic
13 Alien Verification for Entitlements Program (SAVE) established
14 by the United States Immigration and Naturalization Service in
15 order to verify the validity of documents provided by aliens
16 and to verify an alien's eligibility.

17 (d) The income of an illegal alien or ineligible
18 alien, less a pro rata share for the illegal alien or
19 ineligible alien, counts in determining a family's eligibility
20 to participate in the program.

21 (e) The entire assets of an ineligible alien or a
22 disqualified individual who is a mandatory member of a family
23 shall be included in determining the family's eligibility.

24 (10) PARTICIPANT OPPORTUNITIES AND OBLIGATIONS.--An
25 applicant or participant in the WAGES Program has the
26 following opportunities and obligations:

27 (g) To receive information regarding services
28 available from certified domestic violence centers or
29 organizations that provide counseling and supportive services
30 to individuals who are past or present victims of domestic
31 violence or who are at risk of domestic violence and, upon

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1 request, to be referred to such organizations in a manner
2 which protects the individual's confidentiality.

3 (15) PROHIBITIONS AND RESTRICTIONS.--

4 (d) Notwithstanding any law to the contrary, if a
5 parent or caretaker relative without good cause does not
6 cooperate with the state agency responsible for administering
7 the child support enforcement program in establishing,
8 modifying, or enforcing a support order with respect to a
9 child of a teen parent or other family member, or a child of a
10 family member who is in the care of an adult relative,
11 temporary cash assistance to the entire family shall be denied
12 until the state agency indicates that cooperation by the
13 parent or caretaker relative has been satisfactory. To the
14 extent permissible under federal law, a parent or caretaker
15 relative shall not be penalized for failure to cooperate with
16 paternity establishment or with the establishment,
17 modification, or enforcement of a support order when such
18 cooperation could subject an individual to a risk of domestic
19 violence. Such risk shall constitute good cause to the extent
20 permitted by Title IV-D of the Social Security Act, as
21 amended, or other federal law.

22 Section 8. Subsection (2) of section 414.115, Florida
23 Statutes, is amended to read:

24 414.115 Limited temporary cash assistance for children
25 born to families receiving temporary cash assistance.--

26 (2) Subsection (1) does not apply:

27 (a) To a program participant who is a victim of rape
28 or incest if the victim files a police report on the rape or
29 incest within 30 days after the incident;

30 (b) To a program participant who is confirmed by the
31 Title IV-D child support agency as having been granted an

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1 exemption from participating in requirements for the
2 enforcement of child support due to circumstances consistent
3 with the conception of the child as a result of rape, incest,
4 or sexual exploitation. A child for whom an exemption is
5 claimed under this paragraph and for whom an application has
6 been made for a good-cause exemption from the requirements of
7 s. 414.095 shall receive temporary benefits until a
8 determination is made on the application for a good-cause
9 exemption from the requirements of s. 414.095;

10 (c)~~(b)~~ To children who are the firstborn, including
11 all children in the case of multiple birth, of minors included
12 in a temporary cash assistance group who as minors become
13 first-time parents;

14 (d)~~(c)~~ To a child when parental custody has been
15 legally transferred; or

16 (e)~~(d)~~ To a child who is no longer able to live with
17 his or her parents as a result of:

- 18 1. The death of the child's parent or parents;
- 19 2. The incapacity of the child's parent or parents as
20 documented by a physician, such that the parent or parents are
21 unable to care for the child;
- 22 3. Legal transfer of the custody of the child to
23 another individual;
- 24 4. Incarceration of the child's parent or parents,
25 except that the child shall not receive temporary cash
26 assistance if a parent is subsequently released and reunited
27 with the child; or
- 28 5. A situation in which the child's parent's or
29 parents' institutionalization is expected to be for an
30 extended period, as defined by the department.

31 Section 9. Paragraph (g) is added to subsection (1) of

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1 section 234.01, Florida Statutes, to read:

2 234.01 Purpose; transportation; when provided.--

3 (1) School boards, after considering recommendations
4 of the superintendent:

5 (g) May provide transportation for WAGES participants
6 as defined in s. 414.0252.

7 Section 10. Present paragraph (b) of subsection (1) of
8 section 234.211, Florida Statutes, is redesignated as
9 paragraph (c), and a new paragraph (b) is added to that
10 subsection to read:

11 234.211 Use of school buses for public purposes.--

12 (1)

13 (b) Each school district may enter into agreements
14 with local WAGES coalitions for the provision of
15 transportation services to WAGES participants as defined in s.
16 414.0252. Agreements must provide for reimbursement in full or
17 in part for the proportionate share of fixed and operating
18 costs incurred by the school district attributable to the use
19 of buses in accordance with the agreement.

20 Section 11. Subsection (13) is added to section
21 341.041, Florida Statutes, to read:

22 341.041 Transit responsibilities of the
23 department.--The department shall, within the resources
24 provided pursuant to chapter 216:

25 (13) Assist local governmental entities and other
26 transit operators in the planning, development, and
27 coordination of transit services for WAGES participants as
28 defined in s. 414.0252.

29 Section 12. Subsections (1) and (2) of section
30 341.052, Florida Statutes, are amended to read:

31 341.052 Public transit block grant program;

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1 administration; eligible projects; limitation.--

2 (1) There is created a public transit block grant
3 program which shall be administered by the department. Block
4 grant funds shall only be provided to "Section 9" providers
5 and "Section 18" providers designated by the United States
6 Department of Transportation and community transportation
7 coordinators as defined in chapter 427. Eligible providers
8 must establish public transportation development plans
9 consistent, to the maximum extent feasible, with approved
10 local government comprehensive plans of the units of local
11 government in which the provider is located. In developing
12 public transportation development plans, eligible providers
13 must solicit comments from local WAGES coalitions established
14 under chapter 414. The development plans must address how the
15 public transit provider will work with the appropriate local
16 WAGES coalition to provide services to WAGES participants.
17 Eligible providers must review program and financial plans
18 established under s. 414.028 and provide information to the
19 local WAGES coalition serving the county in which the provider
20 is located regarding the availability of transportation
21 services to assist WAGES participants.

22 (2) Costs for which public transit block grant program
23 funds may be expended include:

24 (a) Costs of public bus transit and local public fixed
25 guideway capital projects.

26 (b) Costs of public bus transit service development
27 and transit corridor projects. Whenever block grant funds are
28 used for a service development project or a transit corridor
29 project, the use of such funds is governed by s. 341.051.
30 Local transit service development projects and transit
31 corridor projects currently operating under contract with the

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1 department shall continue to receive state funds according to
 2 the contract until such time as the contract expires. Transit
 3 corridor projects, wholly within one county, meeting or
 4 exceeding performance criteria as described in the contract
 5 shall be continued by the transit provider at the same or a
 6 higher level of service until such time as the department, the
 7 M.P.O., and the service provider, agree to discontinue the
 8 service. The provider may not increase fares for services in
 9 transit corridor projects wholly within one county without the
 10 consent of the department.

11 (c) Costs of public bus transit operations.

12

13 All projects must ~~shall~~ be consistent, to the maximum extent
 14 feasible, with the approved local government comprehensive
 15 plans of the units of local government ~~comprehensive plans of~~
 16 ~~local government~~ in which the project is located.

17 Section 13. Paragraph (a) of subsection (2) of section
 18 414.026, Florida Statutes, is amended to read:

19 414.026 WAGES Program State Board of Directors.--

20 (2)(a) The board of directors shall be composed of the
 21 following members:

- 22 1. The Commissioner of Education, or the
- 23 commissioner's designee.
- 24 2. The Secretary of Children and Family Services.
- 25 3. The Secretary of Health.
- 26 4. The Secretary of Labor and Employment Security.
- 27 5. The Secretary of Community Affairs.
- 28 6. The Secretary of Transportation.

29 ~~7.6.~~ The director of the Office of Tourism, Trade, and
 30 Economic Development.

31 ~~8.7.~~ The president of the Enterprise Florida workforce

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1 development board, established under s. 288.9620.

2 ~~9.8.~~ The chief executive officer of the Florida
3 Tourism Industry Marketing Corporation, established under s.
4 288.1226.

5 ~~10.9.~~ Nine members appointed by the Governor, as
6 follows:

7 a. Six members shall be appointed from a list of ten
8 nominees, of which five must be submitted by the President of
9 the Senate and five must be submitted by the Speaker of the
10 House of Representatives. The list of five nominees submitted
11 by the President of the Senate and the Speaker of the House of
12 Representatives must each contain at least three individuals
13 employed in the private sector, two of whom must have
14 management experience. One of the five nominees submitted by
15 the President of the Senate and one of the five nominees
16 submitted by the Speaker of the House of Representatives must
17 be an elected local government official who shall serve as an
18 ex officio nonvoting member.

19 b. Three members shall be at-large members appointed
20 by the Governor.

21 c. Of the nine members appointed by the Governor, at
22 least six must be employed in the private sector and of these,
23 at least five must have management experience.

24
25 The members appointed by the Governor shall be appointed to
26 4-year, staggered terms. Within 60 days after a vacancy occurs
27 on the board, the Governor shall fill the vacancy of a member
28 appointed from the nominees submitted by the President of the
29 Senate and the Speaker of the House of Representatives for the
30 remainder of the unexpired term from one nominee submitted by
31 the President of the Senate and one nominee submitted by the

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1 Speaker of the House of Representatives. Within 60 days after
2 a vacancy of a member appointed at-large by the Governor
3 occurs on the board, the Governor shall fill the vacancy for
4 the remainder of the unexpired term. The composition of the
5 board must generally reflect the racial, gender, and ethnic
6 diversity of the state as a whole.

7 Section 14. Section 414.225, Florida Statutes, is
8 created to read:

9 414.225 Transitional transportation.--In order to
10 assist former WAGES participants in maintaining and sustaining
11 employment, transportation may be provided, if funds are
12 available, for up to 1 year after the participant is no longer
13 eligible to participate in the program due to earnings. This
14 does not constitute an entitlement to transitional
15 transportation. If funds are not sufficient to provide
16 services under this section, the department may limit or
17 otherwise prioritize transportation services.

18 (1) Transitional transportation must be job related.

19 (2) Transitional transportation may include expenses
20 identified in s. 414.20.

21 Section 15. Subsection (27) is added to section
22 427.013, Florida Statutes, to read:

23 427.013 The Commission for the Transportation
24 Disadvantaged; purpose and responsibilities.--The purpose of
25 the commission is to accomplish the coordination of
26 transportation services provided to the transportation
27 disadvantaged. The goal of this coordination shall be to
28 assure the cost-effective provision of transportation by
29 qualified community transportation coordinators or
30 transportation operators for the transportation disadvantaged
31 without any bias or presumption in favor of multioperator

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1 systems or not-for-profit transportation operators over single
2 operator systems or for-profit transportation operators. In
3 carrying out this purpose, the commission shall:

4 (27) Ensure that local community transportation
5 coordinators work cooperatively with local WAGES coalitions
6 established in chapter 414 to provide assistance in the
7 development of innovative transportation services for WAGES
8 participants.

9 Section 16. Subsection (9) is added to section
10 427.0155, Florida Statutes, to read:

11 427.0155 Community transportation coordinators; powers
12 and duties.--Community transportation coordinators shall have
13 the following powers and duties:

14 (9) Work cooperatively with local WAGES coalitions
15 established in chapter 414 to provide assistance in the
16 development of innovative transportation services for WAGES
17 participants.

18 Section 17. Subsection (7) is added to section
19 427.0157, Florida Statutes, to read:

20 427.0157 Coordinating boards; powers and duties.--The
21 purpose of each coordinating board is to develop local service
22 needs and to provide information, advice, and direction to the
23 community transportation coordinators on the coordination of
24 services to be provided to the transportation disadvantaged.
25 The commission shall, by rule, establish the membership of
26 coordinating boards. The members of each board shall be
27 appointed by the metropolitan planning organization or
28 designated official planning agency. The appointing authority
29 shall provide each board with sufficient staff support and
30 resources to enable the board to fulfill its responsibilities
31 under this section. Each board shall meet at least quarterly

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1 and shall:

2 (7) Work cooperatively with local WAGES coalitions
3 established in chapter 414 to provide assistance in the
4 development of innovative transportation services for WAGES
5 participants.

6 Section 18. Section 414.80, Florida Statutes, is
7 created to read:

8 414.80 Short title.--Sections 414.80-414.860 may be
9 cited as the "WAGES Targeted Employment Act."

10 Section 19. Section 414.810, Florida Statutes, is
11 created to read:

12 414.810 Legislative findings and intent.--

13 (1) The Legislature finds that the success of the Work
14 and Gain Economic Self-sufficiency (WAGES) Program depends
15 upon the existence of sufficient employment opportunities
16 compatible with the education and skill levels of participants
17 in the WAGES Program.

18 (2) The Legislature finds that in several identifiable
19 regions of the state there is an alarmingly inadequate supply
20 of entry-level jobs in relation to the number of WAGES
21 participants who are exhausting statutory limitations on the
22 receipt of temporary cash assistance under the WAGES Program.

23 (3) The Legislature finds that the disparity between
24 employment opportunities and the number of WAGES participants
25 in these areas of critical state economic concern constitutes
26 an economic development emergency with significant fiscal and
27 social implications for these areas and for the state as a
28 whole.

29 (4) The Legislature finds that there is an immediate
30 need to facilitate the location and expansion of businesses
31 and the creation of jobs in these areas of critical state

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1 economic concern, but that such activities may be hampered by
2 existing budgetary, statutory, regulatory, or programmatic
3 requirements.

4 (5) It is the intent of the Legislature to provide for
5 a WAGES Targeted Employment Program in order to ensure that
6 the resources of state and local government are marshaled in a
7 coordinated, effective, and timely manner to promote economic
8 development and job creation integral to the success of the
9 WAGES Program.

10 Section 20. Section 414.811, Florida Statutes, is
11 created to read:

12 414.811 Policy and purpose.--Because the Legislature
13 has determined that the state must take extraordinary measures
14 to meet the employment needs of its residents who are
15 transitioning from dependence on welfare to self-reliance
16 through employment and to ensure that adequate employment
17 opportunities exist for such residents, it is hereby found and
18 declared necessary:

19 (1) To create a WAGES Targeted Employment Team to be
20 composed of a state director and appointed agency WAGES
21 Targeted Employment Coordinators.

22 (a) The state director shall be appointed by the
23 Governor, and for administrative purposes, shall be housed in
24 the Executive Office of the Governor.

25 (b) Staffing for the WAGES Targeted Employment Team
26 shall be provided by the Department of Community Affairs. The
27 department shall coordinate the use of state facilities and
28 resources in ensuring the successful completion of the team's
29 objectives.

30 (2) To empower the WAGES Targeted Employment Team to
31 facilitate the creation of employment opportunities in areas

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1 of critical state economic concern.

2 (3) To provide for coordination with local government
3 of state designated projects.

4 Section 21. Section 414.812, Florida Statutes, is
5 created to read:

6 414.812 Limitations.--

7 (1) The existence of the WAGES Targeted Employment
8 Program is not designed to disrupt the orderly economic
9 development of the state. Rather, it is created to coordinate
10 state resources and rapidly eliminate barriers that prevent
11 the creation of employment opportunities in designated regions
12 and communities of the state.

13 (2) Nothing in ss. 414.80-414.860 shall be construed
14 to:

15 (a) Interfere with the responsibilities of the
16 Division of Community Affairs relative to the State Emergency
17 Management Act under chapter 252;

18 (b) Interfere with military and defense obligations of
19 the Florida National Guard; or

20 (c) Authorize the destruction of wetlands or other
21 ecologically or environmentally sensitive lands.

22 Section 22. Section 414.813, Florida Statutes, is
23 created to read:

24 414.813 Liberal construction.--Sections 414.80-414.860
25 shall be construed liberally in order to effectuate their
26 purposes.

27 Section 23. Section 414.820, Florida Statutes, is
28 created to read:

29 414.820 Designation of Areas of Critical State
30 Economic Concern.--

31 (1) The Legislature declares the following workforce

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1 development regions to be areas of critical state economic
2 concern:

3 (a) Region 5--Gadsden, Leon, and Wakulla counties;

4 (b) Region 6--Hamilton, Jefferson, Lafayette, Madison,
5 Suwannee, and Taylor counties;

6 (c) Region 7--Baker, Columbia, Dixie, Gilchrist, and
7 Union counties;

8 (d) Region 19--DeSoto, Hardee, and Highlands counties;
9 and

10 (e) Region 23--Dade and Monroe counties.

11 (2) By Executive Order, the Governor shall declare no
12 more than 4 additional areas of the state as areas of critical
13 state economic concern based upon the following criteria:

14 (a) Areas with a high proportion of families who had
15 already received cash assistance in three out of the previous
16 five years at the time their time limit was established;

17 (b) Areas with a high proportion of families subject
18 to the WAGES time limit headed by a parent who was under age
19 24 at the time the time limit was established and who lacked
20 high school or GED completion;

21 (c) Areas with a high proportion of families subject
22 to the time limit who have used all of the available months of
23 cash assistance since October 1996;

24 (d) Areas with a low ratio of new jobs per WAGES
25 participant;

26 (e) Areas with a low ratio of job openings requiring
27 less than a high school degree per WAGES participant;

28 (f) Areas with a high proportion of families subject
29 to the time limit who are either within six months of the time
30 limit or are receiving cash assistance under a period of
31 hardship extension to the time limit;

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1 (g) Areas with unusually high unemployment; and
2 (h) Areas identified as labor surplus areas using the
3 criteria established by the U.S. Department of Labor
4 Employment and Training Administration.

5 (3) Subcounty areas determined to have the greatest
6 need for job creation as determined by the Workforce
7 Development Board of Enterprise Florida, Inc., based upon the
8 criteria in subsection (2) shall qualify for designation by
9 the Governor under the authority provided by this section.

10 Section 24. Section 414.830, Florida Statutes, is
11 created to read:

12 414.830 WAGES Targeted Employment Program.--

13 (1)(a) By July 1, 1998, the heads of the Departments
14 of Agriculture and Consumer Services, Labor and Employment
15 Security, Community Affairs, Children and Family Services,
16 Revenue, Business and Professional Regulation, Management
17 Services, Military Affairs, Transportation, and Environmental
18 Protection shall select from within each such department a
19 person to be designated as the WAGES Targeted Employment
20 Coordinator for the department and a person to serve as an
21 alternate.

22 (b) By July 1, 1998, the Comptroller; the Auditor
23 General; the executive director of each water management
24 district; and the heads of the Office of Tourism, Trade, and
25 Economic Development, Enterprise Florida, Inc., State WAGES
26 Board of Directors, Institute of Food and Agricultural
27 Science, Florida Chamber of Commerce, the Florida Home
28 Builders Association, the State Board of Community Colleges,
29 Division of Workforce Development of the Department of
30 Education, State University System, Florida Ports Council, and
31 the Office of Planning and Budgeting shall select from within

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1 such organizations a person to be designated as the WAGES
2 Targeted Employment Coordinator for the organization and a
3 person to serve as an alternate.

4 (c) By designation, the WAGES Targeted Employment
5 Coordinators are empowered to commit and coordinate those
6 resources applicable to the organization that the coordinator
7 represents. The WAGES Targeted Employment Coordinators
8 together with the state director comprise the WAGES Targeted
9 Employment Team, and are responsible for providing various
10 resources dictated by need as determined by project teams.

11 (d) The head of each organization identified in
12 paragraphs (a) and (b) shall notify the Governor and the state
13 director in writing of the person initially designated as the
14 WAGES Targeted Employment Coordinator for such organization
15 and his or her alternate and of any changes in persons so
16 designated thereafter. The Governor may add individuals to the
17 WAGES Targeted Employment Team as deemed necessary.

18 (2) The WAGES Targeted Employment Team shall encourage
19 state and local agencies to cooperatively solve all barriers
20 for attracting and committing potential employers to locate in
21 areas of critical state economic concern and to facilitate
22 expansion of existing businesses in those areas. The Secretary
23 of the Department of Transportation is directed to ensure that
24 transportation components of identified projects be provided
25 from resources available to the department. Once a local
26 project leader or regional employment team has identified a
27 barrier that cannot be overcome through traditional means, the
28 WAGES Targeted Employment Team, with the approval of the
29 Governor, may:

30 (a) By contract with the potential employer, waive any
31 criteria, requirement or similar provision of any economic

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1 development incentive. Such incentives shall include, but not
2 be limited to, programs under ss. 288.106, 288.047, 288.063,
3 288.1045, 288.107, 212.097, 212.098, and 220.1895;

4 (b) By contract with the potential employer, provide
5 training and educational opportunities for new employees,
6 develop training programs, and pay tuition or training
7 expenses for employees;

8 (c) Contract with any Florida based provider of
9 employment training services or educational services for the
10 provision of services related to the team's responsibilities;

11 (d) Contract with potential employers to provide any
12 service or product over which the team has control;

13 (e) Recommend emergency issues to the Governor for his
14 consideration as matters requiring an executive order;

15 (f) Waive transportation provider preferences and
16 exclusions provided to the Transportation Disadvantage
17 Commission and associated providers; and

18 (g) Authorize the use of funds appropriated for the
19 WAGES Targeted Employment Program for the staffing expenses of
20 the Department of Community Affairs.

21 (3) The WAGES Targeted Employment Team shall meet at a
22 minimum on a monthly basis.

23 (4) In order to accomplish the goals of the WAGES
24 Targeted Employment Team, the Governor may, by executive
25 order, effective for a period of no longer than one year, and
26 subject to legislative review and approval at the next regular
27 legislative session:

28 (a) Exercise any power enumerated under s. 252.36; and

29 (b) Require, at the recommendation of the WAGES
30 Targeted Employment Team, minimum hiring requirements of
31 participants of the WAGES Program for contracts entered into

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1 by the Florida Department of Transportation or any school
2 district entering into contract for capital construction.

3 (5) The Legislature by concurrent resolution may at
4 any time terminate an executive order issued for purposes
5 described in this section.

6 (6) The WAGES Targeted Employment Team is directed to
7 use local resources and financing whenever possible and to
8 petition the Governor to use the powers granted in this act to
9 finance local projects.

10 Section 25. Section 414.840, Florida Statutes, is
11 created to read:

12 414.840 Regional WAGES Targeted Employment Teams.--

13 (1) Enterprise Florida, Inc., in cooperation with the
14 Department of Community Affairs, is responsible for initial
15 organization of the Regional WAGES Targeted Employment Teams.
16 Regional employment teams shall be composed of representatives
17 of cities and counties that have governing responsibilities
18 for a given area. In addition to representatives of local
19 government, a representative from the local WAGES coalition,
20 the regional workforce development board, local economic
21 development councils, and a representative of each school
22 board in the region shall also be included on the regional
23 employment team. The team leader shall be selected by the team
24 members.

25 (2)(a) Regional employment teams shall assess
26 businesses located in the region to identify potential
27 expansion projects that may require the assistance of the
28 state response team. The teams shall also identify
29 underutilized local resources.

30 (b) Regional employment teams shall be responsible for
31 coordinating the efforts of local government and local

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1 agencies to attract potential new employers and shall work in
2 conjunction with local economic development councils.
3 Enterprise Florida, Inc., shall assist the regional employment
4 teams by providing research and advice in fulfilling their
5 charge.

6 (c) A regional employment team may propose any local
7 opportunity for the expansion of an existing business or for
8 the relocation to the region of an existing employer to the
9 WAGES Targeted Employment Team to exercise the powers vested
10 in the state team.

11 (d) It is the desire of the Legislature that local
12 resources and local solutions shall be used first as the
13 economic development resulting from the efforts of the teams
14 will be felt greatest by local communities.

15 Section 26. Section 414.845, Florida Statutes, is
16 created to read:

17 414.845 Local Project Teams.--

18 (1) Recognizing that significant job creation efforts
19 often focus on development of specific sites and may include
20 multiple employers, not more than 10 local project districts
21 may be designated by the WAGES Targeted Employment Team. Not
22 more than 3 of the local project districts may be created in
23 Dade County. Not more than 7 may be located in legislatively
24 designated areas of critical state economic concern, including
25 those designated in Dade County. Such sites must be contiguous
26 and capable of supporting businesses creating a total of 500
27 jobs or more.

28 (2) Upon designation of a local project district, a
29 local project team shall be assembled and approved by the
30 WAGES Targeted Employment Team, after consultation with the
31 regional employment team. Local project leaders should look

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1 first to the regional employment teams for assistance, but may
2 directly appeal to the WAGES Targeted Employment Team for
3 assistance.

4 (3) Local project teams shall have the following
5 powers and responsibilities:

6 (a) Local project teams are to aggressively solicit
7 potential businesses for site specific projects;

8 (b) Local project teams shall assist potential
9 employers in identifying and applying for all relevant
10 incentives and permits;

11 (c) Local project teams, with permission of the WAGES
12 Targeted Employment Team, may negotiate specific terms of
13 agreement with potential employers; and

14 (d) Local project teams shall identify and assist in
15 the elimination of local barriers to the location or expansion
16 of a business at the site.

17 (4) In selecting potential projects, the WAGES
18 Targeted Employment Team shall consider all projects
19 submitted, and shall pay particular attention to projects
20 which include elements relating to transportation distribution
21 centers, warehousing facilities, agricultural processing and
22 packaging, and the aquaculture industry. While traditional
23 economic development does not usually focus on retail
24 establishments, the team shall consider projects which provide
25 retail employment opportunities and may select retail projects
26 if: the projects provide significant employment opportunities
27 for WAGES participants; the project developers either have or
28 can obtain the necessary permits to begin construction of the
29 project on or before December 1, 1998; and the sponsors of the
30 project are willing to enter into a contract with the state to
31 deliver the commitments required under this subsection. The

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1 team shall give priority attention to any retail development
2 project if such a project: is located in an area of critical
3 state economic concern; is designed to provide for more than
4 5,000 permanent jobs; provides for the right of first refusal
5 for at least 3,000 construction jobs to WAGES participants;
6 provides a program for the transportation of WAGES
7 participants employed in the construction of the project to
8 and from the construction site; provides on-the-job training
9 for WAGES participants at the project site; provides for
10 multiple job fairs for WAGES participants; provides that a
11 substantial portion of operational and clerical positions
12 hired directly by the project be WAGES participants; and
13 provides for rent and lease incentive programs for businesses
14 renting or leasing space in project facilities based upon the
15 employment of WAGES participants. The team may consider any
16 other contract provision designed to increase employment
17 opportunities for WAGES participants. The Department of
18 Community Affairs, on behalf of the team, shall develop a
19 contract in consultation with the Department of Labor and
20 Employment Security, the Department of Children and Family
21 Services, and the Department of Transportation, which will
22 utilize state resources such as the Department of
23 Agriculture's Florida AgVentures Program, the Department of
24 Community Affairs' Community Development Block Grant Loan
25 Guarantee Program, the Department of Labor and Employment
26 Security's Welfare-to-Work Program, additional federal funds
27 provided to the Department of Transportation in fiscal year
28 1998-99, through the reauthorization of the Federal Highway
29 Act, the Department of Environmental Protection's Sewage
30 Treatment Facilities Revolving Loan Program, and WAGES Program
31 support funds to facilitate projects meeting the requirements

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1 under this subsection.

2 Section 27. Section 414.850, Florida Statutes, is
3 created to read:

4 414.850 Expiration and review of WAGES Targeted
5 Employment Program.--Sections 414.80-414.860, expire June 30,
6 2002, and shall be reviewed by the Legislature and Enterprise
7 Florida, Inc., prior to that date. In its review, the
8 Legislature shall determine if the continued use of the WAGES
9 Targeted Employment Program fulfills a state need. Enterprise
10 Florida, Inc., shall assess the usefulness and applicability
11 of the WAGES Targeted Employment Program for economic
12 development projects.

13 Section 28. Section 414.860, Florida Statutes, is
14 created to read:

15 414.860 Legislative oversight.--The President of the
16 Senate shall appoint 2 members of the Senate and the Speaker
17 of the House of Representatives shall appoint 2 members of the
18 House of Representatives to serve as a legislative oversight
19 committee to monitor and advise the WAGES Targeted Employment
20 Team.

21 Section 29. The WAGES Targeted Employment Team shall,
22 from funds appropriated for the use of the team, contract with
23 the Institute of Food and Agricultural Sciences for job
24 creation and training activities related to the institute's
25 Job Start, Care Giver Education, Aquaculture of High Value
26 Species, and New Technologies in Plasticulture for Vegetable
27 Producers programs.

28 Section 30. Section 159.8083, Florida Statutes is
29 amended to read:

30 159.8083 Florida First Business allocation pool.--The
31 Florida First Business allocation pool is hereby established.

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1 The Florida First Business allocation pool shall be available
2 solely to provide written confirmation for private activity
3 bonds to finance Florida First Business projects certified by
4 the Office of Tourism, Trade, and Economic Development as
5 eligible to receive a written confirmation. Allocations from
6 such pool shall be awarded statewide pursuant to procedures
7 specified in s. 159.805, except that the provisions of s.
8 159.805(2), (3), and (6) do not apply. The Office of Tourism,
9 Trade, and Economic Development must give certification
10 priority to projects recommended by the WAGES Targeted
11 Employment Team established in s. 414.811. Florida First
12 Business projects that are eligible for a carryforward shall
13 not lose their allocation on November 16 if they have applied
14 and have been granted a carryforward. In issuing written
15 confirmations of allocations for Florida First Business
16 projects, the division shall use the Florida First Business
17 allocation pool. If allocation is not available from the
18 Florida First Business allocation pool, the division shall
19 issue written confirmations of allocations for Florida First
20 Business projects pursuant to s. 159.806 or s. 159.807, in
21 such order. For the purpose of determining priority within a
22 regional allocation pool or the state allocation pool, notices
23 of intent to issue bonds for Florida First Business projects
24 to be issued from a regional allocation pool or the state
25 allocation pool shall be considered to have been received by
26 the division at the time it is determined by the division that
27 the Florida First Business allocation pool is unavailable to
28 issue confirmation for such Florida First Business project.
29 If the total amount requested in notices of intent to issue
30 private activity bonds for Florida First Business projects
31 exceeds the total amount of the Florida First Business

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1 allocation pool, the director shall forward all timely notices
 2 of intent to issue, which are received by the division for
 3 such projects, to the Office of Tourism, Trade, and Economic
 4 Development which shall render a decision as to which notices
 5 of intent to issue are to receive written confirmations. The
 6 Office of Tourism, Trade, and Economic Development, in
 7 consultation with the division, shall develop rules to ensure
 8 that the allocation provided in such pool is available solely
 9 to provide written confirmations for private activity bonds to
 10 finance Florida First Business projects and that such projects
 11 are feasible and financially solvent.

12 Section 31. Paragraph (h) of subsection (5) of section
 13 212.08, Florida Statutes, is amended to read:

14 212.08 Sales, rental, use, consumption, distribution,
 15 and storage tax; specified exemptions.--The sale at retail,
 16 the rental, the use, the consumption, the distribution, and
 17 the storage to be used or consumed in this state of the
 18 following are hereby specifically exempt from the tax imposed
 19 by this chapter.

20 (5) EXEMPTIONS; ACCOUNT OF USE.--

21 (h) Business property used in an enterprise zone.--

22 1. Beginning July 1, 1995, business property purchased
 23 for use by businesses located in an enterprise zone which is
 24 subsequently used in an enterprise zone shall be exempt from
 25 the tax imposed by this chapter. This exemption inures to the
 26 business only through a refund of previously paid taxes. A
 27 refund shall be authorized upon an affirmative showing by the
 28 taxpayer to the satisfaction of the department that the
 29 requirements of this paragraph have been met.

30 2. To receive a refund, the business must file under
 31 oath with the governing body or enterprise zone development

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1 agency having jurisdiction over the enterprise zone where the
2 business is located, as applicable, an application which
3 includes:

4 a. The name and address of the business claiming the
5 refund.

6 b. The identifying number assigned pursuant to s.
7 290.0065 to the enterprise zone in which the business is
8 located.

9 c. A specific description of the property for which a
10 refund is sought, including its serial number or other
11 permanent identification number.

12 d. The location of the property.

13 e. The sales invoice or other proof of purchase of the
14 property, showing the amount of sales tax paid, the date of
15 purchase, and the name and address of the sales tax dealer
16 from whom the property was purchased.

17 f. Whether the business is a small business as defined
18 by s. 288.703(1).

19 g. If applicable, the name and address of each
20 permanent employee of the business, including, for each
21 employee who is a resident of an enterprise zone, the
22 identifying number assigned pursuant to s. 290.0065 to the
23 enterprise zone in which the employee resides.

24 3. Within 10 working days after receipt of an
25 application, the governing body or enterprise zone development
26 agency shall review the application to determine if it
27 contains all the information required pursuant to subparagraph
28 2. and meets the criteria set out in this paragraph. The
29 governing body or agency shall certify all applications that
30 contain the information required pursuant to subparagraph 2.
31 and meet the criteria set out in this paragraph as eligible to

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1 receive a refund. If applicable, the governing body or agency
2 shall also certify if 20 percent of the employees of the
3 business are residents of an enterprise zone, excluding
4 temporary and part-time employees. The certification shall be
5 in writing, and a copy of the certification shall be
6 transmitted to the executive director of the Department of
7 Revenue. The business shall be responsible for forwarding a
8 certified application to the department within the time
9 specified in subparagraph 4.

10 4. An application for a refund pursuant to this
11 paragraph must be submitted to the department within 6 months
12 after the business property is purchased.

13 5. The provisions of s. 212.095 do not apply to any
14 refund application made pursuant to this paragraph. The amount
15 refunded on purchases of business property under this
16 paragraph shall be the lesser of 97 percent of the sales tax
17 paid on such business property or \$5,000, or, if no less than
18 20 percent of the employees of the business are residents of
19 an enterprise zone, excluding temporary and part-time
20 employees, the amount refunded on purchases of business
21 property under this paragraph shall be the lesser of 97
22 percent of the sales tax paid on such business property or
23 \$10,000. A refund approved pursuant to this paragraph shall be
24 made within 30 days of formal approval by the department of
25 the application for the refund. No refund shall be granted
26 under this paragraph unless the amount to be refunded exceeds
27 \$100 in sales tax paid on purchases made within a 60-day time
28 period.

29 6. The department shall adopt rules governing the
30 manner and form of refund applications and may establish
31 guidelines as to the requisites for an affirmative showing of

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1 qualification for exemption under this paragraph.

2 7. If the department determines that the business
3 property is used outside an enterprise zone within 3 years
4 from the date of purchase, the amount of taxes refunded to the
5 business purchasing such business property shall immediately
6 be due and payable to the department by the business, together
7 with the appropriate interest and penalty, computed from the
8 date of purchase, in the manner provided by this chapter.

9 Notwithstanding this subparagraph, in order to provide greater
10 employment opportunities in areas of critical state economic
11 concern, business property used exclusively in:

- 12 a. Licensed commercial fishing vessels,
- 13 b. Fishing guide boats, or
- 14 c. Ecotourism guide boats

15
16 that leave and return to a fixed location within an area
17 designated under s. 370.28 are eligible for the exemption
18 provided under this paragraph if all requirements of this
19 paragraph are met. Such vessels and boats must be owned by a
20 business that is eligible to receive the exemption provided
21 under this paragraph. This exemption does not apply to the
22 purchase of a vessel or boat.

23 8. The department shall deduct an amount equal to 10
24 percent of each refund granted under the provisions of this
25 paragraph from the amount transferred into the Local
26 Government Half-cent Sales Tax Clearing Trust Fund pursuant to
27 s. 212.20 for the county area in which the business property
28 is located and shall transfer that amount to the General
29 Revenue Fund.

30 9. For the purposes of this exemption, "business
31 property" means new or used property defined as "recovery

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1 property" in s. 168(c) of the Internal Revenue Code of 1954,
2 as amended, except:

3 a. Property classified as 3-year property under s.
4 168(c)(2)(A) of the Internal Revenue Code of 1954, as amended;

5 b. Industrial machinery and equipment as defined in
6 sub-subparagraph (b)6.a. and eligible for exemption under
7 paragraph (b); and

8 c. Building materials as defined in sub-subparagraph
9 (g)8.a.

10 10. The provisions of this paragraph shall expire and
11 be void on December 31, 2005.

12 Section 32. Subsection (1) and paragraph (a) of
13 subsection (3) of section 212.096, Florida Statutes, are
14 amended to read:

15 212.096 Sales, rental, storage, use tax; enterprise
16 zone jobs credit against sales tax.--

17 (1) For the purposes of the credit provided in this
18 section:

19 (a) "Eligible business" means any sole proprietorship,
20 firm, partnership, corporation, bank, savings association,
21 estate, trust, business trust, receiver, syndicate, or other
22 group or combination, or successor business, located in an
23 enterprise zone. An eligible business does not include any
24 business which has claimed the credit permitted under s.
25 220.181 for any new business employee first beginning
26 employment with the business after July 1, 1995.

27 (b) "Month" means either a calendar month or the time
28 period from any day of any month to the corresponding day of
29 the next succeeding month or, if there is no corresponding day
30 in the next succeeding month, the last day of the succeeding
31 month.

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1 (c) "New employee" means a person residing in an
2 enterprise zone, a qualified Job Training Partnership Act
3 classroom training participant, or a WAGES participant who
4 begins employment with an eligible business after July 1,
5 1995, and who has not been previously employed within the
6 preceding 12 months by the eligible business, or a successor
7 eligible business, claiming the credit allowed by this
8 section.

9
10 A person shall be deemed to be employed if the person performs
11 duties in connection with the operations of the business on a
12 regular, full-time basis, provided the person is performing
13 such duties for an average of at least 36 hours per week each
14 month, or a part-time basis, provided the person is performing
15 such duties for an average of at least 20 hours per week each
16 month throughout the year. The person must be performing such
17 duties at a business site located in the enterprise zone.

18 (3) In order to claim this credit, an eligible
19 business must file under oath with the governing body or
20 enterprise zone development agency having jurisdiction over
21 the enterprise zone where the business is located, as
22 applicable, a statement which includes:

23 (a) For each new employee for whom this credit is
24 claimed, the employee's name and place of residence, including
25 the identifying number assigned pursuant to s. 290.0065 to the
26 enterprise zone in which the employee resides if the new
27 employee is a person residing in an enterprise zone, and, if
28 applicable, documentation that the employee is a qualified Job
29 Training Partnership Act classroom training participant or a
30 WAGES participant.

31 Section 33. Paragraph (q) of subsection (1) of section

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1 220.03, Florida Statutes, is amended to read:

2 220.03 Definitions.--

3 (1) SPECIFIC TERMS.--When used in this code, and when
4 not otherwise distinctly expressed or manifestly incompatible
5 with the intent thereof, the following terms shall have the
6 following meanings:

7 (q) "New employee," for the purposes of the enterprise
8 zone jobs credit, means a person residing in an enterprise
9 zone, a qualified Job Training Partnership Act classroom
10 training participant, or a WAGES participant employed at a
11 business located in an enterprise zone who begins employment
12 in the operations of the business after July 1, 1995, and who
13 has not been previously employed within the preceding 12
14 months by the business or a successor business claiming the
15 credit pursuant to s. 220.181. A person shall be deemed to be
16 employed by such a business if the person performs duties in
17 connection with the operations of the business on a full-time
18 basis, provided she or he is performing such duties for an
19 average of at least 36 hours per week each month, or a
20 part-time basis, provided she or he is performing such duties
21 for an average of at least 20 hours per week each month
22 throughout the year. The person must be performing such duties
23 at a business site located in an enterprise zone. The
24 provisions of this paragraph shall expire and be void on June
25 30, 2005.

26 Section 34. Paragraph (a) of subsection (2) of section
27 220.181, Florida Statutes, is amended to read:

28 220.181 Enterprise zone jobs credit.--

29 (2) When filing for an enterprise zone jobs credit, a
30 business must file under oath with the governing body or
31 enterprise zone development agency having jurisdiction over

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1 the enterprise zone where the business is located, as
2 applicable, a statement which includes:

3 (a) For each new employee for whom this credit is
4 claimed, the employee's name and place of residence during the
5 taxable year, including the identifying number assigned
6 pursuant to s. 290.0065 to the enterprise zone in which the
7 new employee resides if the new employee is a person residing
8 in an enterprise zone, and, if applicable, documentation that
9 the employee is a qualified Job Training Partnership Act
10 classroom training participant or a WAGES participant.

11 Section 35. Subsection (10) is added to section
12 288.047, Florida Statutes, to read:

13 288.047 Quick-response training for economic
14 development.--

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

24 (a) Training funded pursuant to this subsection may
25 not exceed 12 months, and may be provided by the local
26 community college, school district, regional workforce
27 development board, or the business employing the participant,
28 including on-the-job training. Training will provide
29 entry-level skills to new workers, including those employed in
30 retail, who are participants in the WAGES Program.

31 (b) WAGES participants trained pursuant to this

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1 subsection must be employed at a wage not less than \$6.00 per
2 hour.

3 (c) Funds made available pursuant to this subsection
4 may be expended in connection with the relocation of a
5 business from one community to another community if approved
6 by the WAGES Targeted Employment Team.

7 Section 36. Subsection (4) of section 370.28, Florida
8 Statutes, is amended, and subsection (5) is added to that
9 section to read:

10 370.28 Enterprise zone designation; communities
11 adversely impacted by net limitations.--

12 (4) Notwithstanding the enterprise zone residency
13 requirements set out in ss. 212.096(1)(c) and 220.03(1)(q),
14 businesses located in enterprise zones designated pursuant to
15 this section may receive the credit provided under s. 212.096
16 or s. 220.181 for hiring any person within the jurisdiction of
17 the county within which ~~nominating community of~~ such
18 enterprise zone is located. All other provisions of ss.
19 212.096, 220.03(1)(q), and 220.181 apply to such businesses.
20 To increase employment opportunities for WAGES participants
21 and prevent other persons from reliance on WAGES benefits,
22 notwithstanding the requirement specified in ss.
23 212.08(5)(g)5. and (h)5. and (15)(a) and 220.182(1)(b) that no
24 less than 20 percent of a business's employees, excluding
25 temporary and part-time employees, must be residents of an
26 enterprise zone for the business to qualify for the maximum
27 exemption or credit provided in ss. 212.08(5)(g) and (h) and
28 (15) and 220.182, a business that is located in an enterprise
29 zone designated pursuant to this section shall be qualified
30 for those maximum exemptions or credits if no less than 20
31 percent of such employees of the business are residents of the

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1 jurisdiction of the county within which the enterprise zone is
2 located. All other provisions of ss. 212.08(5)(g) and (h) and
3 (15) and 220.182 apply to such business.

4 (5) Notwithstanding the time limitations contained in
5 chapters 212 and 220, a business eligible to receive tax
6 credits under this section from January 1, 1997, to June 1,
7 1998, must submit an application for the tax credits by
8 December 1, 1998. All other requirements of the enterprise
9 zone program apply to such a business.

10 Section 37. There is appropriated \$32 million from
11 federal funds received by the state pursuant to Public Law
12 104-193, The Personal Responsibility and Work Opportunity Act,
13 to the Employment Security Administration Trust Fund in the
14 Department of Labor and Employment Security, to support the
15 activities of local WAGES coalitions directed toward
16 preparing, placing, and supporting WAGES participants in jobs
17 or other approved work related activities.

18 Section 38. Section 414.155, Florida Statutes, is
19 created to read:

20 414.155 Relocation assistance program.--

21 (1) The Legislature recognizes that the need for
22 public assistance may arise because a family is located in an
23 area with limited employment opportunities, because of
24 geographic isolation, because of formidable transportation
25 barriers, because of isolation from their extended family, or
26 because domestic violence interferes with the ability of a
27 parent to maintain self-sufficiency. Accordingly there is
28 established a voluntary program to assist families in
29 relocating to communities with greater opportunities for
30 self-sufficiency.

31 (2) The relocation assistance program shall involve

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1 five steps by the Department of Children and Family Services
2 and the Department of Labor and Employment Security:

3 (a) A determination that the family is a WAGES
4 participant or that all requirements of eligibility for the
5 WAGES Program would likely be met.

6 (b) A determination that there is a basis for
7 believing that relocation will contribute to the ability of
8 the applicant to achieve self-sufficiency. For example, the
9 applicant:

10 1. Is unlikely to achieve independence at the current
11 community of residence;

12 2. Has secured a job that requires relocation to
13 another community;

14 3. Has a family support network in another community;
15 or

16 4. Is determined pursuant to criteria or procedures
17 established by the WAGES Program State Board of Directors to
18 be a victim of domestic violence who would experience reduced
19 probability of further incidents through relocation.

20 (c) Establishment of a relocation plan, including a
21 budget and such requirements as are necessary to prevent abuse
22 of the benefit and to provide an assurance that the applicant
23 will relocate. The plan may require that expenditures be made
24 on behalf of the recipient; however, the plan must include
25 provisions to protect the safety of victims of domestic
26 violence and avoid provisions that place them in anticipated
27 danger. The payment to defray relocation expenses shall be
28 limited to an amount not to exceed 4 months' temporary cash
29 assistance, based on family size, and will not count towards
30 the time limitations stated in s. 414.105. The Department of
31 Children and Family Services may adopt rules necessary to

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1 administer this section.

2 (d) A determination, pursuant to criteria adopted by
3 the WAGES Program State Board of Directors, that a Florida
4 community receiving a relocated family has the capacity to
5 provide needed services and employment opportunities. The
6 Department of Labor and Employment Security may adopt rules
7 necessary to establish criteria to be used by the WAGES
8 Program State Board of Directors in administering this
9 paragraph.

10 (e) Monitoring the relocation.

11 (3) A family receiving relocation assistance for
12 reasons other than domestic violence must sign an agreement
13 restricting the family from applying for temporary cash
14 assistance for 6 months, unless an emergency is demonstrated
15 to the department. If a demonstrated emergency forces the
16 family to reapply for temporary cash assistance within 6
17 months after receiving a relocation assistance payment,
18 repayment must be made on a prorated basis over an 8-month
19 period and subtracted from any regular payment of temporary
20 cash assistance for which the applicant may be eligible. The
21 Department of Children and Family Services may adopt rules
22 necessary to administer this section.

23 (4) Nothing herein shall be construed to allow any
24 WAGES coalition or state agency to require relocation of a
25 WAGES participant for the purposes of this section or any
26 other.

27 (5) When the relocation plan for a WAGES participant
28 involves relocating the participant within the state, the plan
29 must be approved by the local WAGES coalition in the district
30 from which the participant is moving and the local WAGES
31 coalition in the district to which the participant is moving

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1 before the effective date of the move.

2 Section 39. The following resources are designated for
3 support of the WAGES Targeted Employment Program:

4 (1) Up to \$25,000,000 of funds designated for WAGES
5 reserve is to be expended for WAGES Program job development in
6 areas of critical state economic concern.

7 (2) Up to \$10,000,000 of Employment Security
8 Administration Trust Fund amounts associated with JTPA IIB,
9 IIC and III designated for regions containing areas of active
10 state economic concern shall be identified by the WAGES
11 Targeted Employment Team in cooperation with the Department of
12 Labor and Employment Security and used by the appropriate
13 regional authority to fund programs and projects that produce
14 jobs for WAGES participants in areas of critical state
15 economic concern.

16 (3) Up to \$7,500,000 from Employment Security
17 Administration Trust Fund amounts associated with the
18 Welfare-to-Work grant is to be reserved for activities that
19 lead to employment of WAGES participants in areas of critical
20 state economic concern as defined by the WAGES Targeted
21 Employment Program. Of the \$7,500,000 reserved, \$500,000 is to
22 be provided to the Department of Community Affairs for start
23 up of the WAGES Targeted Employment Program, \$2,500,000 is to
24 be provided to the Institute of Food and Agricultural Sciences
25 of the University of Florida for WAGES job opportunities, and
26 \$1,000,000 is to be provided to the Department of Military
27 Affairs to provide job readiness services for WAGES
28 participants as approved by the State WAGES Board.

29 Section 40. A total of \$1.9 million is appropriated
30 from the Employment Security Administration Trust Fund to
31 establish a life preparation program with the National Guard

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1 for children of WAGES participants and economically
2 disadvantaged youths in concert with neighborhood
3 revitalization efforts.

4 Section 41. This act shall take effect upon becoming a
5 law.

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7

8 ===== T I T L E A M E N D M E N T =====

9 And the title is amended as follows:

10 Delete everything before the enacting clause

11

12 and insert:

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A bill to be entitled

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An act relating to the WAGES Program; amending

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s. 414.026, F.S.; requiring that the WAGES

16

Program State Board of Directors approve any

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WAGES-related proposed administrative rules;

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requiring collaboration with the WAGES State

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Board concerning other actions by the Workforce

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Development Board of Enterprise Florida, Inc.,

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and state agencies; extending the existence of

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the WAGES Program State Board of Directors;

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allowing the Governor to designate the WAGES

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Program State Board of Directors as a nonprofit

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corporation; providing requirements; amending

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s. 414.028, F.S.; revising requirements for a

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member of a local WAGES coalition in the case

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of a conflict of interest; providing

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requirements for disclosing any such conflict;

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providing for certain nonvoting members to be

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appointed to a local coalition; requiring a

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1 local coalition to deliver certain services
2 under the WAGES Program; providing for staff
3 support for local coalitions; requiring that
4 the program and financial plan developed by a
5 local WAGES coalition include provisions for
6 providing services for victims of domestic
7 violence and describing development of the
8 plan; amending s. 414.065, F.S.; deleting
9 provisions that require an employer to repay
10 certain supplements or incentives under
11 specified circumstances; creating a WAGES
12 training bonus to be paid to an employer who
13 hires certain program participants; providing
14 protection for current employees; providing an
15 exception from the work requirements for
16 certain individuals at risk of domestic
17 violence; providing an exception for a
18 specified period for certain individuals
19 impaired by past incidents of domestic
20 violence, under certain circumstances; amending
21 s. 414.20, F.S.; clarifying transportation
22 options available to local WAGES coalitions to
23 assist WAGES participants; amending s. 414.105,
24 F.S.; providing for eligibility for extended
25 temporary cash assistance under specified
26 circumstances; providing that an individual who
27 cares for a disabled family member is exempt
28 from certain time limitations; permitting
29 domestic violence victims to be granted
30 hardship exemptions not subject to certain
31 percentage limitations, under specified

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1 circumstances; providing legislative intent;
2 amending s. 234.01, F.S.; authorizing school
3 districts to provide transportation for WAGES
4 participants; amending s. 234.211, F.S.;
5 providing for reimbursement of school
6 districts; amending s. 341.041, F.S.;
7 establishing responsibilities of the Department
8 of Transportation with respect to transit
9 services for WAGES participants; amending s.
10 341.052, F.S.; relating to duties of public
11 transit block grant recipients to coordinate
12 with local WAGES coalitions regarding
13 transportation services; deleting duplicative
14 provisions; amending s. 414.026, F.S.; revising
15 membership of the WAGES Program State Board of
16 Directors; creating s. 414.225, F.S.; providing
17 for the provision of transitional
18 transportation for former WAGES participants;
19 amending s. 427.013, F.S.; providing for the
20 duties of the Commission for the Transportation
21 Disadvantaged regarding WAGES transportation;
22 amending s. 427.0155, F.S.; providing for the
23 duties of community transportation coordinators
24 regarding WAGES transportation; amending s.
25 427.0157, F.S.; providing for the duties of the
26 local coordinating boards regarding WAGES
27 transportation; creating s. 414.80, F.S.;
28 designating specified sections as the "WAGES
29 Targeted Employment Act"; creating s. 414.810,
30 F.S.; providing legislative findings and
31 intent; creating s. 414.811, F.S.; providing

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1 for policy and purposes relating to the WAGES
2 Targeted Employment Program; creating s.
3 414.812, F.S.; limiting authority of the WAGES
4 Targeted Employment Team; creating s. 414.813,
5 F.S.; providing for liberal construction;
6 creating s. 414.820, F.S.; designating areas of
7 critical state economic concern; creating s.
8 414.830, F.S.; providing for WAGES Targeted
9 Employment Team Coordinators; providing team
10 authorities; providing for gubernatorial
11 authorities; creating s. 414.840, F.S.;

12 creating Regional WAGES Targeted Employment
13 Teams; providing for responsibilities; creating
14 s. 414.845, F.S.; creating local project teams;
15 providing for powers and responsibilities for
16 such teams; providing guidelines for
17 prioritization of projects; creating s.
18 414.850, F.S.; providing for expiration and
19 review of the WAGES Targeted Employment
20 Program; creating s. 414.860, F.S.; providing
21 for a legislative oversight committee;
22 requiring a contract related to job creation
23 and training activities; amending s. 159.8083,
24 F.S.; providing certification priority;
25 amending s. 212.08, F.S.; exempting certain
26 property based in enterprise zones from the
27 sales tax under certain circumstances; amending
28 s. 212.096, F.S.; expanding enterprise zone
29 sales tax credit to JTPA or WAGES participants
30 not residing in an enterprise zone; requiring
31 documentation; amending s. 220.03, F.S.;

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1 expanding enterprise zone corporate tax credit
2 to JTPA or WAGES participants not residing in
3 an enterprise zone; amending s. 220.181, F.S.;
4 requiring documentation; amending s. 288.047,
5 F.S.; creating a Quick-response Training
6 Program for WAGES participants; providing
7 requirements; amending s. 370.28, F.S.;
8 providing that a business located in an
9 enterprise zone in a community impacted by net
10 limitations is eligible for the maximum sales
11 tax exemption for building materials used in
12 the rehabilitation of real property in an
13 enterprise zone, for business property used in
14 an enterprise zone, and for electrical energy
15 used in an enterprise zone, and the maximum
16 enterprise zone property tax credit against the
17 corporate income tax, if a specified percentage
18 of its employees are residents of the
19 jurisdiction of the county, rather than of the
20 enterprise zone; requiring businesses eligible
21 to receive certain tax credits to apply for
22 such credits by a time certain; providing an
23 appropriation from federal funds to support
24 local WAGES coalitions; creating s. 414.155,
25 F.S.; providing a relocation assistance program
26 for families receiving or eligible to receive
27 WAGES Program assistance; providing
28 responsibilities of the Department of Children
29 and Family Services and the Department of Labor
30 and Employment Security; providing for a
31 relocation plan and for monitoring of the

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1 relocation; requiring agreements restricting
2 application for temporary cash assistance for a
3 specified period; providing exceptions;
4 requiring repayment of temporary cash
5 assistance provided under certain
6 circumstances, and reduced eligibility for
7 future assistance; providing rulemaking
8 authority for the Department of Children and
9 Family Services and the Department of Labor and
10 Employment Security; prescribing that the
11 relocation assistance program shall not be
12 construed to require relocation of a WAGES
13 participant; requiring approval of the
14 relocation plan of a WAGES participant;
15 designating resources for support of the WAGES
16 Targeted Employment Program; appropriating
17 resources for the life preparation program;
18 providing an effective date.

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