

1  
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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