

By the Committee on Business Development & International
Trade and Representative Valdes

1 A bill to be entitled
2 An act relating to WAGES and Job Training
3 Partnership Act participants; amending s.
4 212.096, F.S.; including Job Training
5 Partnership Act and WAGES Program participants
6 within the definition of new employee for
7 purposes of additional eligibility for the
8 enterprise zone jobs credit against sales tax;
9 amending ss. 220.03 and 220.181, F.S.;
10 including Job Training Partnership Act and
11 WAGES Program participants within the
12 definition of new employee for purposes of
13 additional eligibility for the enterprise zone
14 jobs credit against corporate tax; amending s.
15 414.25, F.S.; delaying the expiration of an
16 exemption from leased property requirements;
17 amending s. 414.028, F.S.; requiring the WAGES
18 Program State Board of Directors to ensure that
19 local WAGES coalitions have specific
20 performance standards and measurable outcomes
21 on their program and financial plans; requiring
22 such standards and outcomes comply with the
23 statewide WAGES Program plan; authorizing the
24 board to revoke the charter of local WAGES
25 coalitions under certain circumstances;
26 amending s. 414.026, F.S.; allowing the board
27 to establish a grant program for innovative
28 transportation projects; amending s. 414.065,
29 F.S.; removing provisions requiring repayment
30 of certain subsidies by employers under the
31 WAGES Program; providing that subsidy

1 agreements will not be continued with certain
2 employers; providing for paying a WAGES
3 training bonus to employers that hire certain
4 WAGES Program participants; allowing local
5 WAGES coalitions to establish a
6 prequalification employment screening process;
7 providing issues that may be included in the
8 process; authorizing the board to grant funds
9 appropriated by the Legislature for the
10 development and administration of such
11 processes; creating s. 414.110, F.S.; creating
12 the Work Credit Program; delineating
13 eligibility requirements for individuals to
14 receive assistance under the program; amending
15 s. 446.603, F.S.; removing a six-month
16 employment requirement in order to receive
17 incentive payments under the Untried Worker
18 Placement and Employment Incentive Act;
19 providing an effective date.

20
21 Be It Enacted by the Legislature of the State of Florida:

22
23 Section 1. Paragraph (c) of subsection (1) and
24 paragraphs (a) and (b) of subsection (3) of section 212.096,
25 Florida Statutes, are amended to read:

26 212.096 Sales, rental, storage, use tax; enterprise
27 zone jobs credit against sales tax.--

28 (1) For the purposes of the credit provided in this
29 section:

30 (c) "New employee" means a person residing in an
31 enterprise zone, a qualified Job Training Partnership Act

1 classroom training participant, or a WAGES Program participant
2 who begins employment with an eligible business after July 1,
3 1995, and who has not been previously employed within the
4 preceding 12 months by the eligible business, or a successor
5 eligible business, claiming the credit allowed by this
6 section.

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

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

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

28 (b) If applicable, the name and address of each
29 permanent employee of the business, including, for each
30 employee who is a resident of an enterprise zone, the
31 identifying number assigned pursuant to s. 290.0065 to the

1 enterprise zone in which the employee resides and, for each
2 employee who qualifies, documentation that the employee is a
3 qualified Job Training Partnership Act classroom training
4 participant or a WAGES Program participant.

5 Section 2. Paragraph (q) of subsection (1) of section
6 220.03, Florida Statutes, is amended to read:

7 220.03 Definitions.--

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

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

31

1 Section 3. Paragraphs (a) and (b) of subsection (2) of
2 section 220.181, Florida Statutes, is amended to read:

3 220.181 Enterprise zone jobs credit.--

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

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

16 (b) If applicable, the name and address of each
17 permanent employee of the business, including, for each
18 employee who is a resident of an enterprise zone, the
19 identifying number assigned pursuant to s. 290.0065 to the
20 enterprise zone in which the employee resides and, for each
21 employee who qualifies, documentation that the employee is a
22 qualified Job Training Partnership Act classroom training
23 participant or a WAGES Program participant.

24 Section 4. Section 414.25, Florida Statutes, is
25 amended to read:

26 414.25 Exemption from leased real property
27 requirements.--In order to facilitate implementation of this
28 chapter with respect to establishing jobs and benefits
29 offices, the Department of Labor and Employment Security and
30 the Department of Children and Family Services are exempt from
31 the requirements of s. 255.25 which relate to the procurement

1 of leased real property. This exemption expires June 30, 2000
2 ~~1998~~.

3 Section 5. Subsection (3) of section 414.028, Florida
4 Statutes, is amended, and paragraph (g) is added to subsection
5 (4) of said section, to read:

6 414.028 Local WAGES coalitions.--The WAGES Program
7 State Board of Directors shall create and charter local WAGES
8 coalitions to plan and coordinate the delivery of services
9 under the WAGES Program at the local level. The boundaries of
10 the service area for a local WAGES coalition shall conform to
11 the boundaries of the service area for the regional workforce
12 development board established under the Enterprise Florida
13 workforce development board. The local delivery of services
14 under the WAGES Program shall be coordinated, to the maximum
15 extent possible, with the local services and activities of the
16 local service providers designated by the regional workforce
17 development boards.

18 (3)(a) The statewide implementation plan prepared by
19 the WAGES Program State Board of Directors shall prescribe and
20 publish the process for chartering the local WAGES coalitions.

21 (b) The board shall ensure that each local coalition
22 has specific performance standards and measurable outcomes to
23 measure the impact of their program and financial plans. The
24 board shall ensure that such measures correspond and comply
25 with the measures established in the statewide plan pursuant
26 to s. 414.027. The board shall review the performance measure
27 outcomes of each local coalition annually to determine whether
28 each coalition is meeting its goals, and may take any action
29 deemed necessary to ensure that the state goals are being met,
30 including, but not limited to, revoking the charter of any
31 coalition that is not in compliance.

1 (4) Each local WAGES coalition shall perform the
2 planning, coordination, and oversight functions specified in
3 the statewide implementation plan, including, but not limited
4 to:

5 (g) Developing specific performance standards and
6 measurable outcomes that correspond and comply with the
7 measures established in the statewide plan pursuant to s.
8 414.017 to measure the impact of their program and financial
9 plans.

10 Section 6. Subsection (4) of section 414.026, Florida
11 Statutes, is renumbered as subsection (5) and new subsection
12 (4) is added to said section to read:

13 414.026 WAGES Program State Board of Directors.--

14 (4) The board may establish a grant program to award
15 available funds to local WAGES coalitions for innovative
16 transportation projects that promote the placing of WAGES
17 Program participants in jobs. Such funds shall be awarded in
18 compliance with federal laws and regulations.

19 Section 7. Paragraph (b) of subsection (1) of section
20 414.065, Florida Statutes, is amended, and subsection (12) is
21 added to said 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.~~ Work
9 supplementation agreements will not be continued with
10 employers who exhibit a pattern of failing to provide
11 participants with continued employment after work
12 supplementation has expired.~~The work supplementation~~
13 ~~agreement must provide that if the employee is dismissed at~~
14 ~~any time within 12 months after termination of the~~
15 ~~supplementation period due in any part to loss of the~~
16 ~~supplement, the employer shall repay some or all of the~~
17 ~~supplement previously paid as a subsidy to the employer under~~
18 ~~the WAGES Program.~~

19 2. On-the-job training.--On-the-job training is
20 full-time, paid employment in which the employer or an
21 educational institution in cooperation with the employer
22 provides training needed for the participant to perform the
23 skills required for the position. The employer or the
24 educational institution on behalf of the employer receives a
25 subsidy to offset the cost of the training provided to the
26 participant. Upon satisfactory completion of the training, the
27 employer is expected to retain the participant as a regular
28 employee without receiving a subsidy. On-the-job training
29 agreements will not be continued with employers who exhibit a
30 pattern of failing to provide participants with continued
31 employment after on-the-job training subsidies have expired.

1 ~~The on-the-job training agreement must provide that in the~~
2 ~~case of dismissal of a participant due to loss of the subsidy,~~
3 ~~the employer shall repay some or all of the subsidy previously~~
4 ~~provided by the department and the Department of Labor and~~
5 ~~Employment Security.~~

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

1 ~~loss of the incentive, the employer shall repay some or all of~~
2 ~~the payment previously paid as an incentive to the employer~~
3 ~~under the WAGES Program.~~

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

12 5. WAGES training bonus.--An employer who employs a
13 WAGES participant who has less than 6 months of cash
14 assistance payments remaining may receive \$240 for each full
15 month of employment of such participant for a period not to
16 exceed 3 months. Employment is defined as 35 hours per week
17 at a wage of no less than minimum wage. Training bonuses
18 shall not be continued with employers who exhibit a pattern of
19 failing to provide participants with continued employment
20 after bonuses have expired.

21 (12) PREQUALIFICATION EMPLOYMENT SCREENING.--Local
22 WAGES coalitions, with the approval of the WAGES Program State
23 Board of Directors, may establish a process to determine the
24 ability of participants to satisfy work requirements at the
25 time of application. Such process may include, but is not
26 limited to, screening for drug and alcohol dependency and job
27 skills. Local WAGES coalitions shall ensure that any
28 prequalification process emphasizes the ability to work,
29 self-sufficiency, and personal responsibility while meeting
30 the transitional needs of program participants who may need
31 short-term assistance in order to satisfy work requirements.

1 If appropriated by the Legislature, the WAGES Program State
2 Board of Directors may make grant funds available to assist
3 local WAGES coalitions in the development and administration
4 of prequalification employment screening processes.

5 Section 8. Section 414.110, Florida Statutes, is
6 created to read:

7 414.110 Work Credit Program.--

8 (1) For individuals subject to the time limitation
9 under s. 414.105 who are employed and continue to be eligible
10 for temporary cash assistance, a month in which the individual
11 works full time, as defined in this section, does not count
12 towards the 24 cumulative month time in a consecutive 60 month
13 period or the 36 cumulative month time limit in a 72 month
14 time limit described in s. 414.105.

15 (2) For purposes of this section, full-time employment
16 is defined as employment of not less than 160 hours per month.

17 (3) A month which does not count towards the 24 month
18 cumulative time limit or the 36 month cumulative time limit as
19 described in subsection (1) does count as a month of
20 assistance in the lifetime cumulative total of 48 months of
21 assistance as described in s. 414.105.

22 Section 9. Subsection (4) of section 446.603, Florida
23 Statutes, is amended to read:

24 446.603 Untried Worker Placement and Employment
25 Incentive Act.--

26 (4) In these pilots, incentive payments will be made
27 to for-profit or not-for-profit agents selected by the
28 Regional Workforce Development Boards who successfully place
29 untried workers in full-time employment ~~for 6 months with an~~
30 ~~employer after the employee successfully completes a~~
31 ~~probationary placement of no more than 6 months with that~~

1 ~~employer~~. Full-time employment that includes health care
2 benefits will receive an additional incentive payment.

3 Section 10. This act shall take effect upon becoming a
4 law.

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7 HOUSE SUMMARY

8
9 Includes Job Training Partnership Act and WAGES Program
10 participants to the definition of new employee for
11 purposes of additional eligibility for the enterprise
12 zone jobs credit against the sales tax and the corporate
13 income tax. Requires the WAGES Program State Board of
14 Directors to ensure that local WAGES coalitions have
15 specific performance standards and measurable outcomes on
16 their program and financial plans, requires that such
17 standards and outcomes comply with the statewide WAGES
18 Program plan, and authorizes the board to revoke the
19 charter of local WAGES coalitions for failure to comply.
20 Allows the board to establish a grant program for
21 innovative transportation projects. Revises WAGES Program
22 provisions relating to repayment of subsidies
23 discontinuance of subsidy agreements, and paying WAGES
24 training bonuses to employers that hire WAGES Program
25 participants. Authorizes local WAGES coalitions to
26 establish a prequalification employment screening process
27 and allows the board to grant funds appropriated by the
28 Legislature for the development and administration of the
29 process. Creates the Work Credit Program to provide
30 assistance to individuals subject to specified time
31 limitations under a temporary cash assistance program.