

Bill No. HB 1825, 1st Eng.

Amendment No.     

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11	Senator Kirkpatrick moved the following amendment:		
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13	<b>Senate Amendment (with title amendment)</b>		
14	Delete everything after the enacting clause		
15			
16	and insert:		
17	Section 1. Effective upon this act becoming a law,		
18	section 163.055, Florida Statutes, is created to read:		
19	<u>163.055 Local Government Financial Technical</u>		
20	<u>Assistance Program.--</u>		
21	<u>(1) Among municipalities and special districts, the</u>		
22	<u>Legislature finds that:</u>		
23	<u>(a) Florida is a state comprised of 400 municipalities</u>		
24	<u>and almost 1,000 special districts statewide.</u>		
25	<u>(b) Of the 400 municipalities in the state, over 200</u>		
26	<u>have a population under 5,000.</u>		
27	<u>(c) State and federal mandates will continue to place</u>		
28	<u>additional funding demands on all municipalities and special</u>		
29	<u>districts.</u>		
30	<u>(d) State government lacks the specific technical</u>		
31	<u>expertise or resources to effectively perform ongoing</u>		

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1 educational support and financial emergency detection or  
2 assistance.

3 (2) Recognizing the findings in subsection (1), the  
4 Legislature declares that:

5 (a) The fiscal challenges confronting various  
6 municipalities and special districts require an investment  
7 that will facilitate efforts to improve the productivity and  
8 efficiency of their financial structures and operating  
9 procedures.

10 (b) Current and additional revenue enhancements  
11 authorized by the Legislature should be managed and  
12 administered using appropriate management practices and  
13 expertise.

14 (3) The purpose of this section is to provide  
15 technical assistance to municipalities and special districts  
16 to enable them to implement workable solutions to financially  
17 related problems.

18 (4) The Comptroller shall enter into contracts with  
19 program providers who shall:

20 (a) Be a public agency or private, nonprofit  
21 corporation, association, or entity.

22 (b) Use existing resources, services, and information  
23 that are available from state or local agencies, universities,  
24 or the private sector.

25 (c) Seek and accept funding from any public or private  
26 source.

27 (d) Annually submit information to assist the  
28 Legislative Committee on Intergovernmental Relations in  
29 preparing a performance review that will include a analysis of  
30 the effectiveness of the program.

31 (e) Assist municipalities and independent special

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- 1 districts in developing alternative revenue sources.
- 2 (f) Provide for an annual independent financial audit  
3 of the program, if the program receives funding.
- 4 (g) Provide assistance to municipalities and special  
5 districts in the areas of financial management, accounting,  
6 investing, budgeting, and debt issuance.
- 7 (h) Develop a needs assessment to determine where  
8 assistance should be targeted, and to establish a priority  
9 system to deliver assistance to those jurisdictions most in  
10 need through the most economical means available.
- 11 (i) Provide financial emergency assistance upon  
12 direction from the Office of the Governor pursuant to s.  
13 218.503.
- 14 (5)(a) The Comptroller shall issue a request for  
15 proposals to provide assistance to municipalities and special  
16 districts. At the request of the Comptroller, the Legislative  
17 Committee on Intergovernmental Relations shall assist in the  
18 preparation of the request for proposals.
- 19 (b) The Comptroller shall review each contract  
20 proposal submitted.
- 21 (c) The Legislative Committee on Intergovernmental  
22 Relations shall review each contract proposal and submit to  
23 the Comptroller, in writing, advisory comments and  
24 recommendations, citing with specificity the reasons for its  
25 recommendations.
- 26 (d) The Comptroller and the Legislative Committee on  
27 Intergovernmental Relations shall consider the following  
28 factors in reviewing contract proposals:
- 29 1. The demonstrated capacity of the provider to  
30 conduct needs assessments and implement the program as  
31 proposed.

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1           2. The number of municipalities and special districts  
2 to be served under the proposal.

3           3. The cost of the program as specified in a proposed  
4 budget.

5           4. The short-term and long-term benefits of the  
6 assistance to municipalities and special districts.

7           5. The form and extent to which existing resources,  
8 services, and information that are available from state and  
9 local agencies, universities, and the private sector will be  
10 used by the provider under the contract.

11           (6) A decision of the Comptroller to award a contract  
12 under this section is final and shall be in writing with a  
13 copy provided to the Legislative Committee on  
14 Intergovernmental Relations.

15           (7) The Comptroller may enter into contracts and  
16 agreements with other state and local agencies and with any  
17 person, association, corporation, or entity other than the  
18 program providers, for the purpose of administering this  
19 section.

20           (8) The Comptroller shall provide fiscal oversight to  
21 ensure that funds expended for the program are used in  
22 accordance with the contracts entered into pursuant to  
23 subsection (4).

24           (9) The Legislative Committee on Intergovernmental  
25 Relations shall annually conduct a performance review of the  
26 program. The findings of the review shall be presented in a  
27 report submitted to the Governor, the President of the Senate,  
28 the Speaker of the House of Representatives, and the  
29 Comptroller by January 15 of each year.

30           Section 2. Effective upon this act becoming a law,  
31 paragraph (d) of subsection (7) of section 163.01, Florida

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1 Statutes, is amended to read:

2           163.01 Florida Interlocal Cooperation Act of 1969.--

3           (7)(d) Notwithstanding the provisions of paragraph

4 (c), any separate legal entity created pursuant to this

5 section and controlled by the municipalities or counties of

6 this state or by one or more municipality and one or more

7 county of this state, the membership of which consists or is

8 to consist of municipalities only, counties only, or one or

9 more municipality and one or more county, may, for the purpose

10 of financing or refinancing any capital projects, exercise all

11 powers in connection with the authorization, issuance, and

12 sale of bonds. Notwithstanding any limitations provided in

13 this section, all of the privileges, benefits, powers, and

14 terms of part I of chapter 125, part II of chapter 166, and

15 part I of chapter 159 shall be fully applicable to such

16 entity. Bonds issued by such entity shall be deemed issued on

17 behalf of the counties or municipalities which enter into loan

18 agreements with such entity as provided in this paragraph.

19 Any loan agreement executed pursuant to a program of such

20 entity shall be governed by the provisions of part I of

21 chapter 159 or, in the case of counties, part I of chapter

22 125, or in the case of municipalities and charter counties,

23 part II of chapter 166. Proceeds of bonds issued by such

24 entity may be loaned to counties or municipalities of this

25 state or a combination of municipalities and counties, whether

26 or not such counties or municipalities are also members of the

27 entity issuing the bonds. The issuance of bonds by such

28 entity to fund a loan program to make loans to municipalities

29 or counties or a combination of municipalities and counties

30 with one another for capital projects to be identified

31 subsequent to the issuance of the bonds to fund such loan

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1 programs is deemed to be a paramount public purpose. Any  
2 entity so created may also issue bond anticipation notes, as  
3 provided by s. 215.431, in connection with the authorization,  
4 issuance, and sale of such bonds. In addition, the governing  
5 body of such legal entity may also authorize bonds to be  
6 issued and sold from time to time and may delegate, to such  
7 officer, official, or agent of such legal entity as the  
8 governing body of such legal entity may select, the power to  
9 determine the time; manner of sale, public or private;  
10 maturities; rate or rates of interest, which may be fixed or  
11 may vary at such time or times and in accordance with a  
12 specified formula or method of determination; and other terms  
13 and conditions as may be deemed appropriate by the officer,  
14 official, or agent so designated by the governing body of such  
15 legal entity. However, the amounts and maturities of such  
16 bonds and the interest rate or rates of such bonds shall be  
17 within the limits prescribed by the governing body of such  
18 legal entity and its resolution delegating to such officer,  
19 official, or agent the power to authorize the issuance and  
20 sale of such bonds. A local government self-insurance fund  
21 established under this section may financially guarantee bonds  
22 or bond anticipation notes issued or loans made under this  
23 subsection. Bonds issued pursuant to this paragraph may be  
24 validated as provided in chapter 75. The complaint in any  
25 action to validate such bonds shall be filed only in the  
26 Circuit Court for Leon County. The notice required to be  
27 published by s. 75.06 shall be published only in Leon County,  
28 and the complaint and order of the circuit court shall be  
29 served only on the State Attorney of the Second Judicial  
30 Circuit and on the state attorney of each circuit in each  
31 county where the public agencies which were initially a party

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1 to the agreement are located. Notice of such proceedings shall  
2 be published in the manner and the time required by s. 75.06  
3 in Leon County and in each county where the public agencies  
4 which were initially a party to the agreement are located.  
5 Obligations of any county or municipality pursuant to a loan  
6 agreement as described in this paragraph may be validated as  
7 provided in chapter 75.

8 Section 3. Effective upon this act becoming a law,  
9 section 414.224, Florida Statutes, is created to read:

10 414.224 Retention Enhancing Communities Initiative.--

11 (1) LEGISLATIVE INTENT.--The Legislature finds that  
12 Florida has numerous distressed urban cores with high  
13 proportions of residents who are former and current WAGES  
14 Program participants. The Legislature further finds that the  
15 existence of strong neighborhoods and communities is crucial  
16 to reduce recidivism among former WAGES Program participants,  
17 and to create new jobs and promote job retention for current  
18 WAGES Program participants. Therefore, it is the intent of the  
19 Legislature to create a program designed to develop these  
20 communities with the help of, and for the benefit of, current  
21 and former WAGES Program participants.

22 (2) CREATION.-- The Retention Enhancing Communities  
23 Initiative (RECI) is created to leverage federal, state, and  
24 local resources for community redevelopment initiatives that  
25 promote job retention among WAGES Program participants.  
26 Selected communities will identify and compete for projects  
27 coordinated around the six community-enhancing elements of  
28 community safety, community builders, community businesses,  
29 community schools, community partnerships, and community  
30 redevelopment.

31 (3) SELECTION OF RECI COMMUNITIES.--

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1           (a) By July 1, 1999, the WAGES Program State Board of  
2 Directors, in consultation with local WAGES coalitions, will  
3 identify 14 communities in the state's seven largest counties.  
4 These communities must be compact, congruent, and contiguous  
5 census tracts that have the highest concentrations of  
6 residents who are current or former WAGES Program  
7 participants. To the maximum extent possible, these  
8 communities should coincide with federal empowerment zones,  
9 enterprise zones established under chapter 290, Neighborhood  
10 Improvement Districts established under chapter 163, community  
11 redevelopment areas established under chapter 163, and Urban  
12 High Crime Areas established under chapter 212. By August 1,  
13 1999, the WAGES Program State Board of Directors must contract  
14 with an independent entity to certify that these 14  
15 communities comply with the requirements of this section.

16           (b) By July 10, 1999, the WAGES Program State Board of  
17 Directors shall solicit proposals from the communities  
18 identified in paragraph (a) for participation in RECI. The  
19 Governor shall appoint a liaison from a state agency to assist  
20 with each proposal and their implementation. These liaisons  
21 shall have the full assistance of the Executive Office of the  
22 Governor, the agencies of state government, and their  
23 employees. If a state employee is not able to assist a liaison  
24 because of state law or regulation, the liaison shall notify  
25 the Governor, the Office of Urban Opportunity, and the Office  
26 of Program Policy Analysis and Government Accountability  
27 concerning the impasse and prepare proposals to resolve them.  
28 Upon a written request of a liaison, the Governor may by  
29 executive order or emergency rule address regulatory or  
30 procedural impasses to enable prompt implementation of a  
31 community's proposal. Any federal TANF funding appropriated by



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1 the state to benefit WAGES participants, to assist needy  
2 families, or to promote job placement and employment retention  
3 of WAGES participants that is in excess of revenues necessary  
4 to fulfill the appropriated purpose may, upon a written  
5 request of a liaison, be redirected, notwithstanding any other  
6 statute, with the approval of the Office of Urban Opportunity,  
7 the WAGES Program State Board of Directors, and the Governor,  
8 to support an approved project in a RECI community. Proposals  
9 should be general in nature, be no more than 20 pages long,  
10 and include:

11 1. A brief plan describing how the community will  
12 coordinate and incorporate the six RECI elements into the  
13 community's redevelopment strategy;

14 2. Specific evidence of community support from  
15 community-based organizations and local government for  
16 participation in RECI;

17 3. For each RECI element, identification and commitment  
18 of local resources from community-based organizations, local  
19 government, and others, to be leveraged by federal and state  
20 resources;

21 4. Identification of the specific entity or person  
22 responsible for coordinating the community's participation in  
23 RECI; and

24 5. Identification of local administrative entities.

25 (c) Based on proposal evaluation criteria developed by  
26 the WAGES Program State Board of Directors, the board shall,  
27 by October 1, 1999, select up to nine communities to  
28 participate in RECI, and notify each community of such  
29 selection. All RECI projects must be fully operational by  
30 January 1, 2000, and must be completed by December 31, 2001.

31 (4) RECI ELEMENTS.--Once a community is selected as a

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1 RECI participant, the community may compete for awards in each  
2 RECI element. Awards will be granted by the WAGES Program  
3 State Board of Directors and will be based on a project plan  
4 that must be consistent with the community's proposal  
5 describing the coordination and incorporation of the RECI  
6 elements. The WAGES Program State Board of Directors shall  
7 develop guidelines and criteria for the application and award  
8 of the funds. Criteria must provide additional weight for  
9 criteria relating to community involvement, business  
10 involvement, and local contributions. Unless otherwise  
11 provided for, the board or its designated agents shall  
12 administer the award of funds for each RECI element and must  
13 provide assurances that projects are completed pursuant to  
14 project plans. RECI elements include the following:

15 (a) WAGES Community Safety.--Funds may be awarded for  
16 projects that increase the safety and reduce crime in RECI  
17 communities. Funds may be used to train and employ WAGES  
18 Program participants in public safety jobs; establish security  
19 businesses and services; train residents in safety practices  
20 and organize safety networks; improve lighting, alarms, and  
21 law enforcement equipment; improve the safety of homes,  
22 buildings, and streets; and provide community police. Local  
23 law enforcement agencies must be a contributing partner in  
24 safety projects. The Department of Community Affairs and the  
25 Florida Department of Law Enforcement shall assign a  
26 representative of their departments to assist these  
27 communities with public safety issues and, notwithstanding any  
28 other provision in law, may award public safety grants to  
29 these communities.

30 (b) WAGES Community Builders.--Funds may be awarded for  
31 small community clean-up and enhancement projects that quickly

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1 create visible improvements and for planning and  
2 implementation of larger neighborhood revitalization and  
3 economic development initiatives.

4 1. Funds for the WAGES Community Builders element may  
5 be awarded for small community clean-up and enhancement  
6 projects. Projects must include WAGES Program participants,  
7 must last less than 3 weeks, and must be endorsed by the local  
8 unit of government. Funding may not exceed \$5,000 per project  
9 without a waiver from the WAGES Program State Board of  
10 Directors. The board shall enlist the Department of State's  
11 Main Street program, Keep Florida Beautiful, Inc., and, when  
12 approved by the Governor, the Florida National Guard, to  
13 advise and assist with these projects and to redirect  
14 resources to these communities.

15 2. Funds for the WAGES Community Builders element may  
16 be awarded for the planning and implementation of large  
17 neighborhood revitalization or economic development  
18 initiatives. Funding for planning projects may not exceed  
19 \$200,000, and may not, in total, exceed 20 percent of the  
20 funds available for this element. Funding for implementation  
21 projects may not in total exceed 20 percent of the funds  
22 available for this element and must primarily leverage  
23 federal, state, local, private, or foundation resources other  
24 than those provided for in this section. Planning and  
25 implementation projects shall employ WAGES Program  
26 participants from the RECI community to the greatest extent  
27 possible.

28 (c) WAGES Community Businesses.--Funds may be awarded  
29 for small business-development projects, including  
30 national-franchise attraction efforts, microloans, guaranteed  
31 commercial loans, technical assistance, self-employment, and

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1 business incubators at educational institutions. At least 95  
2 percent of funds awarded for these projects must be for the  
3 benefit of WAGES Program participants in RECI communities. The  
4 WAGES Program State Board of Directors shall work with the  
5 Comptroller to target the linked-deposit program under s.  
6 290.0075 into these communities, and the Comptroller shall, to  
7 the greatest extent he or she deems practical, implement that  
8 program in RECI communities. Using funds appropriated for this  
9 element, the WAGES Program State Board of Directors, or its  
10 designated agent, shall establish a \$10-million loan-loss  
11 reserve to encourage and guarantee commercial loans made under  
12 this element, and shall develop a tax-free bond fund to  
13 provide and expand the secondary loan market for commercial  
14 loans made in RECI communities. The WAGES Program State Board  
15 of Directors, or its designated agent, shall approach and  
16 propose joint ventures with national franchisers committing to  
17 train individuals for and partially underwrite new franchise  
18 ventures in RECI communities.

19 (d) WAGES Community Schools.--Funds may be awarded for  
20 WAGES Community School projects that upgrade schools through  
21 construction, repair, or renovation, or which provide training  
22 and employment to WAGES Program participants to assist with  
23 transportation, school services, and security. Schools  
24 accepting this assistance must offer before, after, and summer  
25 school programs for students who are WAGES Program  
26 participants.

27 (e) WAGES Community Partnerships.--Funds may be awarded  
28 for WAGES Community Partnership projects to make payments of  
29 tax credits to businesses that contribute to projects in RECI  
30 communities which are eligible under the community  
31 contribution tax credit program under ss. 220.183 and

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1 624.5105. Business contributions must benefit WAGES Program  
2 participants in these communities. Funds may equal 30 percent  
3 of the business's contribution and may apply to contributions  
4 of any size if adequate funds are available in this RECI  
5 element. The Office of Tourism, Trade, and Economic  
6 Development and the Department of Revenue shall assist the  
7 WAGES Program State Board of Directors in administering such  
8 tax credits. Projects may also match, up to a  
9 dollar-for-dollar level, any foundation awards to RECI  
10 communities which will improve job retention and reduce public  
11 assistance dependency as determined by the WAGES Program State  
12 Board of Directors.

13 (f) WAGES Community Redevelopment.--Funds may be  
14 awarded for WAGES Community Redevelopment projects to  
15 facilitate the planning, preparing, marketing, and financing  
16 of residential, mixed-use, and commercial development  
17 projects, as well as residential and business infrastructure  
18 redevelopment projects in RECI communities. Projects that  
19 would mainly result in gentrification of the community, that  
20 would not employ a preponderance of WAGES Program  
21 participants, and that predominately create residences or  
22 business sites that are beyond the anticipated income level of  
23 working WAGES Program participants are not eligible.

24 1. The Office of Tourism, Trade, and Economic  
25 Development shall be the administrator of projects under this  
26 paragraph and shall develop criteria for the award of the  
27 funds. Funds available under this element must be leveraged  
28 with federal, state, and local resources, including, but not  
29 limited to, those available through the local unit of  
30 government under the Community Development Block Grant,  
31 section 108 loan guarantee program, and through state agencies

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1 including the Department of Community Affairs, the Department  
2 of Environmental Protection, and the Florida Housing Finance  
3 Corporation.

4 2. A redevelopment finance review team including the  
5 WAGES Program State Board of Directors, the Office of Tourism,  
6 Trade, and Economic Development, Enterprise Florida, Inc., the  
7 appropriate local WAGES coalition, the appropriate local unit  
8 of government, the Department of Community Affairs, the  
9 Department of Environmental Protection, and the Florida  
10 Housing Finance Corporation shall review all project plans and  
11 coordinate available resources, matching expenditures to  
12 eligible and available revenues that may be invested in the  
13 project. The team shall seek federal funding assistance in  
14 these projects and may identify and recommend projects for  
15 award under the WAGES Targeted Employment and WAGES  
16 transportation projects established by law. The team shall  
17 recommend appropriate projects to the State Board of  
18 Administration for public investment. Their collaborative  
19 project package shall constitute a recommended public  
20 financing commitment that shall serve to induce private  
21 developers to finance the remaining costs of the project.  
22 Notwithstanding the provisions of s. 216.301, funds  
23 appropriated for the purpose of this paragraph shall not be  
24 subject to reversion.

25 3. The Office of Tourism, Trade, and Economic  
26 Development, based upon the recommendation from the team, may  
27 award project funds to RECI communities for up to 30 percent  
28 of the total project cost. In awarding funds, the office shall  
29 consider factors including, but not limited to, the project's  
30 direct employment of WAGES Program participants in planning,  
31 development, or construction; eventual direct employment of

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1 WAGES Program participants; residences or businesses to be  
2 owned by WAGES Program participants; impact on retention in  
3 employment of WAGES Program participants; impact on lowering  
4 recidivism and dependency on public assistance programs;  
5 demonstrated local public and private commitment; and the  
6 potential to enhance and upgrade the community.

7 4. To facilitate timely response and induce the  
8 development of site opportunities where a community-based or  
9 private-sector partner exists, the Office of Tourism, Trade,  
10 and Economic Development may award funds for infrastructure  
11 feasibility studies, design and engineering activities,  
12 project development and packaging, or other infrastructure  
13 planning and preparation activities. Such funds may not exceed  
14 \$300,000 per project, and may not exceed 5 percent of the  
15 total funding available under this paragraph.

16 5. The Office of Tourism, Trade, and Economic  
17 Development shall pursue execution of a memorandum of  
18 agreement with the Department of Housing and Urban Development  
19 and other federal or state partners under which state funds  
20 available through this element may be advanced, in excess of  
21 the prescribed state share, for a project that has received  
22 from the department or partner a preliminary determination of  
23 eligibility for financial support. State funds in excess of  
24 the prescribed state share which are advanced pursuant to this  
25 paragraph and a memorandum of agreement shall be reimbursed  
26 when funds are awarded under an application for other  
27 financing.

28 6. To facilitate development of prospective sites, the  
29 Office of Tourism, Trade, and Economic Development may award  
30 funds for surveys, feasibility studies, project development,  
31 packaging, marketing, and other activities related to the

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1 identification, marketing, and preparation of sites of up to  
2 \$150,000. Such funds shall require a match from local sources  
3 of 33 percent and the total grants awarded under this  
4 subparagraph shall not exceed 5 percent of the total funding  
5 available under this paragraph.

6 (5) The Governor shall name by July 15, 1999, a  
7 coordinator in the Office of Urban Opportunity with the  
8 authority, established by executive order, to work with the  
9 WAGES Program State Board of Directors to direct agency  
10 assistance, solve problems, and commit resources to RECI  
11 communities.

12 (6) By August 15, 1999, working with the Workforce  
13 Development Board, the WAGES Program State Board of Directors  
14 shall establish a center for community excellence, affiliated  
15 with an educational institution or group of educational  
16 institutions, which will provide research, consulting,  
17 technical assistance, capacity building, training, and program  
18 assistance services to RECI communities.

19 (7) FUNDING.--

20 (a) To implement the provisions of this act, the  
21 Department of Children and Family Services is authorized to  
22 spend up to \$50 million from Temporary Assistance for Needy  
23 Families (TANF) Block Grant funds pursuant to criteria adopted  
24 by the WAGES Program State Board of Directors.

25 (b) Any expenditure from the Temporary Assistance for  
26 Needy Families block grant shall be expended in accordance  
27 with the requirements and limitations of Title IV of the  
28 Social Security Act, as amended, or any other applicable  
29 federal requirement or limitation in law. Prior to any  
30 expenditure of such funds, the WAGES Program State Board of  
31 Directors and the Secretary of Children and Family Services,



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1 or his or her designee, shall certify that controls are in  
2 place to ensure that such funds are expended and reported in  
3 accordance with the requirements and limitations of federal  
4 law. It shall be the responsibility of any entity to which  
5 funds are awarded to obtain the required certification prior  
6 to any expenditure of funds.

7 (c) Unexpended proceeds derived from a project  
8 completed with the use of program funds, beyond the operating  
9 costs and debt service, shall be restricted to further  
10 expenditures within the element. Use of such unexpended  
11 proceeds for purposes other than those authorized by this act  
12 is prohibited.

13 (d) No more than 5 percent of the funds available under  
14 this section may be used by the board or its designated agents  
15 to administer and monitor the awards.

16 (e) Funds authorized under this section must augment  
17 the existing efforts or resources of local communities rather  
18 than offset or supplant them.

19 (8) The Governor shall notify the President of the  
20 United States and the Florida Congressional Delegation of any  
21 delays by the federal government affecting the prompt  
22 implementation of this section, and enlist their assistance in  
23 resolution of such delays. By budget amendment, the Governor  
24 shall identify and transfer funds to continue this initiative  
25 on schedule, notwithstanding federal delays. With the  
26 assistance of the Secretary of Children and Family Services  
27 and the Attorney General, the Governor shall then explore  
28 administrative and judicial options to gain reimbursement.

29 (9) MONITORING AND REPORTING.--

30 (a) The independent entity selected by the WAGES  
31 Program State Board of Directors to certify compliance by the

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1 14 communities identified under paragraph (2)(a) shall also  
2 identify four other similar communities to serve as a control  
3 group for RECI. The entity must measure performance trends in  
4 the control group communities, the communities that applied  
5 for RECI designation but were not selected, and the  
6 communities selected to participate in RECI. The four control  
7 communities shall be known only to the entity until the  
8 completion of the initiative. The entity shall develop,  
9 working with the Office of Program Policy Analysis and  
10 Government Accountability and the WAGES Program State Board of  
11 Directors, criteria by October 1, 1999, to measure the impact  
12 of the initiative. Such criteria must include the total  
13 revenues generated and invested in RECI communities, and the  
14 amount of revenue saved from the retention of WAGES Program  
15 participants.

16 (b) In addition to a comprehensive final report due  
17 February 15, 2002, the WAGES Program State Board of Directors  
18 must report to the Governor and Legislature every 6 months  
19 beginning January 1, 2000, on the progress of RECI. Reports  
20 must include tangible impacts of the initiative. The final  
21 report shall include recommendations relating to the potential  
22 development of a RECI program for communities in mid-sized  
23 counties. The report must additionally recognize the three  
24 most successful RECI communities and designate these  
25 communities Florida's "come-back communities."

26 Section 4. Paragraph (m) is added to subsection (2) of  
27 section 250.10, Florida Statutes, 1998 Supplement, to read:

28 250.10 Appointment and duties of the Adjutant  
29 General.--

30 (2) The Adjutant General of the state shall be the  
31 Chief of the Department of Military Affairs. He or she shall:

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1           (m) Subject to annual appropriations, administer youth  
2 About Face programs and adult Forward March programs at sites  
3 to be selected by the Adjutant General.

4           1. About Face shall establish a summer and a  
5 year-round afterschool life-preparation program for  
6 economically disadvantaged and at-risk youths from 13 through  
7 17 years of age. Both programs must provide schoolwork  
8 assistance, focusing on the skills needed to pass the high  
9 school competency test, and also focus on functional life  
10 skills, including teaching students to work effectively in  
11 groups; providing basic instruction in computer skills;  
12 teaching basic problem solving, decision making, and reasoning  
13 skills; teaching how the business world and free enterprise  
14 work through computer simulations; and teaching home finance  
15 and budgeting and other daily living skills. In the  
16 afterschool program, students must train in academic study  
17 skills and the basic skills that businesses require for  
18 employment consideration.

19           2. The Adjutant General shall provide job-readiness  
20 services in the Forward March program for WAGES program  
21 participants who are directed to Forward March by local WAGES  
22 coalitions. The Forward March program shall provide training  
23 on topics that directly relate to the skills required for  
24 real-world success. The program shall emphasize functional  
25 life skills, computer literacy, interpersonal relationships,  
26 critical-thinking skills, business skills, preemployment and  
27 work maturity skills, job-search skills, exploring careers  
28 activities, how to be a successful and effective employee, and  
29 some job-specific skills. The program also shall provide  
30 extensive opportunities for participants to practice generic  
31 job skills in a supervised work setting. Upon completion of

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1 the program, Forward March shall return participants to the  
2 local WAGES coalition for placement in a job-placement pool.

3       Section 5. Notwithstanding the time limitations  
4 contained in chapters 212 and 220, Florida Statutes, relating  
5 to enterprise-zone tax incentives, a business that was  
6 purchased in February 1992 within an area of Tampa that  
7 received a designation as an enterprise zone under section  
8 290.0065, Florida Statutes, effective July 1, 1995, and that  
9 was eligible to receive enterprise-zone tax incentives from  
10 July 1, 1995, to July 1, 1998, must submit an application for  
11 the tax incentives by December 1, 1999. All other requirements  
12 of the enterprise zone program apply to such a business.

13       Section 6. Notwithstanding any provision of law to the  
14 contrary, the governing body of a municipality or a county  
15 containing a U.S. Environmental Protection Agency brownfield  
16 pilot project that was designated as of May 1, 1997, may apply  
17 to the Office of Tourism, Trade, and Economic Development  
18 before December 31, 1999, to amend the boundaries of an  
19 enterprise zone designated in a municipality or a county  
20 containing such brownfield pilot project. The office shall  
21 approve the application to amend the boundaries of the  
22 enterprise zone if the added area does not increase the  
23 overall size of the expanded zone more than its original size  
24 or 20 square miles, whichever is larger.

25       Section 7. Before December 31, 1999, any municipality  
26 an area of which has previously received designation as an  
27 Enterprise Zone in the population category described in  
28 section 290.0065(3)(a)3., Florida Statutes, may create a  
29 satellite enterprise zone not exceeding 1.5 square miles in  
30 area outside of and, notwithstanding anything contained in  
31 section 290.0055(4), Florida Statutes, or any other law, in

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1 addition to the previously designated enterprise zone  
2 boundaries. The Office of Tourism, Trade, and Economic  
3 Development shall amend the boundaries of the areas previously  
4 designated by any such municipality as enterprise zones upon  
5 receipt of a resolution adopted by the municipality describing  
6 the satellite enterprise zone areas, as long as the additional  
7 areas are consistent with the categories, criteria, and  
8 limitations imposed by section 290.0055, Florida Statutes.  
9 However, the requirements imposed by section 290.0055(4)(d),  
10 Florida Statutes, do not apply to such satellite enterprise  
11 zone areas.

12       Section 8. (1) The purpose of this section is to  
13 provide for the establishment of individual development  
14 accounts (IDAs) in communities targeted by the Retention  
15 Enhancing Communities Initiative (RECI) designed to provide  
16 families with limited means in these communities an  
17 opportunity to accumulate assets, to facilitate and mobilize  
18 savings, to promote education, homeownership, and  
19 microenterprise development, and to stabilize families and  
20 build communities. This section implements the provisions of  
21 s. 404(h) of the Social Security Act, as amended, 42 U.S.C. s.  
22 604(h), related to individual development accounts. Nothing  
23 in this section is intended to conflict with the provisions of  
24 federal law.

25       (2) As used in this section, the term:

26       (a) "Individual development account" means an account  
27 exclusively for the purpose of paying the qualified expenses  
28 of an eligible individual or family in RECI communities. The  
29 account is a trust created or organized in this state and  
30 funded through periodic contributions by the establishing  
31 individual and matched by or through a qualified entity for a

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1 qualified purpose.

2 (b) "Qualified entity" means:

3 1. A not-for-profit organization described in s.  
4 501(c)(3) of the Internal Revenue Code of 1986, as amended,  
5 and exempt from taxation under s. 501(a) of such code; or

6 2. A state or local government agency acting in  
7 cooperation with an organization described in subparagraph 1.

8 For purposes of this section, a local WAGES coalition shall be  
9 considered a government agency.

10 (c) "Financial institution" means an organization  
11 authorized to do business under state or federal laws relating  
12 to financial institutions, and includes a bank, trust company,  
13 savings bank, building and loan association, savings and loan  
14 company or association, and credit union.

15 (d) "Eligible educational institution" means:

16 1. An institution described in s. 481(a)(1) or s.  
17 1201(a) of the Higher Education Act of 1965, 20 U.S.C. s.  
18 1088(a)(1) or s. 1141(a), as such sections are in effect on  
19 the date of the enactment of the Personal Responsibility and  
20 Work Opportunity Reconciliation Act of 1996, Pub. L. No.  
21 104-193.

22 2. An area vocational education school, as defined in  
23 s. 521(4)(C) or (D) of the Carl D. Perkins Vocational and  
24 Applied Technology Education Act, 20 U.S.C. s. 2471(4), in  
25 this state, as such sections are in effect on the date of the  
26 enactment of the Personal Responsibility and Work Opportunity  
27 Reconciliation Act of 1996, Pub. L. No. 104-193.

28 (e) "Postsecondary educational expenses" means:

29 1. Tuition and fees required for the enrollment or  
30 attendance of a student at an eligible educational  
31 institution.

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1           2. Fees, books, supplies, and equipment required for  
 2 courses of instruction at an eligible educational institution.

3           (f) "Qualified acquisition costs" means the costs of  
 4 acquiring, constructing, or reconstructing a residence. The  
 5 term includes any usual or reasonable settlement, financing,  
 6 or other closing costs in a RECI community.

7           (g) "Qualified business" means any business that does  
 8 not contravene any law or public policy in a RECI community.

9           (h) "Qualified business capitalization expenses" means  
 10 qualified expenditures for the capitalization of a qualified  
 11 business pursuant to a qualified plan.

12           (i) "Qualified expenditures" means expenditures  
 13 included in a qualified plan, including capital, plant,  
 14 equipment, working capital, and inventory expenses.

15           (j)1. "Qualified first-time homebuyer" means a  
 16 taxpayer and, if married, the taxpayer's spouse, who has no  
 17 present ownership interest in a principal residence during the  
 18 3-year period ending on the date of acquisition of the  
 19 principal residence.

20           2. "Date of acquisition" means the date on which a  
 21 binding contract to acquire, construct, or reconstruct the  
 22 principal residence is entered into.

23           (k) "Qualified plan" means a business plan or a plan  
 24 to use a business asset purchased, which:

25           1. Is approved by a financial institution, a  
 26 microenterprise development organization, or a nonprofit loan  
 27 fund having demonstrated fiduciary integrity.

28           2. Includes a description of services or goods to be  
 29 sold, a marketing plan, and projected financial statements.

30           3. May require the eligible individual to obtain the  
 31 assistance of an experienced entrepreneurial advisor.

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1           (1) "Qualified principal residence" means a principal  
2 residence, in a RECI community within the meaning of s. 1034  
3 of the Internal Revenue Code of 1986, as amended, the  
4 qualified acquisition costs of which do not exceed 100 percent  
5 of the average area purchase price applicable to such  
6 residence, determined in accordance with s. 143(e)(2) and (3)  
7 of such code.

8           (3) The Department of Children and Families shall  
9 amend the Temporary Assistance for Needy Families State Plan  
10 which was submitted in accordance with s. 402 of the Social  
11 Security Act, as amended, 42 U.S.C. s. 602, to provide for the  
12 use of funds for individual development accounts in accordance  
13 with the provisions of this section.

14           (4)(a) Any family in a RECI community subject to time  
15 limits and fully complying with work requirements of the WAGES  
16 Program that enters into an agreement with an approved  
17 fiduciary organization is eligible for participation in an  
18 individual development account.

19           (b) Contributions to the individual development  
20 account by an individual may be derived only from earned  
21 income, as defined in s. 911(d)(2) of the Internal Revenue  
22 Code of 1986, as amended.

23           (c) The individual or family shall enter into an  
24 individual development account agreement with a certified  
25 fiduciary organization or community-based organization.

26           (d) Eligible participants may receive matching funds  
27 for contributions to the individual development account,  
28 pursuant to the WAGES State Plan and the plan of the local  
29 WAGES coalition. When not restricted to the contrary, matching  
30 funds may be paid from state and federal funds under the  
31 control of the local WAGES coalition, from local agencies, or



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1 from private donations.

2 (e) Eligible participants may receive bonus payments  
3 for program compliance, to the extent provided in the WAGES  
4 State Plan and the plan of the local WAGES coalition. Such  
5 bonus payments may provide for a matching proportion higher  
6 than matching funds described in paragraph (d).

7 (5) Individual development accounts may be available  
8 once the family no longer receives cash assistance for any of  
9 the following uses:

10 (a) Postsecondary educational expenses paid from an  
11 individual development account directly to an eligible  
12 educational institution;

13 (b) Qualified acquisition costs with respect to a  
14 qualified principal residence in a RECI community for a  
15 qualified first-time homebuyer, if paid from an individual  
16 development account directly to the persons to whom the  
17 amounts are due; or

18 (c) Amounts paid from an individual development  
19 account directly to a business capitalization account which is  
20 established in a federally insured financial institution and  
21 is restricted to use solely for qualified business  
22 capitalization in a RECI community.

23 (6) The WAGES Program State Board of Directors shall  
24 establish such policies and procedures as may be necessary to  
25 ensure that funds held in an individual development account  
26 are not withdrawn except for one or more of the qualified  
27 purposes described in this section.

28 (7) Fiduciary organizations shall be the local WAGES  
29 coalition or other organizations designated by the local WAGES  
30 coalition to serve as an intermediary between individual  
31 account holders and financial institutions holding accounts.

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1 Responsibilities of such fiduciary organizations may include  
2 marketing participation, soliciting matching contributions,  
3 counseling program participants, and conducting verification  
4 and compliance activities.

5 (8) The WAGES Program State Board of Directors shall  
6 establish penalties and procedures for enforcing compliance  
7 with such penalties for the withdrawal of moneys from  
8 individual development accounts under false pretenses or for  
9 the use of such moneys for other than approved purposes. The  
10 fiduciary organization shall make arrangements with the  
11 financial institution to impose any penalties or loss of  
12 matching funds as specified by the WAGES Program State Board  
13 of Directors on moneys withdrawn. The WAGES Program State  
14 Board of Directors may, at its discretion, specify conditions  
15 under which an account shall be closed.

16 (9) The fiduciary organization shall establish a  
17 grievance committee and a procedure to hear, review, and  
18 decide in writing any grievance made by a holder of an  
19 individual development account who disputes a decision of the  
20 operating organization that a withdrawal is subject to  
21 penalty.

22 (10) In the event of an account holder's death, the  
23 account may be transferred to the ownership of a contingent  
24 beneficiary. An account holder shall name contingent  
25 beneficiaries at the time the account is established and may  
26 change such beneficiaries at any time.

27 (11) Financial institutions approved by the WAGES  
28 Program State Board of Directors shall be permitted to  
29 establish individual development accounts pursuant to this  
30 section. The financial institution shall certify to the local  
31 WAGES coalition on forms prescribed by the WAGES Program State

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1 Board of Directors and accompanied by any documentation  
2 required by the WAGES Program State Board of Directors that  
3 such accounts have been established pursuant to all provisions  
4 of this act and that deposits have been made on behalf of the  
5 account holder. A financial institution establishing an  
6 individual development account shall:

7 (a) Keep the account in the name of the account  
8 holder.

9 (b) Subject to the indicated conditions, permit  
10 deposits to be made into the account:

11 1. By the account holder; or

12 2. By means of contributions made on behalf of the  
13 account holder. Such deposits may include moneys to match the  
14 account holder's deposits.

15 (c) Require the account to earn the market rate of  
16 interest.

17 (d) Permit the account holder to withdraw moneys from  
18 the account for any of the permissible uses pursuant to  
19 procedures adopted by the WAGES Program State Board of  
20 Directors.

21 (12) In accordance with s. 404(h)(4) of the Social  
22 Security Act, as amended, 42 U.S.C. s. 604(h)(4), and  
23 notwithstanding any other provision of law, other than the  
24 Internal Revenue Code of 1986, as amended, funds in an  
25 individual development account, including interest accruing in  
26 such account, shall be disregarded in determining eligibility  
27 for any federal or state program. Matching contributions paid  
28 directly into such account and contributions by an individual  
29 from earnings shall similarly be disregarded in determining  
30 eligibility for any state or federal program.

31 Section 9. Subsection (5) is added to section 218.503,

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1 Florida Statutes, to read:

2 218.503 Determination of financial emergency.--

3 (5)(a) The governing authority of any municipality  
4 with a resident population of 300,000 or more on April 1,  
5 1999, and which has been declared in a state of financial  
6 emergency pursuant to this section within the previous 2  
7 fiscal years may impose a discretionary per-vehicle surcharge  
8 of up to 20 percent on the gross revenues of the sale, lease,  
9 or rental of space at parking facilities within the  
10 municipality that are open for use to the general public.

11 (b) A municipal governing authority that imposes the  
12 surcharge authorized by this subsection may use the proceeds  
13 of such surcharge for the following purposes only:

14 1. No more than 80 percent of the surcharge proceeds  
15 shall be used by the governing authority to reduce its ad  
16 valorem tax millage rate or to reduce or eliminate non-ad  
17 valorem assessments.

18 2. A portion of the balance of the surcharge proceeds  
19 shall be used by the governing authority to increase its  
20 budget reserves; however, the governing authority shall not  
21 reduce the amount it allocates for budget reserves from other  
22 sources below the amount allocated for reserves in the fiscal  
23 year prior to the year in which the surcharge is initially  
24 imposed. When a 15 percent budget reserve is achieved, based  
25 on the average gross revenue for the most recent 3 prior  
26 fiscal years, the remaining proceeds from this subparagraph  
27 shall be used for the payment of annual debt service related  
28 to outstanding obligations backed or secured by a covenant to  
29 budget and appropriate from non-ad valorem revenues.

30 (c) This subsection is repealed on June 30, 2006.

31 Section 10. Except as otherwise provided in this act,

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1 this act shall take effect July 1, 1999.

2  
3

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

5 And the title is amended as follows:

6 Delete everything before the enacting clause

7

8 and insert:

9

A bill to be entitled

10 An act relating to economic development;  
11 creating s. 163.055, F.S.; creating the Local  
12 Government Financial Technical Assistance  
13 Program; providing legislative findings and  
14 declaration; requiring the Comptroller to enter  
15 into certain contracts; providing for review of  
16 contract proposals; providing for fiscal  
17 oversight by the Comptroller; providing for an  
18 annual performance review; providing for a  
19 report; amending s. 163.01, F.S.; allowing  
20 local government self-insurance reserves to be  
21 used to guarantee local government obligations  
22 under certain circumstances; creating s.  
23 414.224, F.S.; creating the Retention Enhancing  
24 Communities Initiative; providing for the  
25 identification of communities; requiring  
26 solicitation of proposals; providing for the  
27 selection of RECI participants by the WAGES  
28 Program State Board of Directors; providing for  
29 the appointment of liaisons; authorizing the  
30 Governor to address barriers to implementation  
31 of RECI proposals; providing for the

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1           redirection of certain funds; providing for  
2           RECI elements; requiring the Governor to  
3           designate a coordinator; establishing a center  
4           for community excellence; providing  
5           appropriations for RECI elements; providing  
6           restrictions of funds; providing for monitoring  
7           and reporting; amending s. 250.10, F.S.;  
8           requiring the Adjutant General to administer a  
9           life-preparation program and job-readiness  
10          services; providing an extended period for  
11          certain businesses to claim enterprise-zone tax  
12          incentives; authorizing amendments to the  
13          boundaries of an enterprise zone in a community  
14          with a brownfield pilot project; providing for  
15          individual development accounts in RECI  
16          communities; providing purposes; providing  
17          definitions; requiring the Department of  
18          Revenue to amend the Temporary Assistance for  
19          Needy Families State Plan to provide for use of  
20          funds for individual development accounts;  
21          specifying criteria and requirements for  
22          contributions to such accounts; specifying  
23          purposes for use of such accounts; providing  
24          for procedures for withdrawals from such  
25          accounts; specifying certain organizations to  
26          act as fiduciary organizations for certain  
27          purposes; providing for penalties for  
28          withdrawal of moneys for certain purposes;  
29          providing for resolution of certain disputes;  
30          providing for transfer of ownership of such  
31          accounts under certain circumstances; providing

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1           for establishment of such accounts by certain  
2           financial institutions under certain  
3           circumstances; providing requirements;  
4           providing that account funds and matching funds  
5           do not affect certain program eligibility;  
6           authorizing municipalities to designate  
7           satellite enterprise zones; amending s.  
8           218.503, F.S.; authorizing certain  
9           municipalities to impose a discretionary  
10          per-vehicle surcharge on the gross revenues of  
11          the sale, lease, or rental of space at parking  
12          facilities within the municipality that are  
13          open for use to the public; providing for use  
14          of surcharge proceeds; providing an effective  
15          date.

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