

1 A bill to be entitled
2 An act relating to the WAGES Program; amending
3 s. 414.026, F.S.; requiring that the WAGES
4 Program State Board of Directors approve any
5 WAGES-related proposed administrative rules;
6 requiring collaboration with the WAGES State
7 Board concerning other actions by the Workforce
8 Development Board of Enterprise Florida, Inc.,
9 and state agencies; extending the existence of
10 the WAGES Program State Board of Directors;
11 amending s. 414.028, F.S.; revising
12 requirements for a member of a local WAGES
13 coalition in the case of a conflict of
14 interest; providing requirements for disclosing
15 any such conflict; providing for certain
16 nonvoting members to be appointed to a local
17 coalition; requiring a local coalition to
18 deliver certain services under the WAGES
19 Program; providing for staff support for local
20 coalitions; requiring that the program and
21 financial plan developed by a local WAGES
22 coalition include provisions for providing
23 services for victims of domestic violence and
24 describing development of the plan; creating s.
25 414.030, F.S.; creating a process for fostering
26 the development or completion of certain WAGES
27 Program Employment Projects, providing duties
28 and requirements; amending s. 414.065, F.S.;
29 deleting provisions that require an employer to
30 repay certain supplements or incentives under
31 specified circumstances; creating a WAGES

1 training bonus to be paid to an employer who
2 hires certain program participants; providing
3 protection for current employees; providing an
4 exception from the work requirements for
5 certain individuals at risk of domestic
6 violence; providing an exception for a
7 specified period for certain individuals
8 impaired by past incidents of domestic
9 violence, under certain circumstances; amending
10 s. 414.105, F.S.; providing that an individual
11 who cares for a disabled family member is
12 exempt from certain time limitations;
13 permitting domestic violence victims to be
14 granted hardship exemptions not subject to
15 certain percentage limitations, under specified
16 circumstances; providing legislative intent;
17 amending s. 414.0252, F.S.; providing
18 definitions; amending s. 414.095, F.S.;
19 allowing certain individuals to qualify as
20 noncitizens for purpose of the WAGES Program,
21 allowing WAGES participants to receive
22 information regarding domestic violence support
23 services, providing that risk of domestic
24 violence is good cause for not cooperating with
25 paternity establishment; amending s. 414.115,
26 F.S.; providing that limited temporary cash
27 assistance provisions do not apply to certain
28 circumstances resulting from rape, incest, or
29 sexual exploitation; amending s. 234.01, F.S.;
30 authorizing school districts to provide
31 transportation for WAGES participants; amending

1 s. 234.211, F.S.; providing for reimbursement
2 of school districts; amending s. 341.041, F.S.;
3 establishing responsibilities of the Department
4 of Transportation with respect to transit
5 services for WAGES participants; amending s.
6 341.052, F.S.; relating to duties of public
7 transit block grant recipients to coordinate
8 with local WAGES coalitions regarding
9 transportation services; deleting duplicative
10 provisions; amending s. 414.026, F.S.; revising
11 membership of the WAGES Program State Board of
12 Directors; amending s. 414.20, F.S.; clarifying
13 transportation options available to local WAGES
14 coalitions to assist WAGES participants;
15 amending s. 414.25, F.S.; extending the
16 exemption from leased real property
17 requirements for the WAGES Program to June 30,
18 1999; creating s. 414.225, F.S.; providing for
19 the provision of transitional transportation
20 for former WAGES participants; amending s.
21 427.013, F.S.; providing for the duties of the
22 Commission for the Transportation Disadvantaged
23 regarding WAGES transportation; amending s.
24 427.0155, F.S.; providing for the duties of
25 community transportation coordinators regarding
26 WAGES transportation; amending s. 427.0157,
27 F.S.; providing for the duties of the local
28 coordinating boards regarding WAGES
29 transportation; amending s. 212.096, F.S.;
30 expanding enterprise zone sales tax credit to
31 JTPA or WAGES Program participants not residing

1 in an enterprise zone; requiring documentation;
2 amending s. 220.03, F.S.; expanding enterprise
3 zone corporate tax credit to JTPA or WAGES
4 Program participants not residing in an
5 enterprise zone; amending s. 220.181, F.S.;
6 requiring documentation; amending s. 288.047,
7 F.S.; creating a Quick-response Training
8 Program for WAGES participants; providing
9 requirements; creating s. 414.155, F.S.;
10 providing a relocation assistance program for
11 families receiving or eligible to receive WAGES
12 Program assistance; providing responsibilities
13 of the Department of Children and Family
14 Services and the Department of Labor and
15 Employment Security; providing for a relocation
16 plan and for monitoring of the relocation;
17 requiring agreements restricting application
18 for temporary cash assistance for a specified
19 period; providing exceptions; requiring
20 repayment of temporary cash assistance provided
21 under certain circumstances, and reduced
22 eligibility for future assistance; providing
23 authority for rules; providing appropriations;
24

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

26
27 Section 1. Present subsection (4) of section 414.026,
28 Florida Statutes, is redesignated as subsection (6) and
29 amended, and new subsection (4) is added to that section, to
30 read:

31 414.026 WAGES Program State Board of Directors.--

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

10 ~~(5)(4)~~ This section expires June 30, 2002 ~~1999~~, and
11 shall be reviewed by the Legislature prior to that date. In
12 its review, the Legislature shall assess the status of the
13 WAGES Program and shall determine if the responsibility for
14 administering the program should be transferred to other state
15 agencies.

16 Section 2. Section 414.028, Florida Statutes, is
17 amended to read:

18 414.028 Local WAGES coalitions.--The WAGES Program
19 State Board of Directors shall create and charter local WAGES
20 coalitions to plan and coordinate the delivery of services
21 under the WAGES Program at the local level. The boundaries of
22 the service area for a local WAGES coalition shall conform to
23 the boundaries of the service area for the regional workforce
24 development board established under the Enterprise Florida
25 workforce development board. The local delivery of services
26 under the WAGES Program shall be coordinated, to the maximum
27 extent possible, with the local services and activities of the
28 local service providers designated by the regional workforce
29 development boards.

30 (1)(a) Each local WAGES coalition must have a minimum
31 of 11 members, of which at least one-half must be from the

1 business community. The composition of the coalition
2 membership must generally reflect the racial, gender, and
3 ethnic diversity of the community as a whole. All members
4 shall be appointed to 3-year terms. The membership of each
5 coalition must include:

6 1. Representatives of the principal entities that
7 provide funding for the employment, education, training, and
8 social service programs that are operated in the service area,
9 including, but not limited to, representatives of local
10 government, the regional workforce development board, and the
11 United Way.

12 2. A representative of the health and human services
13 board.

14 3. A representative of a community development board.

15 4. Three representatives of the business community who
16 represent a diversity of sizes of businesses.

17 5. Representatives of other local planning,
18 coordinating, or service-delivery entities.

19 6. A representative of a grassroots community or
20 economic development organization that serves the poor of the
21 community.

22 (b) A person may be a member of a local WAGES
23 coalition or a combined WAGES coalition as provided in
24 subsection (2) regardless of whether the member, or an
25 organization represented by a member, could benefit
26 financially from transactions of the coalition. However, if
27 the coalition enters into a contract with an organization or
28 individual represented on the coalition, the contract must be
29 approved by a two-thirds vote of the entire board, and the
30 board member who could benefit financially from the
31 transaction must abstain from voting. A board member must

1 disclose any such conflict in a manner that is approved by the
2 WAGES Program State Board of Directors and is consistent with
3 the procedures outlined in s. 112.3143.~~A representative of an~~
4 ~~agency or entity that could benefit financially from funds~~
5 ~~appropriated under the WAGES Program may not be a member of a~~
6 ~~local WAGES coalition.~~

7 (c) A member of the board of a public or private
8 educational institution may not serve as a member of a local
9 WAGES coalition.

10 (d) A representative of any county or municipal
11 governing body that elects to provide services through the
12 local WAGES coalition shall be an ex officio, nonvoting member
13 of the coalition.

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

17 (f) This subsection does not prevent a local WAGES
18 coalition from extending regular, voting membership to not
19 more than one representative of a county health department and
20 not more than one representative of a healthy start coalition.

21 (2) A local WAGES coalition and a regional workforce
22 development board may be combined into one board if the
23 membership complies with subsection (1), and if the membership
24 of the combined board meets the requirements of Pub. L. No.
25 97-300, the federal Job Training Partnership Act, as amended,
26 and with any law delineating the membership requirements for
27 the regional workforce development boards. ~~Notwithstanding~~
28 ~~paragraph (1)(b), in a region in which the duties of the two~~
29 ~~boards are combined, a person may be a member of the WAGES~~
30 ~~coalition even if the member, or the member's principal, could~~
31 ~~benefit financially from transactions of the coalition.~~

1 ~~However, members must recuse themselves from voting on all~~
2 ~~matters from which they or their principals could benefit~~
3 ~~financially. Failure to recuse on any such vote will~~
4 ~~constitute grounds for immediate removal from the local WAGES~~
5 ~~coalition.~~

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

9 (4) Each local WAGES coalition shall perform the
10 planning, coordination, and oversight functions specified in
11 the statewide implementation plan, including, but not limited
12 to:

13 (a) Developing a program and financial plan to achieve
14 the performance outcomes specified by the WAGES Program State
15 Board of Directors for current and potential program
16 participants in the service area. The plan must reflect the
17 needs of service areas for seed money to create programs that
18 assist children of WAGES participants. The plan must also
19 include provisions for providing services for victims of
20 domestic violence.

21 (b) Developing a funding strategy to implement the
22 program and financial plan which incorporates resources from
23 all principal funding sources.

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

27 (d) In cooperation with the regional workforce
28 development board, coordinating the implementation of one-stop
29 career centers.

30 (e) Advising the Department of Children and Family
31 Services and the Department of Labor and Employment Security

1 with respect to the competitive procurement of services under
2 the WAGES Program.

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

8 (g) Developing a plan for services for victims of
9 domestic violence.

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

12 a. Criteria for determining eligibility for exceptions
13 to state work requirements;

14 b. The programs and services to be offered to victims
15 of domestic violence;

16 c. Time limits for exceptions to program requirements,
17 which may not result in an adult participant exceeding the
18 federal time limit for exceptions or the state lifetime
19 benefit limit that the participant would otherwise be entitled
20 to receive; and

21 d. An annual report on domestic violence, including
22 the progress made in reducing domestic violence as a barrier
23 to self-sufficiency among WAGES participants, local policies
24 and procedures for granting exceptions and exemptions from
25 program requirements due to domestic violence, and the number
26 and percentage of cases in which such exceptions and
27 exemptions are granted.

28 2. Each local WAGES coalition plan must specify
29 provisions for coordinating and, where appropriate, delivering
30 services, including:

31

1 a. Provisions for the local coalition to coordinate
2 with law enforcement agencies and social service agencies and
3 organizations that provide services and protection to victims
4 of domestic violence;

5 b. Provisions for allowing participants access to
6 domestic violence support services and ensuring that WAGES
7 participants are aware of domestic violence shelters,
8 hotlines, and other domestic violence services and policies;

9 c. Designation of the agency that is responsible for
10 determining eligibility for exceptions from program
11 requirements due to domestic violence;

12 d. Provisions that require each individual who is
13 granted an exemption from program requirements due to domestic
14 violence to participate in a program that prepares the
15 individual for self-sufficiency and safety; and

16 e. Where possible and necessary, provisions for job
17 assignments and transportation arrangements that take maximum
18 advantage of opportunities to preserve the safety of the
19 victim of domestic violence and the victim's dependents.

20 (5) By October 1, 1998, local WAGES coalitions shall
21 deliver through one-stop career centers, the full continuum of
22 services provided under the WAGES Program, including services
23 that are provided at the point of application. The State WAGES
24 Board may direct the Department of Labor and Employment
25 Security to provide such services to WAGES participants if a
26 local WAGES coalition is unable to provide services due to
27 decertification. Local WAGES coalitions may not determine an
28 individual's eligibility for temporary cash assistance and all
29 education and training shall be provided through agreements
30 with regional workforce development boards. The local WAGES
31 coalitions shall develop a transition plan to be approved by

1 the WAGES Program State Board of Directors. Should career
2 service employees of the Department of Labor and Employment
3 Security be subject to layoff due to the local WAGES
4 coalitions taking over the delivery of such services, such
5 employees shall be given priority consideration for employment
6 by the local WAGES coalitions. The local coalition's
7 transition plan shall provide for the utilization of space
8 leased by the Department of Labor and Employment Security for
9 WAGES service functions. By October 1, 1998, the coalition
10 may have negotiated and entered into new lease agreements or
11 subleased for said space from the Department of Labor and
12 Employment Security. In the event the coalition does not
13 utilize the Department of Labor and Employment Security leased
14 space, the Department of Labor and Employment Security shall
15 not be obligated to pay under any lease agreement for WAGES
16 services entered into by the Department since July 1, 1996.

17 (6)(5) The WAGES Program State Board of Directors may
18 not approve the program and financial plan of a local
19 coalition unless the plan provides a teen pregnancy prevention
20 component that includes, but is not necessarily limited to, a
21 plan for implementing the Florida Education Now and Babies
22 Later (ENABL) program under s. 411.242 and the Teen Pregnancy
23 Prevention Community Initiative within each county segment of
24 the service area in which the teen childhood birth rate is
25 higher than the state average. Each local WAGES coalition is
26 authorized to fund community-based welfare prevention and
27 reduction initiatives that increase the support provided by
28 noncustodial parents to their welfare-dependent children and
29 are consistent with program and financial guidelines developed
30 by the WAGES Program State Board of Directors and the
31 Commission on Responsible Fatherhood. These initiatives may

1 include, but are not limited to, improved paternity
2 establishment, work activities for noncustodial parents, and
3 programs aimed at decreasing out-of-wedlock pregnancies,
4 encouraging the involvement of fathers with their children,
5 and increasing child-support payments.

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

15 ~~(8)(7)~~ There shall be no liability on the part of, and
16 no cause of action of any nature shall arise against, any
17 member of a local WAGES coalition or its employees or agents
18 for any lawful action taken by them in the performance of
19 their powers and duties under this section and s. 414.029.

20 Section 3. Section 414.030, Florida Statutes, is
21 created to read:

22 414.030 WAGES Program Employment Projects.--

23 (1) The Legislature finds that the success of the
24 WAGES Program depends upon the existence of sufficient
25 employment opportunities compatible with the education and
26 skill levels of participants in the WAGES Program. The
27 Legislature further finds that extraordinary assistance may
28 need to be granted for certain economic development projects
29 that can have a great impact on the employment of WAGES
30 participants. It is the intent of the Legislature to
31 authorize the Governor and local governments to marshal state

1 and local resources in a coordinated and timely manner to
2 foster the development and completion of economic development
3 projects that have been identified as having a great impact on
4 the employment of WAGES participants.

5 (2) By August 1 of each year, each local city and
6 county economic development organizations in consultation with
7 local WAGES coalitions, shall identify economic development
8 projects that can have the greatest impact on employing WAGES
9 participants in their areas. Each local economic development
10 organization shall provide a prioritized list of no more than
11 5 such projects to Enterprise Florida, Inc., by August 1 of
12 each year. The organizations shall identify local resources
13 that are available to foster the development and completion of
14 each project.

15 (3)(a) By September 1 of each year, Enterprise
16 Florida, Inc., in consultation with the state WAGES Board
17 shall review and prioritize the list of projects identified
18 pursuant to subsection (2) using the following criteria:

19 1. Areas with a high proportion of families who had
20 already received cash assistance in three out of the previous
21 five years at the time their time limit was established;

22 2. Areas with a high proportion of families subject to
23 the WAGES time limit headed by a parent who was under age 24
24 at the time the time limit was established and who lacked high
25 school or GED completion;

26 3. Areas with a high proportion of families subject to
27 the time limit who have used all of the available months of
28 cash assistance since October 1996;

29 4. Areas with a low ratio of new jobs per WAGES
30 participant;

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1 5. Areas with a low ratio of job openings requiring
2 less than a high school degree per WAGES participant;

3 6. Areas with a high proportion of families subject to
4 the time limit who are either within six months of the time
5 limit or are receiving cash assistance under a period of
6 hardship extension to the time limit;

7 7. Areas with unusually high unemployment; and

8 8. Areas identified as labor surplus areas using the
9 criteria established by the U.S. Department of Labor
10 Employment and Training Administration.

11 (b) To the greatest extent possible, Enterprise
12 Florida, Inc., shall foster the development or completion of
13 the projects identified pursuant to paragraph (a) using
14 existing state and local resources under the control of
15 Enterprise Florida, Inc. To the extent that such projects
16 cannot be developed or completed from resources available to
17 Enterprise Florida, Inc., may identify and prioritize no more
18 than 10 projects, of which no more than 3 may be located in
19 Dade County, that need extraordinary state and local
20 assistance. Enterprise Florida, Inc., shall provide the list
21 of projects needing extraordinary assistance to the Governor
22 and each WAGES Program Employment Project Coordinator
23 designated pursuant to subsection (4) by September 1 of each
24 year.

25 (4)(a) By July 1, 1998, the heads of the Departments
26 of Agriculture and Consumer Services, Labor and Employment
27 Security, Community Affairs, Children and Family Services,
28 Revenue, Business and Professional Regulation, Management
29 Services, Military Affairs, Transportation, and Environmental
30 Protection, and the Comptroller; the Auditor General; the
31 executive director of each water management district; and the

1 heads of the Office of Tourism, Trade, and Economic
2 Development, Enterprise Florida, Inc., Institute of Food and
3 Agricultural Science, the State Board of Community Colleges,
4 the Division of Workforce Development of the Department of
5 Education, State University System, and the Office of Planning
6 and Budgeting shall select from within such organizations a
7 person to be designated as the WAGES Program Employment
8 Project Coordinator.

9 (b) By October 1 of each year, each WAGES Program
10 Employment Project Coordinator shall determine what resources
11 are available at the organization to foster the development
12 and completion of the economic development projects received
13 pursuant to subsection (3). Each coordinator shall provide
14 this determination to the Governor by October 1 of each year.

15 (5)(a) By October 15 of each year, the Governor may,
16 by executive order, designate these projects as WAGES Program
17 Employment Projects, and direct the agencies to use the
18 resources identified pursuant to subsection (4) to develop or
19 complete such projects. The order shall direct such agencies
20 to contract with the appropriate local WAGES coalition to
21 develop or complete such projects.

22 (b) Notwithstanding the eligibility provisions of s.
23 403.973, the Governor may waive such eligibility requirements
24 by executive order for projects that have been identified as
25 needing expedited permitting.

26 (c) To the extent that resources identified pursuant
27 to subsection (4) have been appropriated by the Legislature
28 for a specific purpose that does not allow for the expenditure
29 of such resources on the projects, the Governor may use the
30 budget amendment process in chapter 216 to request that these
31

1 resources be released to the Governor's Office to accomplish
2 the development or completion of the project.

3 (d) Any executive order issued by the Governor
4 pursuant to this section shall expire within 90 days, unless
5 renewed for an additional 60 days by the Governor. However,
6 no executive order may be issued by the Governor pursuant to
7 this section for a period in excess of 150 days.

8 (6) Each local WAGES coalition with jurisdiction over
9 an area where a WAGES Program Employment Project has been
10 designated by the Governor pursuant to subsection (5) shall
11 enter into a contract with the appropriate local, state, or
12 private entities to ensure that the project is developed and
13 completed. Such contracts may include, but are not limited
14 to, contracts with applicable state agencies, and businesses
15 to provide training, education, and employment opportunities
16 for WAGES participants.

17 (7) By March 15 of each year, Enterprise Florida,
18 Inc., shall submit to the state WAGES Board, the Governor, the
19 President of the Senate, the Speaker of the House of
20 Representatives, the Senate Minority Leader, and the House
21 Minority Leader a complete and detailed report that includes,
22 but is not limited to, a description of the activities,
23 expenditures, and projects undertaken pursuant to this
24 section, and a description of what, if any, legislative action
25 that may be necessary.

26 (8)(a) The Auditor General may, pursuant to his or her
27 own authority or at the direction of the Legislature, conduct
28 a financial audit of the expenditure of resources pursuant to
29 this section.

30 (b) Prior to the 2000 Regular Session of the
31 Legislature, the Office of Program Policy Analysis and

1 Government Accountability, shall conduct a review of the
2 projects developed or completed pursuant to this section. The
3 review shall be comprehensive in its scope, but, at a minimum,
4 must be conducted in a manner as to specifically determine:

5 1. The impact the provisions contained in this section
6 had on the development and completion of the projects
7 identified pursuant to this section.

8 2. Whether it would be sound public policy to continue
9 or discontinue to foster the development or completion of
10 projects using the processes provided in this section. The
11 report shall be submitted by January 1, 2000, to the President
12 of the Senate, the Speaker of the House of Representatives,
13 the Senate Minority Leader, and the House Minority Leader.

14 Section 4. Paragraph (b) of subsection (1) and
15 subsection (7) of section 414.065, Florida Statutes, are
16 amended and subsection (12) is added to that section to read:

17 414.065 Work requirements.--

18 (1) WORK ACTIVITIES.--The following activities may be
19 used individually or in combination to satisfy the work
20 requirements for a participant in the WAGES Program:

21 (b) Subsidized private sector employment.--Subsidized
22 private sector employment is employment in a private
23 for-profit enterprise or a private not-for-profit enterprise
24 which is directly supplemented by federal or state funds. A
25 subsidy may be provided in one or more of the forms listed in
26 this paragraph.

27 1. Work supplementation.--A work supplementation
28 subsidy diverts a participant's temporary cash assistance
29 under the program to the employer. The employer must pay the
30 participant wages that equal or exceed the applicable federal
31 minimum wage. Work supplementation may not exceed 6 months. At

1 the end of the supplementation period, the employer is
2 expected to retain the participant as a regular employee
3 without receiving a subsidy ~~for at least 12 months.~~ A The work
4 supplementation agreement may not be continued with any
5 employer who exhibits a pattern of failing to provide
6 participants with continued employment after the period of
7 work supplementation ends ~~must provide that if the employee is~~
8 ~~dismissed at any time within 12 months after termination of~~
9 ~~the supplementation period due in any part to loss of the~~
10 ~~supplement, the employer shall repay some or all of the~~
11 ~~supplement previously paid as a subsidy to the employer under~~
12 ~~the WAGES Program.~~

13 2. On-the-job training.--On-the-job training is
14 full-time, paid employment in which the employer or an
15 educational institution in cooperation with the employer
16 provides training needed for the participant to perform the
17 skills required for the position. The employer or the
18 educational institution on behalf of the employer receives a
19 subsidy to offset the cost of the training provided to the
20 participant. Upon satisfactory completion of the training, the
21 employer is expected to retain the participant as a regular
22 employee without receiving a subsidy. An ~~The~~ on-the-job
23 training agreement may not be continued with any employer who
24 exhibits a pattern of failing to provide participants with
25 continued employment after the on-the-job training subsidy
26 ends ~~must provide that in the case of dismissal of a~~
27 ~~participant due to loss of the subsidy, the employer shall~~
28 ~~repay some or all of the subsidy previously provided by the~~
29 ~~department and the Department of Labor and Employment~~
30 ~~Security.~~

31

1 3. Incentive payments.--The department and the
2 Department of Labor and Employment Security may provide
3 additional incentive payments to encourage employers to employ
4 program participants. Incentive payments may include payments
5 to encourage the employment of hard-to-place participants, in
6 which case the amount of the payment shall be weighted
7 proportionally to the extent to which the participant has
8 limitations associated with the long-term receipt of welfare
9 and difficulty in sustaining employment. In establishing
10 incentive payments, the department and the Department of Labor
11 and Employment Security shall consider the extent of prior
12 receipt of welfare, lack of employment experience, lack of
13 education, lack of job skills, and other appropriate factors.
14 A participant who has complied with program requirements and
15 who is approaching the time limit for receiving temporary cash
16 assistance may be defined as "hard-to-place." Incentive
17 payments may include payments in which an initial payment is
18 made to the employer upon the employment of a participant, and
19 the majority of the incentive payment is made after the
20 employer retains the participant as a full-time employee for
21 at least 12 months. An ~~The~~ incentive agreement may not be
22 continued with any employer who exhibits a pattern of failing
23 to provide participants with continued employment after the
24 incentive payments cease ~~must provide that if the employee is~~
25 ~~dismissed at any time within 12 months after termination of~~
26 ~~the incentive payment period due in any part to loss of the~~
27 ~~incentive, the employer shall repay some or all of the payment~~
28 ~~previously paid as an incentive to the employer under the~~
29 ~~WAGES Program.~~

30 4. Tax credits.--An employer who employs a program
31 participant may qualify for enterprise zone property tax

1 credits under s. 220.182, the tax refund program for qualified
2 target industry businesses under s. 288.106, or other federal
3 or state tax benefits. The department and the Department of
4 Labor and Employment Security shall provide information and
5 assistance, as appropriate, to use such credits to accomplish
6 program goals.

7 5. WAGES training bonus.--An employer who hires a
8 WAGES participant who has less than 6 months of eligibility
9 for temporary cash assistance remaining and who pays the
10 participant a wage that precludes the participant's
11 eligibility for temporary cash assistance may receive \$240 for
12 each full month of employment for a period that may not exceed
13 3 months. An employer who receives a WAGES training bonus for
14 an employee may not receive a work supplementation subsidy for
15 the same employee. Employment is defined as 35 hours per week
16 at a wage of no less than minimum wage.

17 (7) EXCEPTIONS TO NONCOMPLIANCE PENALTIES.--The
18 situations listed in this subsection shall constitute
19 exceptions to the penalties for noncompliance with
20 participation requirements, except that these situations do
21 not constitute exceptions to the applicable time limit for
22 receipt of temporary cash assistance:

23 (a) Noncompliance related to child care.--Temporary
24 cash assistance may not be terminated for refusal to
25 participate in work activities if the individual is a single
26 custodial parent caring for a child who has not attained 6
27 years of age, and the adult proves to the department or to the
28 Department of Labor and Employment Security an inability to
29 obtain needed child care for one or more of the following
30 reasons:

31

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

3 2. Unavailability or unsuitability of informal child
4 care by a relative or under other arrangements.

5 3. Unavailability of appropriate and affordable formal
6 child care arrangements.

7 (b) Noncompliance related to domestic violence.--An
8 individual who is determined to be unable to comply with the
9 work requirements because such compliance would make it
10 probable that the individual would be unable to escape
11 domestic violence shall be exempt from work requirements
12 pursuant to s. 414.028(4)(g). However, the individual shall
13 comply with a plan that specifies alternative requirements
14 that prepare the individual for self-sufficiency while
15 providing for the safety of the individual and the
16 individual's dependents. An exception granted under this
17 paragraph does not constitute an exception to the time
18 limitations on benefits specified under s. 414.105.

19 (c) Noncompliance related to treatment or remediation
20 of past effects of domestic violence.--An individual who is
21 determined to be unable to comply with the work requirements
22 under this section due to mental or physical impairment
23 related to past incidents of domestic violence may be exempt
24 from work requirements for a specified period pursuant to s.
25 414.028(4)(g), except that such individual shall comply with a
26 plan that specifies alternative requirements that prepare the
27 individual for self-sufficiency while providing for the safety
28 of the individual and the individual's dependents. The plan
29 must include counseling or a course of treatment necessary for
30 the individual to resume participation. The need for treatment
31 and the expected duration of such treatment must be verified

1 by a physician licensed under chapter 458 or chapter 459; a
2 psychologist licensed under s. 490.005(1), s. 490.006, or the
3 provision identified as s. 490.013(2) in s. 1, chapter 81-235,
4 Laws of Florida; a therapist as defined in s. 491.003(2) or
5 (6); or a treatment professional who is registered under s.
6 415.605(1)(g), is authorized to maintain confidentiality under
7 s. 90.5036(1)(d), and has a minimum of 2 years experience at a
8 certified domestic violence center. An exception granted under
9 this paragraph does not constitute an exception from the time
10 limitations on benefits specified under s. 414.105.

11 (d)(b) Noncompliance related to medical
12 incapacity.--If an individual cannot participate in assigned
13 work activities due to a medical incapacity, the individual
14 may be excepted from the activity for a specific period,
15 except that the individual shall be required to comply with
16 the course of treatment necessary for the individual to resume
17 participation. A participant may not be excused from work
18 activity requirements unless the participant's medical
19 incapacity is verified by a physician licensed under chapter
20 458 or chapter 459, in accordance with procedures established
21 by rule of the Department of Labor and Employment Security.

22 (e)(c) Other good cause exceptions for
23 noncompliance.--Individuals who are temporarily unable to
24 participate due to circumstances beyond their control may be
25 excepted from the noncompliance penalties. The Department of
26 Labor and Employment Security may define by rule situations
27 that would constitute good cause. These situations must
28 include caring for a disabled family member when the need for
29 the care has been verified and alternate care is not
30 available.

31

1 (12) PROTECTION FOR CURRENT EMPLOYEES.--In
2 establishing and contracting for work-experience and community
3 service activities, other work-experience activities,
4 on-the-job training, subsidized employment, and work
5 supplementation under the WAGES Program, an employed worker
6 may not be displaced, either completely or partially. A WAGES
7 participant may not be assigned to an activity or employed in
8 a position if the employer has created the vacancy or
9 terminated an existing employee without good cause in order to
10 fill that position with a WAGES Program participant.

11 Section 5. Section 414.105, Florida Statutes, is
12 amended to read:

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

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

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

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

30 1. Has not completed a high school education or its
31 equivalent; or

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

3 (2) A participant who is not exempt from work activity
4 requirements may earn 1 month of eligibility for extended
5 temporary cash assistance, up to maximum of 12 additional
6 months, for each month in which the participant is fully
7 complying with the work activities of the WAGES Program
8 through unsubsidized private sector employment. The period for
9 which extended temporary cash assistance is granted shall be
10 based upon compliance with WAGES Program requirements
11 beginning October 1, 1996. A participant may not receive
12 temporary cash assistance under this subsection, in
13 combination with other periods of temporary cash assistance
14 for longer than a lifetime limit of 48 months.Hardship
15 exemptions to the time limitations of this chapter shall be
16 limited to 10 percent of participants in the first year of
17 implementation of this chapter, 15 percent of participants in
18 the second year of implementation of this chapter, and 20
19 percent of participants in all subsequent years. Criteria for
20 hardship exemptions include:

21 (a) Diligent participation in activities, combined
22 with inability to obtain employment.

23 (b) Diligent participation in activities, combined
24 with extraordinary barriers to employment, including the
25 conditions which may result in an exemption to work
26 requirements.

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

29 (d) Diligent participation in activities and a need by
30 teen parents for an exemption in order to have 24 months of
31

1 eligibility beyond receipt of the high school diploma or
2 equivalent.

3 (e) A recommendation of extension for a minor child of
4 a participating family that has reached the end of the
5 eligibility period for temporary cash assistance. The
6 recommendation must be the result of a review which determines
7 that the termination of the child's temporary cash assistance
8 would be likely to result in the child being placed into
9 emergency shelter or foster care. Temporary cash assistance
10 shall be provided through a protective payee. Staff of the
11 Children and Families ~~Family Services~~ Program Office of the
12 department shall conduct all assessments in each case in which
13 it appears a child may require continuation of temporary cash
14 assistance through a protective payee.

15

16 At the recommendation of the local WAGES coalition, temporary
17 cash assistance under a hardship exemption for a participant
18 who is eligible for work activities and who is not working
19 shall be reduced by 10 percent. Upon the employment of the
20 participant, full benefits shall be restored.

21 (3) In addition to the exemptions listed in subsection
22 (2), a victim of domestic violence may be granted a hardship
23 exemption if the effects of such domestic violence delay or
24 otherwise interrupt or adversely affect the individual's
25 participation in the program. Hardship exemptions granted
26 under this subsection shall not be subject to the percentage
27 limitations in subsection (3).

28 (4)~~(3)~~ The department shall establish a procedure for
29 reviewing and approving hardship exemptions, and the local
30 WAGES coalitions may assist in making these determinations.
31 The composition of any review panel must generally reflect the

1 racial, gender, and ethnic diversity of the community as a
2 whole. Members of a review panel shall serve without
3 compensation, but are entitled to receive reimbursement for
4 per diem and travel expenses as provided in s. 112.016.

5 (5)~~(4)~~ The cumulative total of all hardship exemptions
6 may not exceed 12 months, may include reduced benefits at the
7 option of the community review panel, and shall, in
8 combination with other periods of temporary cash assistance as
9 an adult, total no more than 48 months of temporary cash
10 assistance. If an individual fails to comply with program
11 requirements during a hardship exemption period, the hardship
12 exemption shall be removed.

13 (6)~~(5)~~ For individuals who have moved from another
14 state and have legally resided in this state for less than 12
15 months, the time limitation for temporary cash assistance
16 shall be the shorter of the respective time limitations used
17 in the two states, and months in which temporary cash
18 assistance was received under a block grant program that
19 provided temporary assistance for needy families in any state
20 shall count towards the cumulative 48-month benefit limit for
21 temporary cash assistance.

22 (7)~~(6)~~ For individuals subject to a time limitation
23 under the Family Transition Act of 1993, that time limitation
24 shall continue to apply. Months in which temporary cash
25 assistance was received through the family transition program
26 shall count towards the time limitations under this chapter.

27 (8)~~(7)~~ Except when temporary cash assistance was
28 received through the family transition program, the
29 calculation of the time limitation for temporary cash
30 assistance shall begin with the first month of receipt of
31

1 temporary cash assistance after the effective date of this
2 act.

3 (9)~~(8)~~ Child-only cases are not subject to time
4 limitations, and temporary cash assistance received while an
5 individual is a minor child shall not count towards time
6 limitations.

7 (10)~~(9)~~ An individual who receives benefits under the
8 Supplemental Security Income program or the Social Security
9 Disability Insurance program is not subject to time
10 limitations.

11 (11) A person who is totally responsible for the
12 personal care of a disabled family member is not subject to
13 time limitations if the need for the care is verified and
14 alternative care is not available for the family member. The
15 department shall annually evaluate an individual's
16 qualifications for this exemption.

17 (12)~~(10)~~ A member of the WAGES Program staff shall
18 interview and assess the employment prospects and barriers of
19 each participant who is within 6 months of reaching the
20 24-month time limit. The staff member shall assist the
21 participant in identifying actions necessary to become
22 employed prior to reaching the benefit time limit for
23 temporary cash assistance and, if appropriate, shall refer the
24 participant for services that could facilitate employment.

25 Section 6. Present subsections (4), (5), (6), (7),
26 (8), (9), and (10) of section 414.0252, Florida Statutes, are
27 renumbered as subsections (5), (7), (8), (9), (10), (11), and
28 (12) of that section, respectively, and new subsections (4)
29 and (6) are added to that section, to read:

30 414.0252 Definitions.--As used in ss. 414.015-414.45,
31 the term:

1 (4) "Domestic violence" means any assault, aggravated
2 assault, battery, aggravated battery, sexual assault, sexual
3 battery, stalking, aggravated stalking, kidnapping, false
4 imprisonment, or any criminal offense that results in the
5 physical injury or death of one family or household member by
6 another.

7 (6) "Family or household member" means spouses, former
8 spouses, noncohabitating partners, persons related by blood or
9 marriage, persons who are presently residing together as if a
10 family or who have resided together in the past as if a
11 family, and persons who have a child in common regardless of
12 whether they have been married or have resided together at any
13 time.

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

18 414.095 Determining eligibility for the WAGES
19 Program.--

20 (3) ELIGIBILITY FOR NONCITIZENS.--A"qualified
21 noncitizen" is an individual who is lawfully present in the
22 United States as a refugee or who is granted asylum under ss.
23 207 and 208 of the Immigration and Nationality Act, an alien
24 whose deportation is withheld under s. 243(h) of the
25 Immigration and Nationality Act, or an alien who has been
26 admitted as a permanent resident and meets specific criteria
27 under federal law. In addition, a "qualified noncitizen"
28 includes an individual who has been battered or subject to
29 extreme cruelty in the United States by a spouse or a parent,
30 and has applied for or received protection under the federal
31 Violence Against Women Act of 1994, Pub. L. No. 103-322, if

1 the need for benefits is related to the abuse.A"nonqualified
2 noncitizen" is a nonimmigrant alien, including a tourist,
3 business visitor, foreign student, exchange visitor, temporary
4 worker, or diplomat. In addition, a"nonqualified noncitizen"
5 includes an individual paroled into the United States for less
6 than 1 year. A qualified noncitizen who is otherwise eligible
7 may receive temporary cash assistance to the extent permitted
8 by federal law. The income or resources of a sponsor and the
9 sponsor's spouse shall be included in determining eligibility
10 to the maximum extent permitted by federal law.

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

15 (b) If the parent may legally work in this country,
16 the parent must participate in the work activity requirements
17 provided in s. 414.065, to the extent permitted under federal
18 law.

19 (c) The department shall participate in the Systematic
20 Alien Verification for Entitlements Program (SAVE) established
21 by the United States Immigration and Naturalization Service in
22 order to verify the validity of documents provided by aliens
23 and to verify an alien's eligibility.

24 (d) The income of an illegal alien or ineligible
25 alien, less a pro rata share for the illegal alien or
26 ineligible alien, counts in determining a family's eligibility
27 to participate in the program.

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

31

1 (10) PARTICIPANT OPPORTUNITIES AND OBLIGATIONS.--An
2 applicant or participant in the WAGES Program has the
3 following opportunities and obligations:

4 (g) To receive information regarding services
5 available from certified domestic violence centers or
6 organizations that provide counseling and supportive services
7 to individuals who are past or present victims of domestic
8 violence or who are at risk of domestic violence and, upon
9 request, to be referred to such organizations in a manner
10 which protects the individual's confidentiality.

11 (15) PROHIBITIONS AND RESTRICTIONS.--

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

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

1 414.115 Limited temporary cash assistance for children
2 born to families receiving temporary cash assistance.--

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

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

7 **(b) To a program participant who is confirmed by the**
8 **Title IV-D child support agency as having been granted an**
9 **exemption from participating in requirements for the**
10 **enforcement of child support due to circumstances consistent**
11 **with the conception of the child as a result of rape, incest,**
12 **or sexual exploitation. A child for whom an exemption is**
13 **claimed under this paragraph and for whom an application has**
14 **been made for a good-cause exemption from the requirements of**
15 **s. 414.095 shall receive temporary benefits until a**
16 **determination is made on the application for a good-cause**
17 **exemption from the requirements of s. 414.095;**

18 ~~(c)~~**(b)** To children who are the firstborn, including
19 all children in the case of multiple birth, of minors included
20 in a temporary cash assistance group who as minors become
21 first-time parents;

22 ~~(d)~~**(e)** To a child when parental custody has been
23 legally transferred; or

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

- 26 1. The death of the child's parent or parents;
27 2. The incapacity of the child's parent or parents as
28 documented by a physician, such that the parent or parents are
29 unable to care for the child;
30 3. Legal transfer of the custody of the child to
31 another individual;

1 4. Incarceration of the child's parent or parents,
2 except that the child shall not receive temporary cash
3 assistance if a parent is subsequently released and reunited
4 with the child; or

5 5. A situation in which the child's parent's or
6 parents' institutionalization is expected to be for an
7 extended period, as defined by the department.

8 Section 9. Paragraph (g) is added to subsection (1) of
9 section 234.01, Florida Statutes, to read:

10 234.01 Purpose; transportation; when provided.--

11 (1) School boards, after considering recommendations
12 of the superintendent:

13 (g) May provide transportation for WAGES program
14 participants as defined in s. 414.0252.

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

19 234.211 Use of school buses for public purposes.--

20 (1)

21 (b) Each school district may enter into agreements
22 with local WAGES coalitions for the provision of
23 transportation services to WAGES program participants as
24 defined in s. 414.0252. Agreements must provide for
25 reimbursement in full or in part for the proportionate share
26 of fixed and operating costs incurred by the school district
27 attributable to the use of buses in accordance with the
28 agreement.

29 Section 11. Subsection (13) is added to section
30 341.041, Florida Statutes, to read:

31

1 341.041 Transit responsibilities of the
2 department.--The department shall, within the resources
3 provided pursuant to chapter 216:

4 (13) Assist local governmental entities and other
5 transit operators in the planning, development, and
6 coordination of transit services for WAGES program
7 participants as defined in s. 414.0252.

8 Section 12. Subsections (1) and (2) of section
9 341.052, Florida Statutes, are amended to read:

10 341.052 Public transit block grant program;
11 administration; eligible projects; limitation.--

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

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

3 (a) Costs of public bus transit and local public fixed
4 guideway capital projects.

5 (b) Costs of public bus transit service development
6 and transit corridor projects. Whenever block grant funds are
7 used for a service development project or a transit corridor
8 project, the use of such funds is governed by s. 341.051.

9 Local transit service development projects and transit
10 corridor projects currently operating under contract with the
11 department shall continue to receive state funds according to
12 the contract until such time as the contract expires. Transit
13 corridor projects, wholly within one county, meeting or
14 exceeding performance criteria as described in the contract
15 shall be continued by the transit provider at the same or a
16 higher level of service until such time as the department, the
17 M.P.O., and the service provider, agree to discontinue the
18 service. The provider may not increase fares for services in
19 transit corridor projects wholly within one county without the
20 consent of the department.

21 (c) Costs of public bus transit operations.

22
23 All projects must ~~shall~~ be consistent, to the maximum extent
24 feasible, with the approved local government comprehensive
25 plans of the units of local government ~~comprehensive plans of~~
26 ~~local government~~ in which the project is located.

27 Section 13. Paragraph (a) of subsection (2) of section
28 414.026, Florida Statutes, is amended to read:

29 414.026 WAGES Program State Board of Directors.--

30 (2)(a) The board of directors shall be composed of the
31 following members:

1 1. The Commissioner of Education, or the
2 commissioner's designee.

3 2. The Secretary of Children and Family Services.

4 3. The Secretary of Health.

5 4. The Secretary of Labor and Employment Security.

6 5. The Secretary of Community Affairs.

7 6. The Secretary of Transportation, or the secretary's
8 designee.

9 ~~7.6.~~ The director of the Office of Tourism, Trade, and
10 Economic Development.

11 ~~8.7.~~ The president of the Enterprise Florida workforce
12 development board, established under s. 288.9620.

13 ~~9.8.~~ The chief executive officer of the Florida
14 Tourism Industry Marketing Corporation, established under s.
15 288.1226.

16 ~~10.9.~~ Nine members appointed by the Governor, as
17 follows:

18 a. Six members shall be appointed from a list of ten
19 nominees, of which five must be submitted by the President of
20 the Senate and five must be submitted by the Speaker of the
21 House of Representatives. The list of five nominees submitted
22 by the President of the Senate and the Speaker of the House of
23 Representatives must each contain at least three individuals
24 employed in the private sector, two of whom must have
25 management experience. One of the five nominees submitted by
26 the President of the Senate and one of the five nominees
27 submitted by the Speaker of the House of Representatives must
28 be an elected local government official who shall serve as an
29 ex officio nonvoting member.

30 b. Three members shall be at-large members appointed
31 by the Governor.

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

4
5 The members appointed by the Governor shall be appointed to
6 4-year, staggered terms. Within 60 days after a vacancy occurs
7 on the board, the Governor shall fill the vacancy of a member
8 appointed from the nominees submitted by the President of the
9 Senate and the Speaker of the House of Representatives for the
10 remainder of the unexpired term from one nominee submitted by
11 the President of the Senate and one nominee submitted by the
12 Speaker of the House of Representatives. Within 60 days after
13 a vacancy of a member appointed at-large by the Governor
14 occurs on the board, the Governor shall fill the vacancy for
15 the remainder of the unexpired term. The composition of the
16 board must generally reflect the racial, gender, and ethnic
17 diversity of the state as a whole.

18 Section 14. Section 414.20, Florida Statutes, is
19 amended to read:

20 414.20 Other support services.--Support services shall
21 be provided, if resources permit, to assist participants in
22 complying with work activity requirements outlined in s.
23 414.065. If resources do not permit the provision of needed
24 support services, the department and the Department of Labor
25 and Employment Security may prioritize or otherwise limit
26 provision of support services. This section does not
27 constitute an entitlement to support services. Lack of
28 provision of support services may be considered as a factor in
29 determining whether good cause exists for failing to comply
30 with work activity requirements but does not automatically
31 constitute good cause for failing to comply with work activity

1 requirements, and does not affect any applicable time limit on
2 the receipt of temporary cash assistance or the provision of
3 services under this chapter. Support services shall include,
4 but need not be limited to:

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

22 (a) Local WAGES coalitions are authorized to provide
23 payment for vehicle operational and repair expenses, including
24 repair expenditures necessary to make a vehicle functional;
25 vehicle registration fees; driver's license fees; and
26 liability insurance for the vehicle for a period of up to 6
27 months. Request for vehicle repairs must be accompanied by an
28 estimate of the cost prepared by a repair facility registered
29 under s. 559.904.

30 (b) Transportation disadvantaged funds as defined in
31 chapter 427 do not include WAGES support services funds or

1 funds appropriated to assist persons eligible under the Job
2 Training Partnership Act. It is the intent of the Legislature
3 that local WAGES coalitions and regional workforce development
4 boards consult with local community transportation
5 coordinators designated under chapter 427 regarding the
6 availability and cost of transportation services through the
7 coordinated transportation system prior to contracting for
8 comparable transportation services outside the coordinated
9 system. ~~Support services funds may also be used to develop~~
10 ~~transportation resources to expand transportation options~~
11 ~~available to participants. These services may include~~
12 ~~cooperative arrangements with local transit authorities or~~
13 ~~school districts and small enterprise development.~~

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

18 (3) MEDICAL SERVICES.--A family that meets the
19 eligibility requirements for Medicaid shall receive medical
20 services under the Medicaid program.

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

1 considered a medical service for purposes of the required
2 statewide implementation plan or use of federal funds.

3 Section 15. Section 414.25, Florida Statutes, is
4 amended to read:

5 414.25 Exemption from leased real property
6 requirements.--In order to facilitate implementation of this
7 chapter with respect to establishing jobs and benefits
8 offices, the Department of Labor and Employment Security and
9 the Department of Children and Family Services are exempt from
10 the requirements of 255.25(2)(b) and 255.25(3)(a) which relate
11 to the requirement of advertisement for and receipt of
12 competitive bids for the procurement of leased real property.
13 ~~This exemption expires June 30, 1999 s. 255.25 which relate to~~
14 ~~the procurement of leased real property. This exemption~~
15 ~~expires June 30, 1998.~~

16 Section 16. Section 414.225, Florida Statutes, is
17 created to read:

18 414.225 Transitional transportation.--In order to
19 assist former WAGES participants in maintaining and sustaining
20 employment, transportation may be provided, if funds are
21 available, for up to 1 year after the participant is no longer
22 eligible to participate in the program due to earnings. This
23 does not constitute an entitlement to transitional
24 transportation. If funds are not sufficient to provide
25 services under this section, the department may limit or
26 otherwise prioritize transportation services.

27 (1) Transitional transportation must be job related.

28 (2) Transitional transportation may include expenses
29 identified in s. 414.20.

30 Section 17. Subsection (27) is added to section
31 427.013, Florida Statutes, to read:

1 427.013 The Commission for the Transportation
2 Disadvantaged; purpose and responsibilities.--The purpose of
3 the commission is to accomplish the coordination of
4 transportation services provided to the transportation
5 disadvantaged. The goal of this coordination shall be to
6 assure the cost-effective provision of transportation by
7 qualified community transportation coordinators or
8 transportation operators for the transportation disadvantaged
9 without any bias or presumption in favor of multioperator
10 systems or not-for-profit transportation operators over single
11 operator systems or for-profit transportation operators. In
12 carrying out this purpose, the commission shall:

13 (27) Ensure that local community transportation
14 coordinators 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 18. Subsection (9) is added to section
19 427.0155, Florida Statutes, to read:

20 427.0155 Community transportation coordinators; powers
21 and duties.--Community transportation coordinators shall have
22 the following powers and duties:

23 (9) Work cooperatively with local WAGES coalitions
24 established in chapter 414 to provide assistance in the
25 development of innovative transportation services for WAGES
26 participants.

27 Section 19. Subsection (7) is added to section
28 427.0157, Florida Statutes, to read:

29 427.0157 Coordinating boards; powers and duties.--The
30 purpose of each coordinating board is to develop local service
31 needs and to provide information, advice, and direction to the

1 community transportation coordinators on the coordination of
2 services to be provided to the transportation disadvantaged.
3 The commission shall, by rule, establish the membership of
4 coordinating boards. The members of each board shall be
5 appointed by the metropolitan planning organization or
6 designated official planning agency. The appointing authority
7 shall provide each board with sufficient staff support and
8 resources to enable the board to fulfill its responsibilities
9 under this section. Each board shall meet at least quarterly
10 and shall:

11 (7) Work cooperatively with local WAGES coalitions
12 established in chapter 414 to provide assistance in the
13 development of innovative transportation services for WAGES
14 participants.

15 Section 20. Subsection (1) and paragraph (a) of
16 subsection (3) of section 212.096, Florida Statutes, are
17 amended to read:

18 212.096 Sales, rental, storage, use tax; enterprise
19 zone jobs credit against sales tax.--

20 (1) For the purposes of the credit provided in this
21 section:

22 (a) "Eligible business" means any sole proprietorship,
23 firm, partnership, corporation, bank, savings association,
24 estate, trust, business trust, receiver, syndicate, or other
25 group or combination, or successor business, located in an
26 enterprise zone. An eligible business does not include any
27 business which has claimed the credit permitted under s.
28 220.181 for any new business employee first beginning
29 employment with the business after July 1, 1995.

30 (b) "Month" means either a calendar month or the time
31 period from any day of any month to the corresponding day of

1 the next succeeding month or, if there is no corresponding day
2 in the next succeeding month, the last day of the succeeding
3 month.

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

12

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

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

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

1 Training Partnership Act classroom training participant or a
2 WAGES Program participant.

3 Section 21. Paragraph (q) of subsection (1) of section
4 220.03, Florida Statutes, is amended to read:

5 220.03 Definitions.--

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

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

29 Section 22. Paragraph (a) of subsection (2) of section
30 220.181, Florida Statutes, is amended to read:

31 220.181 Enterprise zone jobs credit.--

1 (2) When filing for an enterprise zone jobs credit, a
2 business must file under oath with the governing body or
3 enterprise zone development agency having jurisdiction over
4 the enterprise zone where the business is located, as
5 applicable, a statement which includes:

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

14 Section 23. Subsection (10) is added to section
15 288.047, Florida Statutes, to read:

16 288.047 Quick-response training for economic
17 development.--

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

27 (a) Training funded pursuant to this subsection may
28 not exceed 12 months, and may be provided by the local
29 community college, school district, regional workforce
30 development board, or the business employing the participant,
31 including on-the-job training. Training will provide

1 entry-level skills to new workers, including those employed in
2 retail, who are participants in the WAGES Program.

3 (b) WAGES participants trained pursuant to this
4 subsection must be employed at a wage not less than \$6.00 per
5 hour.

6 (c) Funds made available pursuant to this subsection
7 may be expended in connection with the relocation of a
8 business from one community to another community if approved
9 by the State WAGES Emergency Response Team.

10 Section 24. Section 414.155, Florida Statutes, is
11 created to read:

12 414.155 Relocation assistance program.--

13 (1) The Legislature recognizes that the need for
14 public assistance may arise because a family is located in an
15 area with limited employment opportunities, because of
16 geographic isolation, because of formidable transportation
17 barriers, because of isolation from their extended family, or
18 because domestic violence interferes with the ability of a
19 parent to maintain self-sufficiency. Accordingly there is
20 established a program to assist families in relocating to
21 communities with greater opportunities for self-sufficiency.

22 (2) The relocation assistance program shall involve
23 five steps by the Department of Children and Family Services
24 or the Department of Labor and Employment Security:

25 (a) A determination that the family is a WAGES Program
26 participant or that all requirements of eligibility for the
27 WAGES Program would likely be met.

28 (b) A determination that there is a basis for
29 believing that relocation will contribute to the ability of
30 the applicant to achieve self-sufficiency. For example, the
31 applicant:

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

3 2. Has secured a job that requires relocation to
4 another community;

5 3. Has a family support network in another community;
6 or

7 4. Is determined, pursuant to criteria or procedures
8 established by the WAGES Program State Board of Directors, to
9 be a victim of domestic violence who would experience reduced
10 probability of further incidents through relocation.

11 (c) Establishment of a relocation plan, including a
12 budget and such requirements as are necessary to prevent abuse
13 of the benefit and to provide an assurance that the applicant
14 will relocate. The plan may require that expenditures be made
15 on behalf of the recipient. However, the plan must include
16 provisions to protect the safety of victims of domestic
17 violence and avoid provisions that place them in anticipated
18 danger. The payment to defray relocation expenses shall be
19 limited to an amount not to exceed 4 months' temporary cash
20 assistance, based on family size.

21 (d) A determination, pursuant to criteria adopted by
22 the WAGES Program State Board of Directors, that a Florida
23 community receiving a relocated family has the capacity to
24 provide needed services and employment opportunities.

25 (e) Monitoring the relocation.

26 (3) A family receiving relocation assistance for
27 reasons other than domestic violence must sign an agreement
28 restricting the family from applying for temporary cash
29 assistance for 6 months, unless an emergency is demonstrated
30 to the department. If a demonstrated emergency forces the
31 family to reapply for temporary cash assistance within 6

1 months after receiving a relocation assistance payment,
2 repayment must be made on a prorated basis over an 8-month
3 period and subtracted from any regular payment of temporary
4 cash assistance for which the applicant may be eligible.

5 (4) The Department of Labor and Employment Security
6 shall have authority to adopt rules pursuant to the
7 Administrative Procedure Act to determine that a community has
8 the capacity to provide services and employment opportunities
9 for a relocated family.

10 (5) The Department of Children and Family Services
11 shall have authority to adopt rules pursuant to the
12 Administrative Procedure Act to develop and implement
13 relocation plans and to draft an agreement restricting a
14 family from applying for temporary cash assistance within 6
15 months after receiving a relocation assistance payment.

16 (6) The Department of Labor and Employment Security
17 shall have authority to adopt rules pursuant to the
18 Administrative Procedure Act to determine that a community has
19 the capacity to provide services and employment opportunities
20 for a relocated family.

21 (7) The Department of Children and Family Services
22 shall have authority to adopt rules pursuant to the
23 Administrative Procedure Act to develop and implement
24 relocation plans and to draft an agreement restricting a
25 family from applying for temporary cash assistance within 6
26 months after receiving a relocation assistance payment.

27 Section 25. (1) The sum of \$32 million is hereby
28 appropriated from the Employment Security Administration Trust
29 Fund for the Department of Labor and Employment Security,
30 which shall be used to assist WAGES Coalitions to prepare,
31 place, and support WAGES programs participants in jobs or

1 other approved work-related activities. Such expenditures from
2 the Employment Security Administration Trust Fund which are
3 based on receipts from the Temporary Assistance for Needy
4 Families block grant shall be expended in accordance with the
5 requirements and limitations of Part A of Title IV of the
6 Social Security Act, as amended, or any other applicable
7 federal requirement or limitation. Prior to any expenditure of
8 such funds, the Secretary of the Department of Children and
9 Family Services or his designee shall certify that controls
10 are in place to ensure that such funds are expended in
11 accordance with the requirements and limitations of federal
12 law and that any reporting requirements of federal law are
13 met. It shall be the responsibility of any entity to which
14 such funds are appropriated to obtain the required
15 certification prior to any expenditure of funds. The
16 appropriation provided in this subsection is void if an
17 appropriation for the same amount and for the same purposes is
18 contained in another bill that passes after the passage of
19 this bill during the 1998 Regular Session or an extension
20 thereof.

21 (2) A total of \$1.9 million is appropriated from the
22 Employment Security Administration Trust Fund to establish a
23 life preparation program with the National Guard for children
24 of WAGES participants and economically disadvantaged youths in
25 concert with neighborhood revitalization efforts.

26 (3) The following resources are designated for support
27 of the WAGES Program Employment Projects. Any expenditures
28 from the Temporary Assistance for Needy Families block grant
29 or Job Training Partnership Act shall be expended in
30 accordance with the requirements and limitations of part A of
31 Title IV of the Social Security Act, as amended or any other

1 applicable federal requirement or limitation. Prior to any
2 expenditure of such funds, the secretaries of the departments
3 of Children and Family Services and Labor and Employment
4 Security, or their designees shall certify that controls are
5 in place to insure such funds are expended in accordance with
6 the requirements and limitations of federal law and that any
7 reporting requirements of federal law are met. It shall be
8 the responsibility of any entity to which such funds are
9 appropriated to obtain the required certification prior to any
10 expenditure of funds.

11 (a) Up to \$25 million of funds designated for WAGES
12 reserve is to be expended for WAGES Program Employment
13 Projects.

14 (b) Up to \$7.5 million from Employment Security
15 Administration Trust Fund amounts associated with the
16 Welfare-to-Work grant is to be reserved for WAGES Program
17 Employment Projects. Of the \$7.5 million reserved, \$2.5
18 million is to be provided to the Institute of Food and
19 Agricultural Sciences of the University of Florida for WAGES
20 job opportunities, and \$1 million is to be provided to the
21 Department of Military Affairs to provide job readiness
22 services for WAGES Program participants as approved by the
23 State WAGES Board.

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