

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          allowing the Governor to designate the WAGES  
12          Program State Board of Directors as a nonprofit  
13          corporation; providing requirements; amending  
14          s. 414.028, F.S.; revising requirements for a  
15          member of a local WAGES coalition in the case  
16          of a conflict of interest; providing  
17          requirements for disclosing any such conflict;  
18          providing for certain nonvoting members to be  
19          appointed to a local coalition; requiring a  
20          local coalition to deliver certain services  
21          under the WAGES Program; providing for staff  
22          support for local coalitions; requiring that  
23          the program and financial plan developed by a  
24          local WAGES coalition include provisions for  
25          providing services for victims of domestic  
26          violence and describing development of the  
27          plan; amending s. 414.065, F.S.; deleting  
28          provisions that require an employer to repay  
29          certain supplements or incentives under  
30          specified circumstances; creating a WAGES  
31          training bonus to be paid to an employer who

1 hires certain program participants; providing  
2 protection for current employees; providing an  
3 exception from the work requirements for  
4 certain individuals at risk of domestic  
5 violence; providing an exception for a  
6 specified period for certain individuals  
7 impaired by past incidents of domestic  
8 violence, under certain circumstances; amending  
9 s. 414.20, F.S.; clarifying transportation  
10 options available to local WAGES coalitions to  
11 assist WAGES participants; amending s. 414.105,  
12 F.S.; providing for eligibility for extended  
13 temporary cash assistance under specified  
14 circumstances; providing that an individual who  
15 cares for a disabled family member is exempt  
16 from certain time limitations; permitting  
17 domestic violence victims to be granted  
18 hardship exemptions not subject to certain  
19 percentage limitations, under specified  
20 circumstances; providing legislative intent;  
21 amending s. 234.01, F.S.; authorizing school  
22 districts to provide transportation for WAGES  
23 participants; amending s. 234.211, F.S.;  
24 providing for reimbursement of school  
25 districts; amending s. 341.041, F.S.;  
26 establishing responsibilities of the Department  
27 of Transportation with respect to transit  
28 services for WAGES participants; amending s.  
29 341.052, F.S.; relating to duties of public  
30 transit block grant recipients to coordinate  
31 with local WAGES coalitions regarding

1 transportation services; deleting duplicative  
2 provisions; amending s. 414.026, F.S.; revising  
3 membership of the WAGES Program State Board of  
4 Directors; creating s. 414.225, F.S.; providing  
5 for the provision of transitional  
6 transportation for former WAGES participants;  
7 amending s. 427.013, F.S.; providing for the  
8 duties of the Commission for the Transportation  
9 Disadvantaged regarding WAGES transportation;  
10 amending s. 427.0155, F.S.; providing for the  
11 duties of community transportation coordinators  
12 regarding WAGES transportation; amending s.  
13 427.0157, F.S.; providing for the duties of the  
14 local coordinating boards regarding WAGES  
15 transportation; creating s. 414.80, F.S.;  
16 designating specified sections as the "WAGES  
17 Emergency Response Act"; creating s. 414.810,  
18 F.S.; providing legislative findings and  
19 intent; creating s. 414.811, F.S.; providing  
20 for policy and purposes relating to the WAGES  
21 Emergency Response Program; creating s.  
22 414.812, F.S.; limiting authority of the State  
23 WAGES Emergency Response Team; creating s.  
24 414.813, F.S.; providing for liberal  
25 construction; creating s. 414.820, F.S.;  
26 designating areas of critical state economic  
27 concern; creating s. 414.830, F.S.; providing  
28 for WAGES Emergency Response Team Coordinators;  
29 providing team authorities; providing for  
30 gubernatorial authorities; creating s. 414.840,  
31 F.S.; creating Regional WAGES Emergency

1 Response Teams; providing for responsibilities;  
2 creating s. 414.845, F.S.; creating local  
3 project teams; providing for powers and  
4 responsibilities for such teams; providing  
5 guidelines for prioritization of projects;  
6 creating s. 414.850, F.S.; providing for  
7 expiration and review of the WAGES Emergency  
8 Response Program; creating s. 414.860, F.S.;  
9 providing for a legislative oversight  
10 committee; requiring a contract related to job  
11 creation and training activities; amending s.  
12 212.08, F.S.; exempting certain property based  
13 in enterprise zones from the sales tax under  
14 certain circumstances; amending s. 212.096,  
15 F.S.; expanding enterprise zone sales tax  
16 credit to JTPA or WAGES Program participants  
17 not residing in an enterprise zone; requiring  
18 documentation; amending s. 220.03, F.S.;  
19 expanding enterprise zone corporate tax credit  
20 to JTPA or WAGES Program participants not  
21 residing in an enterprise zone; amending s.  
22 220.181, F.S.; requiring documentation;  
23 amending s. 288.047, F.S.; creating a  
24 Quick-response Training Program for WAGES  
25 participants; providing requirements; amending  
26 s. 370.28, F.S.; providing that a business  
27 located in an enterprise zone in a community  
28 impacted by net limitations is eligible for the  
29 maximum sales tax exemption for building  
30 materials used in the rehabilitation of real  
31 property in an enterprise zone, for business

1 property used in an enterprise zone, and for  
2 electrical energy used in an enterprise zone,  
3 and the maximum enterprise zone property tax  
4 credit against the corporate income tax, if a  
5 specified percentage of its employees are  
6 residents of the jurisdiction of the county,  
7 rather than of the enterprise zone; requiring  
8 businesses eligible to receive certain tax  
9 credits to apply for such credits by a time  
10 certain; providing an appropriation from  
11 federal funds to support local WAGES  
12 Coalitions; creating s. 414.155, F.S.;  
13 providing a relocation assistance program for  
14 families receiving or eligible to receive WAGES  
15 Program assistance; providing responsibilities  
16 of the Department of Children and Family  
17 Services and the Department of Labor and  
18 Employment Security; providing for a relocation  
19 plan and for monitoring of the relocation;  
20 requiring agreements restricting application  
21 for temporary cash assistance for a specified  
22 period; providing exceptions; requiring  
23 repayment of temporary cash assistance provided  
24 under certain circumstances, and reduced  
25 eligibility for future assistance; providing  
26 rulemaking authority for the Department of  
27 Children and Family Services and the Department  
28 of Labor and Employment Security; prescribing  
29 that the relocation assistance program shall  
30 not be construed to require relocation of a  
31 WAGES participant; requiring approval of the

1 relocation plan of a WAGES participant;  
2 designating resources for support of the WAGES  
3 Emergency Response Program; appropriating  
4 resources for the life preparation program;  
5 providing an effective date.  
6

7 Be It Enacted by the Legislature of the State of Florida:  
8

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

13 414.026 WAGES Program State Board of Directors.--

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

23 (5)(a) The Governor, by executive order, may designate  
24 the WAGES Program State Board of Directors as a nonprofit  
25 corporation for the purpose of receiving federal funds and  
26 providing oversight and maintenance to the WAGES Program and  
27 in administering the State Plans for Aid and Services to Needy  
28 Families with Children under 42 U.S.C. s. 602, as amended. The  
29 nonprofit corporation shall be known as WAGES, Inc., and may,  
30 by executive order, be designated as the state agency required  
31 by 42 U.S.C. s. 602(a)(3).

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

5           (c) The nonprofit corporation shall be organized under  
6 chapter 617 and shall possess all the powers granted by that  
7 chapter.

8           (d) The designated nonprofit corporation is eligible  
9 to use the state communications system in accordance with s.  
10 282.105(3).

11           (e) Pursuant to the applicable provisions of chapter  
12 284, the Division of Risk Management of the Department of  
13 Insurance may insure the nonprofit corporation under the same  
14 general terms and conditions as other nonprofit, statutory  
15 corporations.

16           (f) All departments, officers, agencies, coalitions,  
17 and institutions of the state shall cooperate with the  
18 designated nonprofit corporation in the performance of its  
19 duties.

20           (g) The designated nonprofit corporation shall make  
21 provisions for an annual postaudit of its financial accounts  
22 by an independent certified public accountant. The annual  
23 audit shall be submitted to the Executive Office of the  
24 Governor for review.

25           (h) WAGES, Inc., shall make all arrangements and  
26 fulfill all legal conditions to become a nonprofit  
27 corporation.

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

1           (j) The nonprofit corporation is subject to the  
2 provisions of chapter 119, relating to public records, and  
3 those provisions of chapter 286 relating to public meetings  
4 and records.

5           (k) The nonprofit corporation is authorized to hire an  
6 executive director and appropriate staff. The nonprofit  
7 corporation shall annually, by February 1, provide the  
8 Legislature with a list of staff and salaries.

9           (6)(4) This section expires June 30, 2002 ~~1999~~, and  
10 shall be reviewed by the Legislature prior to that date. In  
11 its review, the Legislature shall assess the status of the  
12 WAGES Program and shall determine if the responsibility for  
13 administering the program should be transferred to other state  
14 agencies.

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

17           414.028 Local WAGES coalitions.--The WAGES Program  
18 State Board of Directors shall create and charter local WAGES  
19 coalitions to plan and coordinate the delivery of services  
20 under the WAGES Program at the local level. The boundaries of  
21 the service area for a local WAGES coalition shall conform to  
22 the boundaries of the service area for the regional workforce  
23 development board established under the Enterprise Florida  
24 workforce development board. The local delivery of services  
25 under the WAGES Program shall be coordinated, to the maximum  
26 extent possible, with the local services and activities of the  
27 local service providers designated by the regional workforce  
28 development boards.

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



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

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

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

13 3. A representative of a community development board.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

31

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. Positions associated with  
7 operation of WAGES Program functions that will be transferred  
8 to local WAGES coalitions must be vacated within 60 days after  
9 transfer of such functions and placed in reserve by the  
10 Executive Office of the Governor. When positions have been  
11 vacated, funds associated with those positions are to be  
12 transferred to local WAGES coalitions to support operation of  
13 the transferred functions. The amount of funds provided to  
14 each local WAGES coalition will be determined by an allocation  
15 formula to be developed by the State WAGES Board.

16 (6)~~(5)~~ The WAGES Program State Board of Directors may  
17 not approve the program and financial plan of a local  
18 coalition unless the plan provides a teen pregnancy prevention  
19 component that includes, but is not necessarily limited to, a  
20 plan for implementing the Florida Education Now and Babies  
21 Later (ENABL) program under s. 411.242 and the Teen Pregnancy  
22 Prevention Community Initiative within each county segment of  
23 the service area in which the teen childhood birth rate is  
24 higher than the state average. Each local WAGES coalition is  
25 authorized to fund community-based welfare prevention and  
26 reduction initiatives that increase the support provided by  
27 noncustodial parents to their welfare-dependent children and  
28 are consistent with program and financial guidelines developed  
29 by the WAGES Program State Board of Directors and the  
30 Commission on Responsible Fatherhood. These initiatives may  
31 include, but are not limited to, improved paternity

1 establishment, work activities for noncustodial parents, and  
2 programs aimed at decreasing out-of-wedlock pregnancies,  
3 encouraging the involvement of fathers with their children,  
4 and increasing child-support payments.

5 (7)(6) At the option of the local WAGES coalition,  
6 local employees of the department and the Department of Labor  
7 and Employment Security shall provide staff support for the  
8 local WAGES coalitions. ~~At the option of the local WAGES~~  
9 ~~coalition,~~ Staff support may be provided by another agency, or  
10 entity, or by contract if it can be provided at no cost to the  
11 ~~state and if the support is not provided by an agency or other~~  
12 ~~entity that could benefit financially from funds appropriated~~  
13 ~~to implement the WAGES Program.~~

14 (8)(7) There shall be no liability on the part of, and  
15 no cause of action of any nature shall arise against, any  
16 member of a local WAGES coalition or its employees or agents  
17 for any lawful action taken by them in the performance of  
18 their powers and duties under this section and s. 414.029.

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

22 414.065 Work requirements.--

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

26 (b) Subsidized private sector employment.--Subsidized  
27 private sector employment is employment in a private  
28 for-profit enterprise or a private not-for-profit enterprise  
29 which is directly supplemented by federal or state funds. A  
30 subsidy may be provided in one or more of the forms listed in  
31 this paragraph.

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

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



1 ~~participant due to loss of the subsidy, the employer shall~~  
2 ~~repay some or all of the subsidy previously provided by the~~  
3 ~~department and the Department of Labor and Employment~~  
4 ~~Security.~~

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

1 ~~previously paid as an incentive to the employer under the~~  
2 ~~WAGES Program.~~

3 4. Tax credits.--An employer who employs a program  
4 participant may qualify for enterprise zone property tax  
5 credits under s. 220.182, the tax refund program for qualified  
6 target industry businesses under s. 288.106, or other federal  
7 or state tax benefits. The department and the Department of  
8 Labor and Employment Security shall provide information and  
9 assistance, as appropriate, to use such credits to accomplish  
10 program goals.

11 5. WAGES training bonus.--An employer who hires a  
12 WAGES participant who has less than 6 months of eligibility  
13 for temporary cash assistance remaining and who pays the  
14 participant a wage that precludes the participant's  
15 eligibility for temporary cash assistance may receive \$240 for  
16 each full month of employment for a period that may not exceed  
17 3 months. An employer who receives a WAGES training bonus for  
18 an employee may not receive a work supplementation subsidy for  
19 the same employee. Employment is defined as 35 hours per week  
20 at a wage of no less than \$6 per hour.

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

27 (a) Noncompliance related to child care.--Temporary  
28 cash assistance may not be terminated for refusal to  
29 participate in work activities if the individual is a single  
30 custodial parent caring for a child who has not attained 6  
31 years of age, and the adult proves to the department or to the

1 Department of Labor and Employment Security an inability to  
2 obtain needed child care for one or more of the following  
3 reasons:

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

6 2. Unavailability or unsuitability of informal child  
7 care by a relative or under other arrangements.

8 3. Unavailability of appropriate and affordable formal  
9 child care arrangements.

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

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

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

14 (d)(b) Noncompliance related to medical  
15 incapacity.--If an individual cannot participate in assigned  
16 work activities due to a medical incapacity, the individual  
17 may be excepted from the activity for a specific period,  
18 except that the individual shall be required to comply with  
19 the course of treatment necessary for the individual to resume  
20 participation. A participant may not be excused from work  
21 activity requirements unless the participant's medical  
22 incapacity is verified by a physician licensed under chapter  
23 458 or chapter 459, in accordance with procedures established  
24 by rule of the Department of Labor and Employment Security.

25 (e)(c) Other good cause exceptions for  
26 noncompliance.--Individuals who are temporarily unable to  
27 participate due to circumstances beyond their control may be  
28 excepted from the noncompliance penalties. The Department of  
29 Labor and Employment Security may define by rule situations  
30 that would constitute good cause. These situations must  
31 include caring for a disabled family member when the need for

1 the care has been verified and alternate care is not  
2 available.

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

13 Section 4. Section 414.20, Florida Statutes, is  
14 amended to read:

15 414.20 Other support services.--Support services shall  
16 be provided, if resources permit, to assist participants in  
17 complying with work activity requirements outlined in s.  
18 414.065. If resources do not permit the provision of needed  
19 support services, the department and the Department of Labor  
20 and Employment Security may prioritize or otherwise limit  
21 provision of support services. This section does not  
22 constitute an entitlement to support services. Lack of  
23 provision of support services may be considered as a factor in  
24 determining whether good cause exists for failing to comply  
25 with work activity requirements but does not automatically  
26 constitute good cause for failing to comply with work activity  
27 requirements, and does not affect any applicable time limit on  
28 the receipt of temporary cash assistance or the provision of  
29 services under this chapter. Support services shall include,  
30 but need not be limited to:

31

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

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

26           (b) Transportation disadvantaged funds as defined in  
27 chapter 427 do not include WAGES support services funds or  
28 funds appropriated to assist persons eligible under the Job  
29 Training Partnership Act. It is the intent of the Legislature  
30 that local WAGES coalitions and regional workforce development  
31 boards consult with local community transportation

1 coordinators designated under chapter 427 regarding the  
2 availability and cost of transportation services through the  
3 coordinated transportation system prior to contracting for  
4 comparable transportation services outside the coordinated  
5 system. ~~Support services funds may also be used to develop~~  
6 ~~transportation resources to expand transportation options~~  
7 ~~available to participants. These services may include~~  
8 ~~cooperative arrangements with local transit authorities or~~  
9 ~~school districts and small enterprise development.~~

10 (2) ANCILLARY EXPENSES.--Ancillary expenses such as  
11 books, tools, clothing, fees, and costs necessary to comply  
12 with work activity requirements or employment requirements may  
13 be provided.

14 (3) MEDICAL SERVICES.--A family that meets the  
15 eligibility requirements for Medicaid shall receive medical  
16 services under the Medicaid program.

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

30 Section 5. Section 414.105, Florida Statutes, is  
31 amended to read:

1           414.105 Time limitations of temporary cash  
2 assistance.--Unless otherwise expressly provided in this  
3 chapter, an applicant or current participant shall receive  
4 temporary cash assistance for episodes of not more than 24  
5 cumulative months in any consecutive 60-month period that  
6 begins with the first month of participation and for not more  
7 than a lifetime cumulative total of 48 months as an adult.

8           (1) The time limitation for episodes of temporary cash  
9 assistance may not exceed 36 cumulative months in any  
10 consecutive 72-month period that begins with the first month  
11 of participation and may not exceed a lifetime cumulative  
12 total of 48 months of temporary cash assistance as an adult,  
13 for cases in which the participant:

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

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

18               1. Has not completed a high school education or its  
19 equivalent; or

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

22           (2) A participant who is not exempt from work activity  
23 requirements may earn 1 month of eligibility for extended  
24 temporary cash assistance, up to a maximum of 12 additional  
25 months, for each month in which the participant is fully  
26 complying with all the requirements of the WAGES Program. The  
27 period for which extended temporary cash assistance is granted  
28 shall be based upon compliance with WAGES Program requirements  
29 beginning October 1, 1996. A participant may not receive  
30 temporary cash assistance under this subsection, in  
31



1 combination with other periods of temporary cash assistance,  
2 for longer than 48 months.

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

9 (a) Diligent participation in activities, combined  
10 with inability to obtain employment.

11 (b) Diligent participation in activities, combined  
12 with extraordinary barriers to employment, including the  
13 conditions which may result in an exemption to work  
14 requirements.

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

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

21 (e) A recommendation of extension for a minor child of  
22 a participating family that has reached the end of the  
23 eligibility period for temporary cash assistance. The  
24 recommendation must be the result of a review which determines  
25 that the termination of the child's temporary cash assistance  
26 would be likely to result in the child being placed into  
27 emergency shelter or foster care. Temporary cash assistance  
28 shall be provided through a protective payee. Staff of the  
29 Children and Families ~~Family Services~~ Program Office of the  
30 department shall conduct all assessments in each case in which  
31

1 it appears a child may require continuation of temporary cash  
2 assistance through a protective payee.

3  
4 At the recommendation of the local WAGES coalition, temporary  
5 cash assistance under a hardship exemption for a participant  
6 who is eligible for work activities and who is not working  
7 shall be reduced by 10 percent. Upon the employment of the  
8 participant, full benefits shall be restored.

9 (4) In addition to the exemptions listed in subsection  
10 (3), a victim of domestic violence may be granted a hardship  
11 exemption if the effects of such domestic violence delay or  
12 otherwise interrupt or adversely affect the individual's  
13 participation in the program. Hardship exemptions granted  
14 under this subsection shall not be subject to the percentage  
15 limitations in subsection (3).

16 (5)~~(3)~~ The department shall establish a procedure for  
17 reviewing and approving hardship exemptions, and the local  
18 WAGES coalitions may assist in making these determinations.  
19 The composition of any review panel must generally reflect the  
20 racial, gender, and ethnic diversity of the community as a  
21 whole. Members of a review panel shall serve without  
22 compensation, but are entitled to receive reimbursement for  
23 per diem and travel expenses as provided in s. 112.016.

24 (6)~~(4)~~ The cumulative total of all hardship exemptions  
25 may not exceed 12 months, may include reduced benefits at the  
26 option of the community review panel, and shall, in  
27 combination with other periods of temporary cash assistance as  
28 an adult, total no more than 48 months of temporary cash  
29 assistance. If an individual fails to comply with program  
30 requirements during a hardship exemption period, the hardship  
31 exemption shall be removed.

1           ~~(7)(5)~~ For individuals who have moved from another  
2 state and have legally resided in this state for less than 12  
3 months, the time limitation for temporary cash assistance  
4 shall be the shorter of the respective time limitations used  
5 in the two states, and months in which temporary cash  
6 assistance was received under a block grant program that  
7 provided temporary assistance for needy families in any state  
8 shall count towards the cumulative 48-month benefit limit for  
9 temporary cash assistance.

10           ~~(8)(6)~~ For individuals subject to a time limitation  
11 under the Family Transition Act of 1993, that time limitation  
12 shall continue to apply. Months in which temporary cash  
13 assistance was received through the family transition program  
14 shall count towards the time limitations under this chapter.

15           ~~(9)(7)~~ Except when temporary cash assistance was  
16 received through the family transition program, the  
17 calculation of the time limitation for temporary cash  
18 assistance shall begin with the first month of receipt of  
19 temporary cash assistance after the effective date of this  
20 act.

21           ~~(10)(8)~~ Child-only cases are not subject to time  
22 limitations, and temporary cash assistance received while an  
23 individual is a minor child shall not count towards time  
24 limitations.

25           ~~(11)(9)~~ An individual who receives benefits under the  
26 Supplemental Security Income program or the Social Security  
27 Disability Insurance program is not subject to time  
28 limitations.

29           (12) A person who is totally responsible for the  
30 personal care of a disabled family member is not subject to  
31 time limitations if the need for the care is verified and

1 alternative care is not available for the family member. The  
2 department shall annually evaluate an individual's  
3 qualifications for this exemption.

4 ~~(13)(10)~~ A member of the WAGES Program staff shall  
5 interview and assess the employment prospects and barriers of  
6 each participant who is within 6 months of reaching the  
7 24-month time limit. The staff member shall assist the  
8 participant in identifying actions necessary to become  
9 employed prior to reaching the benefit time limit for  
10 temporary cash assistance and, if appropriate, shall refer the  
11 participant for services that could facilitate employment.

12 Section 6. Present subsections (4), (5), (6), (7),  
13 (8), (9), and (10) of section 414.0252, Florida Statutes, are  
14 renumbered as subsections (5), (7), (8), (9), (10), (11), and  
15 (12) of that section, respectively, and new subsections (4)  
16 and (6) are added to that section, to read:

17 414.0252 Definitions.--As used in ss. 414.015-414.45,  
18 the term:

19 (4) "Domestic violence" means any assault, aggravated  
20 assault, battery, aggravated battery, sexual assault, sexual  
21 battery, stalking, aggravated stalking, kidnapping, false  
22 imprisonment, or any criminal offense that results in the  
23 physical injury or death of one family or household member by  
24 another.

25 (6) "Family or household member" means spouses, former  
26 spouses, noncohabitating partners, persons related by blood or  
27 marriage, persons who are presently residing together as if a  
28 family or who have resided together in the past as if a  
29 family, and persons who have a child in common regardless of  
30 whether they have been married or have resided together at any  
31 time.

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

5           414.095 Determining eligibility for the WAGES  
6 Program.--

7           (3) ELIGIBILITY FOR NONCITIZENS.--A"qualified  
8 noncitizen" is an individual who is lawfully present in the  
9 United States as a refugee or who is granted asylum under ss.  
10 207 and 208 of the Immigration and Nationality Act, an alien  
11 whose deportation is withheld under s. 243(h) of the  
12 Immigration and Nationality Act, or an alien who has been  
13 admitted as a permanent resident and meets specific criteria  
14 under federal law. In addition, a "qualified noncitizen"  
15 includes an individual who has been battered or subject to  
16 extreme cruelty in the United States by a spouse or a parent,  
17 and has applied for or received protection under the federal  
18 Violence Against Women Act of 1994, Pub. L. No. 103-322, if  
19 the need for benefits is related to the abuse.A"nonqualified  
20 noncitizen" is a nonimmigrant alien, including a tourist,  
21 business visitor, foreign student, exchange visitor, temporary  
22 worker, or diplomat. In addition, a"nonqualified noncitizen"  
23 includes an individual paroled into the United States for less  
24 than 1 year. A qualified noncitizen who is otherwise eligible  
25 may receive temporary cash assistance to the extent permitted  
26 by federal law. The income or resources of a sponsor and the  
27 sponsor's spouse shall be included in determining eligibility  
28 to the maximum extent permitted by federal law.

29           (a) A child born in the United States to an illegal or  
30 ineligible alien is eligible for temporary cash assistance  
31

1 under this chapter if the family meets all eligibility  
2 requirements.

3 (b) If the parent may legally work in this country,  
4 the parent must participate in the work activity requirements  
5 provided in s. 414.065, to the extent permitted under federal  
6 law.

7 (c) The department shall participate in the Systematic  
8 Alien Verification for Entitlements Program (SAVE) established  
9 by the United States Immigration and Naturalization Service in  
10 order to verify the validity of documents provided by aliens  
11 and to verify an alien's eligibility.

12 (d) The income of an illegal alien or ineligible  
13 alien, less a pro rata share for the illegal alien or  
14 ineligible alien, counts in determining a family's eligibility  
15 to participate in the program.

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

19 (10) PARTICIPANT OPPORTUNITIES AND OBLIGATIONS.--An  
20 applicant or participant in the WAGES Program has the  
21 following opportunities and obligations:

22 (g) To receive information regarding services  
23 available from certified domestic violence centers or  
24 organizations that provide counseling and supportive services  
25 to individuals who are past or present victims of domestic  
26 violence or who are at risk of domestic violence and, upon  
27 request, to be referred to such organizations in a manner  
28 which protects the individual's confidentiality.

29 (15) PROHIBITIONS AND RESTRICTIONS.--

30 (d) Notwithstanding any law to the contrary, if a  
31 parent or caretaker relative without good cause does not

1 cooperate with the state agency responsible for administering  
2 the child support enforcement program in establishing,  
3 modifying, or enforcing a support order with respect to a  
4 child of a teen parent or other family member, or a child of a  
5 family member who is in the care of an adult relative,  
6 temporary cash assistance to the entire family shall be denied  
7 until the state agency indicates that cooperation by the  
8 parent or caretaker relative has been satisfactory. To the  
9 extent permissible under federal law, a parent or caretaker  
10 relative shall not be penalized for failure to cooperate with  
11 paternity establishment or with the establishment,  
12 modification, or enforcement of a support order when such  
13 cooperation could subject an individual to a risk of domestic  
14 violence. Such risk shall constitute good cause to the extent  
15 permitted by Title IV-D of the Social Security Act, as  
16 amended, or other federal law.

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

19 414.115 Limited temporary cash assistance for children  
20 born to families receiving temporary cash assistance.--

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

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

25 (b) To a program participant who is confirmed by the  
26 Title IV-D child support agency as having been granted an  
27 exemption from participating in requirements for the  
28 enforcement of child support due to circumstances consistent  
29 with the conception of the child as a result of rape, incest,  
30 or sexual exploitation. A child for whom an exemption is  
31 claimed under this paragraph and for whom an application has

1 been made for a good-cause exemption from the requirements of  
2 s. 414.095 shall receive temporary benefits until a  
3 determination is made on the application for a good-cause  
4 exemption from the requirements of s. 414.095;

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

9 (d)~~(e)~~ To a child when parental custody has been  
10 legally transferred; or

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

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

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

28 234.01 Purpose; transportation; when provided.--

29 (1) School boards, after considering recommendations  
30 of the superintendent:

31



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

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

7           234.211 Use of school buses for public purposes.--

8           (1)

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

17           Section 11. Subsection (13) is added to section  
18 341.041, Florida Statutes, to read:

19           341.041 Transit responsibilities of the  
20 department.--The department shall, within the resources  
21 provided pursuant to chapter 216:

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

26           Section 12. Subsections (1) and (2) of section  
27 341.052, Florida Statutes, are amended to read:

28           341.052 Public transit block grant program;  
29 administration; eligible projects; limitation.--

30           (1) There is created a public transit block grant  
31 program which shall be administered by the department. Block

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

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

21 (a) Costs of public bus transit and local public fixed  
22 guideway capital projects.

23 (b) Costs of public bus transit service development  
24 and transit corridor projects. Whenever block grant funds are  
25 used for a service development project or a transit corridor  
26 project, the use of such funds is governed by s. 341.051.  
27 Local transit service development projects and transit  
28 corridor projects currently operating under contract with the  
29 department shall continue to receive state funds according to  
30 the contract until such time as the contract expires. Transit  
31 corridor projects, wholly within one county, meeting or

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

8 (c) Costs of public bus transit operations.

9  
10 All projects must ~~shall~~ be consistent, to the maximum extent  
11 feasible, with the approved local government comprehensive  
12 plans of the units of local government ~~comprehensive plans of~~  
13 ~~local government~~ in which the project is located.

14 Section 13. Paragraph (a) of subsection (2) of section  
15 414.026, Florida Statutes, is amended to read:

16 414.026 WAGES Program State Board of Directors.--

17 (2)(a) The board of directors shall be composed of the  
18 following members:

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

27 ~~7.6.~~ The director of the Office of Tourism, Trade, and  
28 Economic Development.

29 ~~8.7.~~ The president of the Enterprise Florida workforce  
30 development board, established under s. 288.9620.

31

1           ~~9.8.~~ The chief executive officer of the Florida  
2 Tourism Industry Marketing Corporation, established under s.  
3 288.1226.

4           ~~10.9.~~ Nine members appointed by the Governor, as  
5 follows:

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

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

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

23  
24 The members appointed by the Governor shall be appointed to  
25 4-year, staggered terms. Within 60 days after a vacancy occurs  
26 on the board, the Governor shall fill the vacancy of a member  
27 appointed from the nominees submitted by the President of the  
28 Senate and the Speaker of the House of Representatives for the  
29 remainder of the unexpired term from one nominee submitted by  
30 the President of the Senate and one nominee submitted by the  
31 Speaker of the House of Representatives. Within 60 days after

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

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

8 414.225 Transitional transportation.--In order to  
9 assist former WAGES participants in maintaining and sustaining  
10 employment, transportation may be provided, if funds are  
11 available, for up to 1 year after the participant is no longer  
12 eligible to participate in the program due to earnings. This  
13 does not constitute an entitlement to transitional  
14 transportation. If funds are not sufficient to provide  
15 services under this section, the department may limit or  
16 otherwise prioritize transportation services.

17 (1) Transitional transportation must be job related.

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

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

22 427.013 The Commission for the Transportation  
23 Disadvantaged; purpose and responsibilities.--The purpose of  
24 the commission is to accomplish the coordination of  
25 transportation services provided to the transportation  
26 disadvantaged. The goal of this coordination shall be to  
27 assure the cost-effective provision of transportation by  
28 qualified community transportation coordinators or  
29 transportation operators for the transportation disadvantaged  
30 without any bias or presumption in favor of multioperator  
31 systems or not-for-profit transportation operators over single

1 operator systems or for-profit transportation operators. In  
2 carrying out this purpose, the commission shall:

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

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

10 427.0155 Community transportation coordinators; powers  
11 and duties.--Community transportation coordinators shall have  
12 the following powers and duties:

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

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

19 427.0157 Coordinating boards; powers and duties.--The  
20 purpose of each coordinating board is to develop local service  
21 needs and to provide information, advice, and direction to the  
22 community transportation coordinators on the coordination of  
23 services to be provided to the transportation disadvantaged.  
24 The commission shall, by rule, establish the membership of  
25 coordinating boards. The members of each board shall be  
26 appointed by the metropolitan planning organization or  
27 designated official planning agency. The appointing authority  
28 shall provide each board with sufficient staff support and  
29 resources to enable the board to fulfill its responsibilities  
30 under this section. Each board shall meet at least quarterly  
31 and shall:

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

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

7           414.80 Short title.--Sections 414.80-414.860 may be  
8 cited as the "WAGES Emergency Response Act."

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

11           414.810 Legislative findings and intent.--

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

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

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

28           (4) The Legislature finds that there is an immediate  
29 need to facilitate the location and expansion of businesses  
30 and the creation of jobs in these areas of critical state  
31 economic concern, but that such activities may be hampered by

1 existing budgetary, statutory, regulatory, or programmatic  
2 requirements.

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

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

11 414.811 Policy and purpose.--Because the Legislature  
12 has determined that the state must take extraordinary measures  
13 to meet the employment needs of its residents who are  
14 transitioning from dependence on welfare to self-reliance  
15 through employment and to ensure that adequate employment  
16 opportunities exist for such residents, it is hereby found and  
17 declared necessary:

18 (1) To create a State WAGES Emergency Response Team to  
19 be composed of a state director and appointed agency WAGES  
20 Emergency Response Team Coordinators.

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

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

29 (2) To empower the State WAGES Emergency Response Team  
30 to facilitate the creation of employment opportunities in  
31 areas of critical state economic concern.



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

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

5           414.812 Limitations.--

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

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

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

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

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

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

23           414.813 Liberal construction.--Sections 414.80-414.860  
24 shall be construed liberally in order to effectuate their  
25 purposes.

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

28           414.820 Designation of Areas of Critical State  
29 Economic Concern.--

30  
31

1           (1) The Legislature declares the following Workforce  
2 Development Regions to be areas of critical state economic  
3 concern:

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

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

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

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

10 and

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

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

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

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

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

25           (d) Areas with a low ratio of new jobs per WAGES  
26 client;

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

29           (f) Areas with a high proportion of families subject  
30 to the time limit who are either within six months of the time  
31

1 limit or are receiving cash assistance under a period of  
2 hardship extension to the time limit;

3 (g) Areas with unusually high unemployment; and

4 (h) Areas identified as labor surplus areas using the  
5 criteria established by the U.S. Department of Labor  
6 Employment and Training Administration.

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

12 Section 24. Section 414.830, Florida Statutes, is  
13 created to read:

14 414.830 WAGES Emergency Response Program.--

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

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

1 Education, State University System, Florida Ports Council, and  
2 the Office of Planning and Budgeting shall select from within  
3 such organizations a person to be designated as the WAGES  
4 Emergency Response Coordinator for the organization and a  
5 person to serve as an alternate.

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

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

20 (2) The State WAGES Emergency Response Team shall  
21 encourage state and local agencies to cooperatively solve all  
22 barriers for attracting and committing potential employers to  
23 locate in areas of critical state economic concern and to  
24 facilitate expansion of existing businesses in those areas.  
25 Once a local project leader or regional response team has  
26 identified a barrier that cannot be overcome through  
27 traditional means, the State WAGES Emergency Response Team  
28 may:

29 (a) By contract with the potential employer, waive any  
30 criteria, requirement or similar provision of any economic  
31 development incentive. Such incentives shall include, but not

1 be limited to: the Qualified Target Industry Tax Refund  
2 Program under s. 288.106, the Quick-Response Training Program  
3 under s. 288.047, the WAGES Quick-Response Training Program,  
4 contracts for transportation projects under s. 288.063, the  
5 Qualified Defense contractor Tax Refund Program under s.  
6 288.1045, the brownfield redevelopment bonus refunds under s.  
7 288.107, the urban high-crime area and rural job tax credit  
8 programs under ss. 212.097, 212.098, and 220.1895;

9 (b) By contract with the potential employer, provide  
10 training and educational opportunities for new employees,  
11 develop training programs, and pay tuition or training  
12 expenses for employees;

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

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

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

20 (f) Waive transportation provider preferences and  
21 exclusions provided to the Transportation Disadvantage  
22 Commission and associated providers; and

23 (g) Authorize the use of funds appropriated for the  
24 WAGES Emergency Response Program for the staffing expenses of  
25 the Department of Community Affairs.

26 (3) The State WAGES Emergency Response Team shall meet  
27 at a minimum on a monthly basis.

28 (4) In order to accomplish the goals of the State  
29 WAGES Emergency Response Team, the Governor may, by executive  
30 order, effective for a period of no longer than one year, and  
31

1 subject to legislative review and approval at the next regular  
2 legislative session:

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

4 (b) Require, at the recommendation of the State WAGES  
5 Emergency Response Team, minimum hiring requirements of  
6 participants of the WAGES Program for contracts entered into  
7 by the Florida Department of Transportation or any school  
8 district entering into contract for capital construction.

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

12 (6) The State WAGES Emergency Response Team is  
13 directed to use local resources and financing whenever  
14 possible and to petition the Governor to use the powers  
15 granted in this act to finance local projects.

16 Section 25. Section 414.840, Florida Statutes, is  
17 created to read:

18 414.840 Regional WAGES Emergency Response Teams.--

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

30 (2)(a) Regional response teams shall assess businesses  
31 located in the region to identify potential expansion projects

1 that may require the assistance of the state response team.  
2 The teams shall also identify underutilized local resources.

3 (b) Regional response teams shall be responsible for  
4 coordinating the efforts of local government and local  
5 agencies to attract potential new employers and shall work in  
6 conjunction with local economic development councils.  
7 Enterprise Florida, Inc., shall assist the regional response  
8 teams by providing research and advice in fulfilling their  
9 charge.

10 (c) A regional response team may propose any local  
11 opportunity for the expansion of an existing business or for  
12 the relocation to the region of an existing employer to the  
13 State WAGES Emergency Response Team to exercise the powers  
14 vested in the state team.

15 (d) It is the desire of the Legislature that local  
16 resources and local solutions shall be used first as the  
17 economic development resulting from the efforts of the teams  
18 will be felt greatest by local communities.

19 Section 26. Section 414.845, Florida Statutes, is  
20 created to read:

21 414.845 Local Project Teams.--

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

1           (2) Upon designation of a local project district, a  
2 local project team shall be assembled and approved by the  
3 State WAGES Emergency Response Team, after consultation with  
4 the regional response team. Local project leaders should look  
5 first to the regional response teams for assistance, but may  
6 directly appeal to the State WAGES Emergency Response Team for  
7 assistance.

8           (3) Local project teams shall have the following  
9 powers and responsibilities:

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

12           (b) Local project teams shall assist potential  
13 employers in identifying and applying for all relevant  
14 incentives and permits;

15           (c) Local project teams, with permission of the State  
16 WAGES Emergency Response Team, may negotiate specific terms of  
17 agreement with potential employers; and

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

21           (4) In selecting potential projects, the State WAGES  
22 Emergency Response Team shall consider all projects submitted,  
23 and shall pay particular attention to projects which include  
24 elements relating to transportation distribution centers,  
25 warehousing facilities, agricultural processing and packaging,  
26 and the aquaculture industry. While traditional economic  
27 development does not usually focus on retail establishments,  
28 the team shall consider projects which provide retail  
29 employment opportunities and may select retail projects if:  
30 the projects provide significant employment opportunities for  
31 WAGES Program participants; the project developers either have



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

1 fiscal year 1998-99, through the reauthorization of the  
2 Federal Highway Act, the Department of Environmental  
3 Protection's Sewage Treatment Facilities Revolving Loan  
4 Program, and WAGES Program support funds to facilitate  
5 projects meeting the requirements under this subsection.

6 Section 27. Section 414.850, Florida Statutes, is  
7 created to read:

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

17 Section 28. Section 414.860, Florida Statutes, is  
18 created to read:

19 414.860 Legislative oversight.--The President of the  
20 Senate shall appoint 2 members of the Senate and the Speaker  
21 of the House of Representatives shall appoint 2 members of the  
22 House of Representatives to serve as a legislative oversight  
23 committee to monitor and advise the State WAGES Emergency  
24 Response Team.

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

1           Section 30. Paragraph (h) of subsection (5) of section  
2 212.08, Florida Statutes, is amended to read:

3           212.08 Sales, rental, use, consumption, distribution,  
4 and storage tax; specified exemptions.--The sale at retail,  
5 the rental, the use, the consumption, the distribution, and  
6 the storage to be used or consumed in this state of the  
7 following are hereby specifically exempt from the tax imposed  
8 by this chapter.

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

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

11          1. Beginning July 1, 1995, business property purchased  
12 for use by businesses located in an enterprise zone which is  
13 subsequently used in an enterprise zone shall be exempt from  
14 the tax imposed by this chapter. This exemption inures to the  
15 business only through a refund of previously paid taxes. A  
16 refund shall be authorized upon an affirmative showing by the  
17 taxpayer to the satisfaction of the department that the  
18 requirements of this paragraph have been met.

19          2. To receive a refund, the business must file under  
20 oath with the governing body or enterprise zone development  
21 agency having jurisdiction over the enterprise zone where the  
22 business is located, as applicable, an application which  
23 includes:

24           a. The name and address of the business claiming the  
25 refund.

26           b. The identifying number assigned pursuant to s.  
27 290.0065 to the enterprise zone in which the business is  
28 located.

29           c. A specific description of the property for which a  
30 refund is sought, including its serial number or other  
31 permanent identification number.

- 1           d. The location of the property.
- 2           e. The sales invoice or other proof of purchase of the  
3 property, showing the amount of sales tax paid, the date of  
4 purchase, and the name and address of the sales tax dealer  
5 from whom the property was purchased.
- 6           f. Whether the business is a small business as defined  
7 by s. 288.703(1).
- 8           g. If applicable, the name and address of each  
9 permanent employee of the business, including, for each  
10 employee who is a resident of an enterprise zone, the  
11 identifying number assigned pursuant to s. 290.0065 to the  
12 enterprise zone in which the employee resides.
- 13           3. Within 10 working days after receipt of an  
14 application, the governing body or enterprise zone development  
15 agency shall review the application to determine if it  
16 contains all the information required pursuant to subparagraph  
17 2. and meets the criteria set out in this paragraph. The  
18 governing body or agency shall certify all applications that  
19 contain the information required pursuant to subparagraph 2.  
20 and meet the criteria set out in this paragraph as eligible to  
21 receive a refund. If applicable, the governing body or agency  
22 shall also certify if 20 percent of the employees of the  
23 business are residents of an enterprise zone, excluding  
24 temporary and part-time employees. The certification shall be  
25 in writing, and a copy of the certification shall be  
26 transmitted to the executive director of the Department of  
27 Revenue. The business shall be responsible for forwarding a  
28 certified application to the department within the time  
29 specified in subparagraph 4.
- 30
- 31

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

4           5. The provisions of s. 212.095 do not apply to any  
5 refund application made pursuant to this paragraph. The amount  
6 refunded on purchases of business property under this  
7 paragraph shall be the lesser of 97 percent of the sales tax  
8 paid on such business property or \$5,000, or, if no less than  
9 20 percent of the employees of the business are residents of  
10 an enterprise zone, excluding temporary and part-time  
11 employees, the amount refunded on purchases of business  
12 property under this paragraph shall be the lesser of 97  
13 percent of the sales tax paid on such business property or  
14 \$10,000. A refund approved pursuant to this paragraph shall be  
15 made within 30 days of formal approval by the department of  
16 the application for the refund. No refund shall be granted  
17 under this paragraph unless the amount to be refunded exceeds  
18 \$100 in sales tax paid on purchases made within a 60-day time  
19 period.

20           6. The department shall adopt rules governing the  
21 manner and form of refund applications and may establish  
22 guidelines as to the requisites for an affirmative showing of  
23 qualification for exemption under this paragraph.

24           7. If the department determines that the business  
25 property is used outside an enterprise zone within 3 years  
26 from the date of purchase, the amount of taxes refunded to the  
27 business purchasing such business property shall immediately  
28 be due and payable to the department by the business, together  
29 with the appropriate interest and penalty, computed from the  
30 date of purchase, in the manner provided by this chapter.  
31 Notwithstanding this subparagraph, in order to provide greater

1 employment opportunities in areas of critical state economic  
2 concern, business property used exclusively in:

- 3 a. Licensed commercial fishing vessels,  
4 b. Fishing guide boats, or  
5 c. Ecotourism guide boats  
6

7 that leave and return to a fixed location within an area  
8 designated under s. 370.28 are eligible for the exemption  
9 provided under this paragraph if all requirements of this  
10 paragraph are met. Such vessels and boats must be owned by a  
11 business that is eligible to receive the exemption provided  
12 under this paragraph. This exemption does not apply to the  
13 purchase of a vessel or boat.

14 8. The department shall deduct an amount equal to 10  
15 percent of each refund granted under the provisions of this  
16 paragraph from the amount transferred into the Local  
17 Government Half-cent Sales Tax Clearing Trust Fund pursuant to  
18 s. 212.20 for the county area in which the business property  
19 is located and shall transfer that amount to the General  
20 Revenue Fund.

21 9. For the purposes of this exemption, "business  
22 property" means new or used property defined as "recovery  
23 property" in s. 168(c) of the Internal Revenue Code of 1954,  
24 as amended, except:

25 a. Property classified as 3-year property under s.  
26 168(c)(2)(A) of the Internal Revenue Code of 1954, as amended;

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

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

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

3           Section 31. Subsection (1) and paragraph (a) of  
4 subsection (3) of section 212.096, Florida Statutes, are  
5 amended to read:

6           212.096 Sales, rental, storage, use tax; enterprise  
7 zone jobs credit against sales tax.--

8           (1) For the purposes of the credit provided in this  
9 section:

10           (a) "Eligible business" means any sole proprietorship,  
11 firm, partnership, corporation, bank, savings association,  
12 estate, trust, business trust, receiver, syndicate, or other  
13 group or combination, or successor business, located in an  
14 enterprise zone. An eligible business does not include any  
15 business which has claimed the credit permitted under s.  
16 220.181 for any new business employee first beginning  
17 employment with the business after July 1, 1995.

18           (b) "Month" means either a calendar month or the time  
19 period from any day of any month to the corresponding day of  
20 the next succeeding month or, if there is no corresponding day  
21 in the next succeeding month, the last day of the succeeding  
22 month.

23           (c) "New employee" means a person residing in an  
24 enterprise zone, a qualified Job Training Partnership Act  
25 classroom training participant, or a WAGES Program participant  
26 who begins employment with an eligible business after July 1,  
27 1995, and who has not been previously employed within the  
28 preceding 12 months by the eligible business, or a successor  
29 eligible business, claiming the credit allowed by this  
30 section.

31

1 A person shall be deemed to be employed if the person performs  
2 duties in connection with the operations of the business on a  
3 regular, full-time basis, provided the person is performing  
4 such duties for an average of at least 36 hours per week each  
5 month, or a part-time basis, provided the person is performing  
6 such duties for an average of at least 20 hours per week each  
7 month throughout the year. The person must be performing such  
8 duties at a business site located in the enterprise zone.

9 (3) In order to claim this credit, an eligible  
10 business must file under oath with the governing body or  
11 enterprise zone development agency having jurisdiction over  
12 the enterprise zone where the business is located, as  
13 applicable, a statement which includes:

14 (a) For each new employee for whom this credit is  
15 claimed, the employee's name and place of residence, including  
16 the identifying number assigned pursuant to s. 290.0065 to the  
17 enterprise zone in which the employee resides if the new  
18 employee is a person residing in an enterprise zone, and, if  
19 applicable, documentation that the employee is a qualified Job  
20 Training Partnership Act classroom training participant or a  
21 WAGES Program participant.

22 Section 32. Paragraph (q) of subsection (1) of section  
23 220.03, Florida Statutes, is amended to read:

24 220.03 Definitions.--

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

29 (q) "New employee," for the purposes of the enterprise  
30 zone jobs credit, means a person residing in an enterprise  
31 zone, a qualified Job Training Partnership Act classroom



1 training participant, or a WAGES Program participant employed  
2 at a business located in an enterprise zone who begins  
3 employment in the operations of the business after July 1,  
4 1995, and who has not been previously employed within the  
5 preceding 12 months by the business or a successor business  
6 claiming the credit pursuant to s. 220.181. A person shall be  
7 deemed to be employed by such a business if the person  
8 performs duties in connection with the operations of the  
9 business on a full-time basis, provided she or he is  
10 performing such duties for an average of at least 36 hours per  
11 week each month, or a part-time basis, provided she or he is  
12 performing such duties for an average of at least 20 hours per  
13 week each month throughout the year. The person must be  
14 performing such duties at a business site located in an  
15 enterprise zone. The provisions of this paragraph shall expire  
16 and be void on June 30, 2005.

17 Section 33. Paragraph (a) of subsection (2) of section  
18 220.181, Florida Statutes, is amended to read:

19 220.181 Enterprise zone jobs credit.--

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

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

1 the employee is a qualified Job Training Partnership Act  
2 classroom training participant or a WAGES Program participant.

3 Section 34. Subsection (10) is added to section  
4 288.047, Florida Statutes, to read:

5 288.047 Quick-response training for economic  
6 development.--

7 (10) There is created a Quick-response Training  
8 Program for Work and Gain Economic Self-sufficiency (WAGES)  
9 participants. Enterprise Florida, Inc., may, at the discretion  
10 of the State WAGES Emergency Response Team, award  
11 quick-response training grants and develop applicable  
12 guidelines for the training of participants in the WAGES  
13 Program. In addition to a local economic development  
14 organization, grants must be endorsed by the applicable local  
15 WAGES coalition and regional workforce development board.

16 (a) Training funded pursuant to this subsection may  
17 not exceed 12 months, and may be provided by the local  
18 community college, school district, regional workforce  
19 development board, or the business employing the participant,  
20 including on-the-job training. Training will provide  
21 entry-level skills to new workers, including those employed in  
22 retail, who are participants in the WAGES Program.

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

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

30  
31

1 Section 35. Subsection (4) of section 370.28, Florida  
2 Statutes, is amended, and subsection (5) is added to that  
3 section to read:

4 370.28 Enterprise zone designation; communities  
5 adversely impacted by net limitations.--

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

29 (5) Notwithstanding the time limitations contained in  
30 chapters 212 and 220, a business eligible to receive tax  
31 credits under this section from January 1, 1997, to June 1,

1 1998, must submit an application for the tax credits by  
2 December 1, 1998. All other requirements of the enterprise  
3 zone program apply to such a business.

4 Section 36. There is appropriated \$32 million from  
5 federal funds received by the state pursuant to Public Law  
6 104-193, The Personal Responsibility and Work Opportunity Act,  
7 to the Employment Security Administration Trust Fund in the  
8 Department of Labor and Employment Security, to support the  
9 activities of local WAGES Coalitions directed toward  
10 preparing, placing, and supporting WAGES program participants  
11 in jobs or other approved work related activities.

12 Section 37. Section 414.155, Florida Statutes, is  
13 created to read:

14 414.155 Relocation assistance program.--

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

25 (2) The relocation assistance program shall involve  
26 five steps by the Department of Children and Family Services  
27 and the Department of Labor and Employment Security:

28 (a) A determination that the family is a WAGES Program  
29 participant or that all requirements of eligibility for the  
30 WAGES Program would likely be met.

31

1           (b) A determination that there is a basis for  
2 believing that relocation will contribute to the ability of  
3 the applicant to achieve self-sufficiency. For example, the  
4 applicant:

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

7           2. Has secured a job that requires relocation to  
8 another community;

9           3. Has a family support network in another community;  
10 or

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

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

28           (d) A determination, pursuant to criteria adopted by  
29 the WAGES Program State Board of Directors, that a Florida  
30 community receiving a relocated family has the capacity to  
31 provide needed services and employment opportunities. The

1 Department of Labor and Employment Security may adopt rules  
2 necessary to establish criteria to be used by the WAGES  
3 Program State Board of Directors in administering this  
4 paragraph.

5 (e) Monitoring the relocation.

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

18 (4) Nothing herein shall be construed to allow any  
19 WAGES Coalition or state agency to require relocation of a  
20 WAGES participant for the purposes of this section or any  
21 other.

22 (5) When the relocation plan for a WAGES participant  
23 involves relocating the participant within the state, the plan  
24 must be approved by the local WAGES coalition in the district  
25 from which the participant is moving and the local WAGES  
26 coalition in the district to which the participant is moving  
27 before the effective date of the move.

28 Section 38. The following resources are designated for  
29 support of the WAGES Emergency Response Program:  
30  
31

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

4           (2) A total of \$15,000,000 is to be transferred from  
5 Employment Security Administration Trust Fund amounts  
6 associated with JTPA IIB, IIC and III allocations to the  
7 Economic Development Trust Fund administered by the Office of  
8 Tourism, Trade, and Economic Development to be used to fund  
9 programs and projects that produce jobs for WAGES Program  
10 participants in areas of critical state economic concern.

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

23           (4) Contingent upon passage of federal legislation  
24 reauthorizing the Intermodal Surface Transportation Efficiency  
25 Act or similar legislation that provides Florida more than 78  
26 percent of its federal transportation tax contribution or that  
27 increases revenue to Florida, up to \$25,000,000 is to be  
28 committed to transportation projects in areas of critical  
29 state economic concern that produce jobs for WAGES Program  
30 participants.

31

1           Section 39. A total of \$1.9 million is appropriated  
2 from the Employment Security Administration Trust Fund to  
3 establish a life preparation program with the National Guard  
4 for children of WAGES participants and economically  
5 disadvantaged youths in concert with neighborhood  
6 revitalization efforts.

7           Section 40. This act shall take effect upon becoming a  
8 law.

9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31