

583-167AXC-08 Bill No. CS for CS for SB 256, 1st Eng.
Amendment No. ____ (for drafter's use only)

Senate CHAMBER ACTION House

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ORIGINAL STAMP BELOW

Representative(s) Murman offered the following:

Amendment (with title amendment)

Remove from the bill: Everything after the enacting clause
and insert in lieu thereof:

Section 1. Paragraph (b) of subsection (4) of section
402.305, Florida Statutes, 1998 Supplement, is amended to
read:

402.305 Licensing standards; child care facilities.--
(4) STAFF-TO-CHILDREN RATIO.--

(a) Minimum standards for the care of children in a
licensed child care facility as established by rule of the
department must include:

- 1. For children from birth through 1 year of age,
there must be one child care personnel for every four
children.
- 2. For children 1 year of age or older, but under 2
years of age, there must be one child care personnel for every
six children.
- 3. For children 2 years of age or older, but under 3

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1 years of age, there must be one child care personnel for every
2 11 children.

3 4. For children 3 years of age or older, but under 4
4 years of age, there must be one child care personnel for every
5 15 children.

6 5. For children 4 years of age or older, but under 5
7 years of age, there must be one child care personnel for every
8 20 children.

9 6. For children 5 years of age or older, there must be
10 one child care personnel for every 25 children.

11 7. When children 2 years of age and older are in care,
12 the staff-to-children ratio shall be based on the age group
13 with the largest number of children within the group.

14 (b) This subsection does not apply to nonpublic
15 schools and their integral programs as defined in s.
16 402.3025(2)(d)1. In addition, an individual participating in a
17 community service work experience activity under s.
18 414.065(1)(d), or a work experience activity under s.
19 414.065(1)(e), at a child care facility ~~employee of a child~~
20 ~~care facility who receives subsidized wages under the WAGES~~
21 ~~Program~~ may not be considered in calculating the
22 staff-to-children ratio.

23 Section 2. Subsection (12) of section 414.0252,
24 Florida Statutes, 1998 Supplement, is renumbered as subsection
25 (13), and a new subsection (12) is added to said section to
26 read:

27 414.0252 Definitions.--As used in ss. 414.015-414.45,
28 the term:

29 (12) "Services and one-time payments" or "services,"
30 when used in reference to individuals who are not receiving
31 temporary cash assistance, means nonrecurrent, short-term

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1 benefits designed to deal with a specific crisis situation or
2 episode of need and other services; work subsidies; supportive
3 services such as child care and transportation; services such
4 as counseling, case management, peer support, and child care
5 information and referral; transitional services, job
6 retention, job advancement, and other employment-related
7 services; nonmedical treatment for substance abuse or mental
8 health problems; and any other services that are reasonably
9 calculated to further the purposes of the WAGES Program and
10 the federal Temporary Assistance for Needy Families program.
11 Such terms do not include assistance as defined in federal
12 regulations at 45 C.F.R. s. 260.31(a).

13 Section 3. Section 414.0267, Florida Statutes, is
14 created to read:

15 414.0267 Matching grants for economic independence.--

16 (1) There is established a program of matching grants
17 for economic independence. The program shall provide an
18 incentive in the form of matching grants for donations and
19 expenditures by donors and charitable organizations for
20 transitional, diversion, and support programs that complement,
21 supplement, and further the goals of the WAGES Program.

22 (2) The WAGES Program State Board of Directors shall,
23 by rule, specify the funds allocated for matching, the process
24 for submission, documentation, and approval of requests for
25 program funds and matching funds, accountability for funds and
26 proceeds of investments, allocations to programs and
27 coalitions, restrictions on the use of the funds, and criteria
28 used in determining the value of donations.

29 Section 4. Subsection (1) of section 414.027, Florida
30 Statutes, is amended to read:

31 414.027 WAGES Program annual statewide program

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1 ~~implementation~~ plan.--

2 (1) The WAGES Program State Board of Directors shall
3 submit to the Governor, the President of the Senate, and the
4 Speaker of the House of Representatives an annual a statewide
5 plan for ~~implementing~~ the WAGES Program established under this
6 chapter. At a minimum, the annual statewide program
7 ~~implementation~~ plan must include:

8 (a) Performance standards, measurement criteria, and
9 contract guidelines for all services provided under the WAGES
10 Program whether by state employees or contract providers. The
11 plan must include performance standards and objectives,
12 measurement criteria, measures of performance, and contract
13 guidelines for all local WAGES coalitions related to the
14 following issues:

- 15 1. Work participation rates by type of activity;
16 2. Caseload trends;
17 3. Recidivism;
18 4. Participation in diversion and relocation programs;
19 5. Employment retention; and
20 6. Other issues identified by the WAGES Program State
21 Board of Directors.

22 (b) A description of:

- 23 1. Cooperative agreements and partnerships between
24 local WAGES coalitions and local community agencies and
25 not-for-profit organizations described in section 501(c)(3) of
26 the Internal Revenue Code;
27 2. Efforts by local WAGES coalitions to provide WAGES
28 applicants, recipients, and former recipients with information
29 on the services and programs available to them, including
30 diversion programs, relocation assistance, and other services
31 that may be obtained without receiving monthly cash

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1 assistance;

2 3. Efforts by local WAGES coalitions to overcome
3 transportation barriers to employment; and

4 4. Other issues determined by the WAGES Program State
5 Board of Directors.

6 (c) An evaluation of the performance of each local
7 WAGES coalition based on the performance measures and
8 guidelines.

9 (d)(b) Directives for creating and chartering local
10 WAGES coalitions to plan and coordinate the delivery of
11 services under the WAGES Program at the local level.

12 (e)(c) The approval of the implementation plans
13 submitted by local WAGES coalitions.

14 (f)(d) Recommendations for clarifying, or if
15 necessary, modifying the roles of the state agencies charged
16 with implementing the WAGES Program so that all unnecessary
17 duplication is eliminated.

18 (g)(e) Recommendations for modifying compensation and
19 incentive programs for state employees in order to achieve the
20 performance outcomes necessary for successful implementation
21 of the WAGES Program.

22 (h)(f) Criteria for allocating WAGES Program resources
23 to local WAGES coalitions. Such criteria must include
24 weighting factors that reflect the relative degree of
25 difficulty associated with securing employment placements for
26 specific subsets of the welfare transition caseload.

27 (i)(g) The development of a performance-based payment
28 structure to be used for all WAGES Program services, which
29 takes into account the following:

30 1. The degree of difficulty associated with placing a
31 WAGES Program participant in a job;

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1 2. The quality of the placement with regard to salary,
2 benefits, and opportunities for advancement; and

3 3. The employee's retention of the placement.
4

5 The payment structure shall provide not more than 50 ~~40~~
6 percent of the cost of services provided to a WAGES
7 participant prior to placement, 25 ~~50~~ percent upon employment
8 placement, and 25 ~~10~~ percent if employment is retained for at
9 least 6 months. The payment structure should provide bonus
10 payments to providers that experience notable success in
11 achieving long-term job retention with WAGES Program
12 participants. The board shall consult with the Workforce
13 Development Board ~~Enterprise Florida workforce development~~
14 ~~board~~ in developing the WAGES Program annual statewide program
15 implementation plan.

16 (j) Specifications for WAGES Program services that are
17 to be delivered through local WAGES coalitions, including the
18 following:

19 1. Referral of participants to diversion and
20 relocation programs;

21 2. Pre-placement services, including assessment,
22 staffing, career plan development, work orientation, and
23 employability skills enhancement;

24 3. Services necessary to secure employment for a WAGES
25 participant;

26 4. Services necessary to assist participants in
27 retaining employment, including, but not limited to, remedial
28 education, language skills, and personal and family
29 counseling;

30 5. Desired quality of job placements with regard to
31 salary, benefits, and opportunities for advancement;

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- 1 6. Expectations regarding job retention;
- 2 7. Strategies to ensure that transition services are
- 3 provided to participants for the mandated period of
- 4 eligibility;
- 5 8. Services that must be provided to the participant
- 6 throughout an education or training program, such as
- 7 monitoring attendance and progress in the program;
- 8 9. Services that must be delivered to WAGES
- 9 participants who have a deferral from work requirements but
- 10 wish to participate in activities that meet federal
- 11 participation requirements; and
- 12 10. Expectations regarding continued participant
- 13 awareness of available services and benefits.

14 Section 5. Subsections (2), (4), (5), and (7) of

15 section 414.028, Florida Statutes, 1998 Supplement, are

16 amended, and subsections (9) and (10) are added to said

17 section, to read:

18 414.028 Local WAGES coalitions.--The WAGES Program

19 State Board of Directors shall create and charter local WAGES

20 coalitions to plan and coordinate the delivery of services

21 under the WAGES Program at the local level. The boundaries of

22 the service area for a local WAGES coalition shall conform to

23 the boundaries of the service area for the regional workforce

24 development board established under the Enterprise Florida

25 workforce development board. The local delivery of services

26 under the WAGES Program shall be coordinated, to the maximum

27 extent possible, with the local services and activities of the

28 local service providers designated by the regional workforce

29 development boards.

30 (2) A local WAGES coalition and a regional workforce

31 development board may be combined into one board if the

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1 membership complies with subsection (1), and if the membership
2 of the combined board meets the requirements of Pub. L. No.
3 105-220, s. 117(b)(2)97-300, the federal Job Training
4 Partnership Act, as amended, and with any law delineating the
5 membership requirements for the regional workforce development
6 boards.

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

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

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

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

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

28 (e) Advising the Department of Children and Family
29 Services ~~and the Department of Labor and Employment Security~~
30 with respect to the competitive procurement of services under
31 the WAGES Program.

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

6 (g) Developing a plan for services for victims of
7 domestic violence.

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

10 a. Criteria for determining eligibility for exceptions
11 to state work requirements;

12 b. The programs and services to be offered to victims
13 of domestic violence;

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

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

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

29 a. Provisions for the local coalition to coordinate
30 with law enforcement agencies and social service agencies and
31 organizations that provide services and protection to victims

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1 of domestic violence;

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

6 c. Designation of the agency that is responsible for
7 determining eligibility for exceptions from program
8 requirements due to domestic violence;

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

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

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

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

15 (7) At the option of the local WAGES coalition, local
16 employees of the department ~~and the Department of Labor and~~
17 ~~Employment Security~~ shall provide staff support for the local
18 WAGES coalitions. Staff support may be provided by another
19 agency, entity, or by contract.

20 (9)(a) Effective October 1, 1999, funds for the
21 administrative and service delivery operations of the local
22 WAGES coalitions shall be provided to the coalitions by
23 contract with the Department of Management Services. The local
24 WAGES coalitions are subject to the provisions of the
25 implementation plan approved for the coalition by the WAGES
26 Program State Board of Directors. Each coalition's
27 implementation plan shall be incorporated into the coalition's
28 contract with the Department of Management Services so that
29 the coalition is contractually committed to achieve the
30 performance requirements contained in the approved plan. The
31 Department of Management Services shall advise the state board

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1 of directors of applicable federal and state law related to
2 the contract and of issues raised as a result of oversight of
3 the contracts.

4 (b) A local WAGES coalition that does not meet the
5 performance requirements set by the WAGES Program State Board
6 of Directors and contained in the contract executed pursuant
7 to this subsection must develop for approval by the state
8 board of directors an analysis of the problems preventing the
9 region from meeting the performance standards and a plan of
10 corrective action for meeting state performance requirements.
11 The analysis and plan of corrective action shall be included
12 as appendices to the annual plan submitted to the Governor,
13 the President of the Senate, and the Speaker of the House of
14 Representatives by the WAGES Program State Board of Directors.

15 (c) The WAGES Program State Board of Directors may
16 direct the Department of Management Services to procure a
17 portion of the duties of a local WAGES coalition from another
18 agency, coalition, or provider for good cause. Good cause may
19 include failure to meet performance requirements.

20 (d) The WAGES Program State Board of Directors may
21 revoke the charter of a local WAGES coalition for good cause,
22 which may include repeated failure to meet performance
23 requirements. If the charter of a local WAGES coalition is
24 revoked, the state board of directors may direct the
25 Department of Management Services to procure a service
26 provider or providers for any or all of the duties of a local
27 WAGES coalition until a new coalition is established by the
28 WAGES Program State Board of Directors and a contract is
29 executed with the new coalition. The service provider may be a
30 public or private agency or another local WAGES coalition.

31 (10) No less than 25 percent of funds provided to

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1 local WAGES coalitions must be used to contract with local
2 public or private agencies that have elected or appointed
3 boards of directors on which a majority of the members are
4 residents of that local WAGES coalition's service area.
5 Subcontracts with local public or private agencies shall be
6 counted towards compliance with this requirement.

7 Section 6. Section 414.030, Florida Statutes, 1998
8 Supplement, is amended to read:

9 414.030 WAGES Program Employment Projects.--

10 (1) The Legislature finds that the success of the
11 WAGES Program depends upon the existence of sufficient
12 employment opportunities compatible with the education and
13 skill levels of participants in the WAGES Program. The
14 Legislature further finds that extraordinary assistance may
15 need to be granted for certain economic development projects
16 that can have a great impact on the employment of WAGES
17 participants. It is the intent of the Legislature to
18 authorize the Governor and local governments to marshal state
19 and local resources in a coordinated and timely manner to
20 foster the development and completion of economic development
21 projects that have been identified as having a great impact on
22 the employment of WAGES participants.

23 (2) By August 1 of each year, each local city and
24 county economic development organization, in consultation with
25 local WAGES coalitions, shall identify economic development
26 projects that can have the greatest impact on employing WAGES
27 participants in their areas. Each local economic development
28 organization shall provide a prioritized list of no more than
29 five such projects to Enterprise Florida, Inc., by August 1 of
30 each year. The organizations shall identify local resources
31 that are available to foster the development and completion of

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1 each project.

2 (3)(a) By September 1 of each year, Enterprise
3 Florida, Inc., in consultation with the ~~state~~ WAGES Program
4 State Board of Directors, shall review and prioritize the list
5 of projects identified pursuant to subsection (2) using the
6 following criteria:

7 1. Areas with a high proportion of families who had
8 already received cash assistance in 3 out of the previous 5
9 years at the time their time limit was established;

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

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

17 4. Areas with a low ratio of new jobs per WAGES
18 participant;

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

21 6. Areas with a high proportion of families subject to
22 the time limit who are either within 6 months of the time
23 limit or are receiving cash assistance under a period of
24 hardship extension to the time limit;

25 7. Areas with unusually high unemployment; and

26 8. Areas identified as labor surplus areas using the
27 criteria established by the United States Department of Labor
28 Employment and Training Administration.

29 (b) To the greatest extent possible, Enterprise
30 Florida, Inc., shall foster the development or completion of
31 the projects identified pursuant to paragraph (a) using

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1 existing state and local resources under the control of
2 Enterprise Florida, Inc. To the extent that such projects
3 cannot be developed or completed from resources available, ~~to~~
4 Enterprise Florida, Inc., shall ~~may~~ identify and prioritize ~~no~~
5 ~~more than 10~~ projects, ~~of which no more than 3 may be located~~
6 ~~in Dade County,~~ that need extraordinary state and local
7 assistance. Enterprise Florida, Inc., shall provide the list
8 of projects needing extraordinary assistance to the Governor
9 and each WAGES Program Employment Project Coordinator
10 designated pursuant to subsection (4) by September 1 of each
11 year.

12 (4)(a) By July 1, 1998, the heads of the Departments
13 of Agriculture and Consumer Services, Labor and Employment
14 Security, Community Affairs, Children and Family Services,
15 Revenue, Business and Professional Regulation, Management
16 Services, Military Affairs, Transportation, and Environmental
17 Protection, and the Comptroller; the Auditor General; the
18 executive director of each water management district; and the
19 heads of the Office of Tourism, Trade, and Economic
20 Development, Enterprise Florida, Inc., Institute of Food and
21 Agricultural Sciences, the State Board of Community Colleges,
22 the Division of Workforce Development of the Department of
23 Education, State University System, and the Office of Planning
24 and Budgeting shall select from within such organizations a
25 person to be designated as the WAGES Program Employment
26 Project Coordinator.

27 (b) By October 1 of each year, each WAGES Program
28 Employment Project Coordinator shall determine what resources
29 are available at the organization to foster the development
30 and completion of the economic development projects received
31 pursuant to subsection (3). Each coordinator shall provide

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1 this determination to the Governor by October 1 of each year.

2 (5)(a) By October 15 of each year, the Governor may,
3 by executive order, designate these projects as WAGES Program
4 Employment Projects, and direct the agencies to use the
5 resources identified pursuant to subsection (4) to develop or
6 complete such projects. The order shall direct such agencies
7 to contract with the appropriate local WAGES coalition to
8 develop or complete such projects. Funds allocated to these
9 projects must not exceed \$5,000 per new job created.

10 (b) Notwithstanding the eligibility provisions of s.
11 403.973, the Governor may waive such eligibility requirements
12 by executive order for projects that have been identified as
13 needing expedited permitting.

14 (c) To the extent that resources identified pursuant
15 to subsection (4) have been appropriated by the Legislature
16 for a specific purpose that does not allow for the expenditure
17 of such resources on the projects, the Governor may use the
18 budget amendment process in chapter 216 to request that these
19 resources be released to the Governor's Office to accomplish
20 the development or completion of the project.

21 (d) Any executive order issued by the Governor
22 pursuant to this section shall expire within 90 days, unless
23 renewed for an additional 60 days by the Governor. However,
24 no executive order may be issued by the Governor pursuant to
25 this section for a period in excess of 150 days.

26 (6) Each local WAGES coalition with jurisdiction over
27 an area where a WAGES Program Employment Project has been
28 designated by the Governor pursuant to subsection (5) shall
29 enter into a contract with the appropriate local, state, or
30 private entities to ensure that the project is developed and
31 completed. Such contracts may include, but are not limited

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1 to, contracts with applicable state agencies and businesses to
2 provide training, education, and employment opportunities for
3 WAGES participants. Each local WAGES coalition may be awarded
4 reasonable administration costs from funds appropriated for
5 these projects.

6 (7) All contracts shall be performance-based and
7 fixed-unit price. Contracts must include provisions for
8 reporting employment performance outcomes, identified by the
9 participant's social security number, utilizing the Florida
10 Department of Labor and Employment Security's financial
11 reporting management information system. Contracts may provide
12 for expenditures that need to be made in advance of the hiring
13 of WAGES participants as provided by applicable federal and
14 state laws. Employment shall be committed to WAGES
15 participants for a period of at least 3 years and shall
16 provide health care benefits.

17 (8)(7) The Office of Tourism, Trade, and Economic
18 Development shall convene a WAGES Program Employment
19 Implementation Team to ensure the timely and effective
20 implementation of these projects. By March 15 of each year,
21 this team Enterprise Florida, Inc., shall submit to the state
22 WAGES Program State Board of Directors, the Governor, the
23 President of the Senate, the Speaker of the House of
24 Representatives, the Senate Minority Leader, and the House
25 Minority Leader a complete and detailed report that includes,
26 but is not limited to, a description of the activities,
27 expenditures, and projects undertaken pursuant to this section
28 and a description of what, if any, legislative action that may
29 be necessary.

30 (9)(8)(a) The Auditor General may, pursuant to his or
31 her own authority or at the direction of the Legislature,

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1 conduct a financial audit of the expenditure of resources
2 pursuant to this section.

3 (b) Prior to the 2000 Regular Session of the
4 Legislature, the Office of Program Policy Analysis and
5 Government Accountability shall conduct a review of the
6 projects developed or completed pursuant to this section. The
7 review shall be comprehensive in its scope, but, at a minimum,
8 must be conducted in a manner as to specifically determine:

9 1. The impact the provisions contained in this section
10 had on the development and completion of the projects
11 identified pursuant to this section.

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

18 Section 7. Section 414.035, Florida Statutes, is
19 created to read:

20 414.035 Authorized expenditures.--Any expenditures
21 from the Temporary Assistance for Needy Families block grant
22 shall be expended in accordance with the requirements and
23 limitations of part A of Title IV of the Social Security Act,
24 as amended, or any other applicable federal requirement or
25 limitation. Prior to any expenditure of such funds, the
26 Secretary of Children and Family Services, or his or her
27 designee, shall certify that controls are in place to ensure
28 such funds are expended in accordance with the requirements
29 and limitations of federal law and that any reporting
30 requirements of federal law are met. It shall be the
31 responsibility of any entity to which such funds are

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1 appropriated to obtain the required certification prior to any
2 expenditure of funds.

3 Section 8. Section 414.045, Florida Statutes, is
4 created to read:

5 414.045 Cash assistance program.--Cash assistance
6 families include any families receiving cash assistance
7 payments from the state program for temporary assistance for
8 needy families as defined in federal law, whether such funds
9 are from federal funds, state funds, or commingled federal and
10 state funds. Cash assistance families may also include
11 families receiving cash assistance through a program defined
12 as a separate state program.

13 (1) For reporting purposes, families receiving cash
14 assistance shall be grouped in the following categories. The
15 department may develop additional groupings in order to comply
16 with federal reporting requirements, to comply with the
17 data-reporting needs of the WAGES Program State Board of
18 Directors, or to better inform the public of program progress.
19 Program reporting data shall include, but not necessarily be
20 limited to, the following groupings:

21 (a) WAGES Cases.--WAGES cases shall include:

22 1. Families containing an adult or a teen head of
23 household, as defined by federal law. These cases are
24 generally subject to the work activity requirements provided
25 in s. 414.065 and the time limitations on benefits provided in
26 s. 414.105.

27 2. Families with a parent where the parent's needs
28 have been removed from the case due to sanction or
29 disqualification shall be considered WAGES cases to the extent
30 that such cases are considered in the calculation of federal
31 participation rates or would be counted in such calculation in

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1 future months.
2 3. Families participating in transition assistance
3 programs.
4 4. Families otherwise eligible for the WAGES Program
5 that receive a diversion or early exit payment or participate
6 in the relocation program.
7 (b) Child-only cases.--Child-only cases include cases
8 that do not have an adult or teen head of household as defined
9 in federal law. Such cases include:
10 1. Child-only families with children in the care of
11 caretaker relatives where the caretaker relatives choose to
12 have their needs excluded in the calculation of the amount of
13 cash assistance.
14 2. Families in the Relative Caregiver Program as
15 provided in s. 39.5085.
16 3. Families in which the only parent in a
17 single-parent family or both parents in a two-parent family
18 receive supplemental security income (SSI) benefits under
19 Title XVI of the Social Security Act, as amended. To the
20 extent permitted by federal law, individuals receiving SSI
21 shall be excluded as household members in determining the
22 amount of cash assistance, and such cases shall not be
23 considered families containing an adult. Parents or caretaker
24 relatives who are excluded from the cash assistance group due
25 to receipt of SSI may choose to participate in WAGES work
26 activities. An individual who volunteers to participate in
27 WAGES work activity but whose ability to participate in work
28 activities is limited shall be assigned to work activities
29 consistent with such limitations. An individual who volunteers
30 to participate in a WAGES work activity may receive
31 WAGES-related child care or support services consistent with

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1 such participation.

2 4. Families where the only parent in a single-parent
3 family or both parents in a two-parent family are not eligible
4 for cash assistance due to immigration status or other
5 requirements of federal law. To the extent required by federal
6 law, such cases shall not be considered families containing an
7 adult.

8
9 Families described in subparagraph 1., subparagraph 2., or
10 subparagraph 3. may receive child care assistance or other
11 supports or services so that the children may continue to be
12 cared for in their own homes or the homes of relatives. Such
13 assistance or services may be funded from the temporary
14 assistance for needy families block grant to the extent
15 permitted under federal law and to the extent permitted by
16 appropriation of funds.

17 (2) The oversight of the WAGES Program State Board of
18 Directors and the service delivery and financial planning
19 responsibilities of the local WAGES coalitions shall apply to
20 the families defined as WAGES cases in paragraph (1)(a). The
21 department shall be responsible for program administration
22 related to families in groups defined in paragraph (1)(b) and
23 the department shall coordinate such administration with the
24 WAGES Program State Board of Directors to the extent needed
25 for operation of the program.

26 Section 9. Subsection (6) of section 414.055, Florida
27 Statutes, is amended to read:

28 414.055 One-stop career centers.--

29 (6) At the one-stop career centers, local WAGES
30 coalitions ~~staff of the Department of Labor and Employment~~
31 ~~Security~~ shall assign a participant in the WAGES Program to an

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1 approved work activities ~~activity~~.

2 Section 10. Paragraphs (b), (g), (h), and (i) of
3 subsection (1) and subsections (2), (4), (7), (9), (10), and
4 (11) of section 414.065, Florida Statutes, 1998 Supplement,
5 are amended, paragraph (1) is added to subsection (1), and
6 subsection (13) is added to said section, to read:

7 414.065 Work requirements.--

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

11 (b) Subsidized private sector employment.--Subsidized
12 private sector employment is employment in a private
13 for-profit enterprise or a private not-for-profit enterprise
14 which is directly supplemented by federal or state funds. A
15 subsidy may be provided in one or more of the forms listed in
16 this paragraph.

17 1. Work supplementation.--A work supplementation
18 subsidy diverts a participant's temporary cash assistance
19 under the program to the employer. The employer must pay the
20 participant wages that equal or exceed the applicable federal
21 minimum wage. Work supplementation may not exceed 6 months. At
22 the end of the supplementation period, the employer is
23 expected to retain the participant as a regular employee
24 without receiving a subsidy. A work supplementation agreement
25 may not be continued with any employer who exhibits a pattern
26 of failing to provide participants with continued employment
27 after the period of work supplementation ends.

28 2. On-the-job training.--On-the-job training is
29 full-time, paid employment in which the employer or an
30 educational institution in cooperation with the employer
31 provides training needed for the participant to perform the

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1 skills required for the position. The employer or the
2 educational institution on behalf of the employer receives a
3 subsidy to offset the cost of the training provided to the
4 participant. Upon satisfactory completion of the training, the
5 employer is expected to retain the participant as a regular
6 employee without receiving a subsidy. An on-the-job training
7 agreement may not be continued with any employer who exhibits
8 a pattern of failing to provide participants with continued
9 employment after the on-the-job training subsidy ends.

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

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1 continued with any employer who exhibits a pattern of failing
2 to provide participants with continued employment after the
3 incentive payments cease.

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

22 (g) Vocational education or training.--Vocational
23 education or training is education or training designed to
24 provide participants with the skills and certification
25 necessary for employment in an occupational area. Vocational
26 education or training may be used as a primary program
27 activity for participants when it has been determined that the
28 individual has demonstrated compliance with other phases of
29 program participation and successful completion of the
30 vocational education or training is likely to result in
31 employment entry at a higher wage than the participant would

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1 have been likely to attain without completion of the
2 vocational education or training. Vocational education or
3 training may be combined with other program activities and
4 also may be used to upgrade skills or prepare for a higher
5 paying occupational area for a participant who is employed.
6 1. Unless otherwise provided in this section,
7 vocational education shall not be used as the primary program
8 activity for a period which exceeds 12 months. The 12-month
9 restriction applies to instruction in a career education
10 program and does not include remediation of basic skills,
11 including English language proficiency, through adult general
12 education if remediation is necessary to enable a WAGES
13 participant to benefit from a career education program. Any
14 necessary remediation must be completed before a participant
15 is referred to vocational education as the primary work
16 activity. In addition, use of vocational education or training
17 shall be restricted to the not more than 20 percent of adult
18 participants in the WAGES region, or subject to other
19 limitation as established in federal law. Vocational education
20 included in a program leading to a high school diploma shall
21 not be considered vocational education for purposes of this
22 section.
23 2. When possible, a provider of vocational education
24 or training shall use funds provided by funding sources other
25 than the department or the local WAGES coalition ~~Department of~~
26 ~~Labor and Employment Security.~~ Either department may provide
27 additional funds to a vocational education or training
28 provider only if payment is made pursuant to a
29 performance-based contract. Under a performance-based
30 contract, the provider may be partially paid when a
31 participant completes education or training, but the majority

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1 of payment shall be made following the participant's
2 employment at a specific wage or job retention for a specific
3 duration. Performance-based payments made under this
4 subparagraph are limited to education or training for targeted
5 occupations identified by the Occupational Forecasting
6 Conference under s. 216.136, or other programs identified by
7 the ~~Enterprise Florida~~ Workforce Development Board as
8 beneficial to meet the needs of designated groups, such as
9 WAGES participants, who are hard to place. If the contract
10 pays the full cost of training, the community college or
11 school district may not report the participants for other
12 state funding, except that the college or school district may
13 report WAGES clients for performance incentives or bonuses
14 authorized for student enrollment, completion, and placement.

15 (h) Job skills training ~~directly related to~~
16 ~~employment.--Job skills training directly related to~~
17 ~~employment provides job skills training in a specific~~
18 ~~occupation for which there is a written commitment by the~~
19 ~~employer to offer employment to a participant who successfully~~
20 ~~completes the training.~~ Job skills training includes
21 customized training designed to meet the needs of a specific
22 employer or a specific industry. Job skills training shall
23 include literacy instruction, and may include English
24 proficiency instruction or Spanish language or other language
25 instruction if necessary to enable a participant to perform in
26 a specific job or job training program or if the training
27 enhances employment opportunities in the local community.A
28 participant may be required to complete an entrance assessment
29 or test before entering into job skills training ~~if~~
30 ~~assessments or tests are required for employment upon~~
31 ~~completion of the training.~~ Job skills training includes

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1 ~~literacy instruction in the workplace if necessary to enable a~~
2 ~~participant to perform in a specific job or job training~~
3 ~~program.~~

4 (i) Education services related to employment for
5 participants 19 years of age or younger.--Education services
6 provided under this paragraph are designed to prepare a
7 participant for employment in an occupation. The department
8 ~~and the Department of Labor and Employment Security~~ shall
9 coordinate education services with the school-to-work
10 activities provided under s. 229.595. Activities provided
11 under this paragraph are restricted to participants 19 years
12 of age or younger who have not completed high school or
13 obtained a high school equivalency diploma.

14 (1) Extended education and training.--Notwithstanding
15 any other provisions of this section to the contrary, the
16 WAGES Program State Board of Directors may approve a plan by a
17 local WAGES coalition for assigning, as work requirements,
18 educational activities that exceed or are not included in
19 those provided elsewhere in this section and that do not
20 comply with federal work participation requirement
21 limitations. In order to be eligible to implement this
22 provision, a coalition must continue to exceed the overall
23 federal work participation rate requirements. For purposes of
24 this paragraph, the WAGES Program State Board of Directors may
25 adjust the regional participation requirement based on
26 regional caseload decline. However, this adjustment is
27 limited to no more than the adjustment produced by the
28 calculation used to generate federal adjustments to the
29 participation requirement due to caseload decline.

30 (2) WORK ACTIVITY REQUIREMENTS.--Each individual ~~adult~~
31 ~~participant~~ who is not otherwise exempt must participate in a

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1 work activity, except for community service work experience,
2 for the maximum number of hours allowable under federal law,
3 provided that no participant be required to work more than 40
4 hours per week or less than the minimum number of hours
5 required by federal law. The maximum number of hours each
6 month that a participant may be required to participate in
7 community service activities is the greater of: the number of
8 hours that would result from dividing the family's monthly
9 amount for temporary cash assistance and food stamps by the
10 federal minimum wage and then dividing that result by the
11 number of participants in the family who participate in
12 community service activities; or the minimum required to meet
13 federal participation requirements. However, in no case shall
14 the maximum hours required per week for community work
15 experience exceed 40 hours. An applicant shall be referred for
16 employment at the time of application if the applicant is
17 eligible to participate in the WAGES Program.

18 (a) A participant in a work activity may also be
19 required to enroll in and attend a course of instruction
20 designed to increase literacy skills to a level necessary for
21 obtaining or retaining employment, provided that the
22 instruction plus the work activity does not require more than
23 40 hours per week.

24 (b) WAGES Program funds may be used, as available, to
25 support the efforts of a participant who meets the work
26 activity requirements and who wishes to enroll in or continue
27 enrollment in an adult general education program or a career
28 education program.

29 (4) PENALTIES FOR NONPARTICIPATION IN WORK
30 REQUIREMENTS AND FAILURE TO COMPLY WITH ALTERNATIVE
31 REQUIREMENT PLANS.--The department ~~and the Department of Labor~~

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1 ~~and Employment Security~~ shall establish procedures for
2 administering penalties for nonparticipation in work
3 requirements and failure to comply with the alternative
4 requirement plan. If an individual in a family receiving
5 temporary cash assistance fails to engage in work activities
6 required in accordance with this section, the following
7 penalties shall apply. Prior to the imposition of a sanction,
8 the participant shall be notified orally or in writing that
9 the participant is subject to sanction and that action will be
10 taken to impose the sanction unless the participant complies
11 with the work activity requirements. The participant shall be
12 counseled as to the consequences of noncompliance and, if
13 appropriate, shall be referred for services that could assist
14 the participant to fully comply with program requirements. If
15 the participant has good cause for noncompliance or
16 demonstrates satisfactory compliance, the sanction shall not
17 be imposed. If the participant has subsequently obtained
18 employment, the participant shall be counseled regarding the
19 transitional benefits that may be available and provided
20 information about how to access such benefits. Notwithstanding
21 provisions of this section to the contrary, if the Federal
22 Government does not allow food stamps to be treated under
23 sanction as provided in this section, the department shall
24 attempt to secure a waiver that provides for procedures as
25 similar as possible to those provided in this section and
26 shall administer sanctions related to food stamps consistent
27 with federal regulations.+

28 (a)1. First noncompliance: temporary cash assistance
29 shall be terminated for the family until the individual who
30 failed to comply does so, and food stamp benefits shall not be
31 increased as a result of the loss of temporary cash

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1 assistance.

2 2.(b) Second noncompliance: temporary cash assistance
3 and food stamps shall be terminated for the family until the
4 individual demonstrates compliance in the required work
5 activity for a period of 30 days. Upon compliance, temporary
6 cash assistance and food stamps shall be reinstated to the
7 date of compliance. ~~Prior to the imposition of sanctions for~~
8 ~~a second noncompliance, the participant shall be interviewed~~
9 ~~to determine why full compliance has not been achieved. The~~
10 ~~participant shall be counseled regarding compliance and, if~~
11 ~~appropriate, shall be referred for services that could assist~~
12 ~~the participant to fully comply with program requirements.~~

13 3.(c) Third noncompliance: temporary cash assistance
14 and food stamps shall be terminated for the family for 3
15 months. The individual shall be required to demonstrate
16 compliance in the work activity upon completion of the 3-month
17 penalty period, before reinstatement of temporary cash
18 assistance and food stamps.

19 (b) If a participant receiving temporary cash
20 assistance who is otherwise exempted from noncompliance
21 penalties fails to comply with the alternative requirement
22 plan required in accordance with this section, the penalties
23 provided in paragraph (a) shall apply.

24
25 If a participant fully complies with work activity
26 requirements for at least 6 months, the participant shall be
27 reinstated as being in full compliance with program
28 requirements for purpose of sanctions imposed under this
29 section.

30 (7) EXCEPTIONS TO NONCOMPLIANCE PENALTIES.--Unless
31 otherwise provided, the situations listed in this subsection

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1 shall constitute exceptions to the penalties for noncompliance
2 with participation requirements, except that these situations
3 do not constitute exceptions to the applicable time limit for
4 receipt of temporary cash assistance:

5 (a) Noncompliance related to child care.--Temporary
6 cash assistance may not be terminated for refusal to
7 participate in work activities if the individual is a single
8 custodial parent caring for a child who has not attained 6
9 years of age, and the adult proves to the department ~~or to the~~
10 ~~Department of Labor and Employment Security~~ an inability to
11 obtain needed child care for one or more of the following
12 reasons:

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

15 2. Unavailability or unsuitability of informal child
16 care by a relative or under other arrangements.

17 3. Unavailability of appropriate and affordable formal
18 child care arrangements.

19 (b) Noncompliance related to domestic violence.--An
20 individual who is determined to be unable to comply with the
21 work requirements because such compliance would make it
22 probable that the individual would be unable to escape
23 domestic violence shall be exempt from work requirements
24 pursuant to s. 414.028(4)(g). However, the individual shall
25 comply with a plan that specifies alternative requirements
26 that prepare the individual for self-sufficiency while
27 providing for the safety of the individual and the
28 individual's dependents. A participant who is determined to
29 be out of compliance with the alternative requirement plan
30 shall be subject to the penalties under subsection (4). An
31 exception granted under this paragraph does not constitute an

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1 exception to the time limitations on benefits specified under
2 s. 414.105.

3 (c) Noncompliance related to treatment or remediation
4 of past effects of domestic violence.--An individual who is
5 determined to be unable to comply with the work requirements
6 under this section due to mental or physical impairment
7 related to past incidents of domestic violence may be exempt
8 from work requirements for a specified period pursuant to s.
9 414.028(4)(g), except that such individual shall comply with a
10 plan that specifies alternative requirements that prepare the
11 individual for self-sufficiency while providing for the safety
12 of the individual and the individual's dependents. A
13 participant who is determined to be out of compliance with the
14 alternative requirement plan shall be subject to the penalties
15 under subsection (4).The plan must include counseling or a
16 course of treatment necessary for the individual to resume
17 participation. The need for treatment and the expected
18 duration of such treatment must be verified by a physician
19 licensed under chapter 458 or chapter 459; a psychologist
20 licensed under s. 490.005(1), s. 490.006, or the provision
21 identified as s. 490.013(2) in s. 1, chapter 81-235, Laws of
22 Florida; a therapist as defined in s. 491.003(2) or (6); or a
23 treatment professional who is registered under s.
24 415.605(1)(g), is authorized to maintain confidentiality under
25 s. 90.5036(1)(d), and has a minimum of 2 years experience at a
26 certified domestic violence center. An exception granted under
27 this paragraph does not constitute an exception from the time
28 limitations on benefits specified under s. 414.105.

29 (d) Noncompliance related to medical incapacity.--If
30 an individual cannot participate in assigned work activities
31 due to a medical incapacity, the individual may be excepted

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1 from the activity for a specific period, except that the
 2 individual shall be required to comply with the course of
 3 treatment necessary for the individual to resume
 4 participation. A participant may not be excused from work
 5 activity requirements unless the participant's medical
 6 incapacity is verified by a physician licensed under chapter
 7 458 or chapter 459, in accordance with procedures established
 8 by rule of the department of ~~Labor and Employment Security~~. An
 9 individual for whom there is medical verification of
 10 limitation to participate in work activities shall be assigned
 11 to work activities consistent with such limitations.

12 Evaluation of an individual's ability to participate in work
 13 activities or development of a plan for work activity
 14 assignment may include vocational assessment or work
 15 evaluation. The department or a local WAGES coalition may
 16 require an individual to cooperate in medical or vocational
 17 assessment necessary to evaluate the individual's ability to
 18 participate in a work activity.

19 (e) Noncompliance due to medical incapacity by
 20 applicants for Supplemental Security Income (SSI).--An
 21 individual subject to work activity requirements may be
 22 exempted from those requirements if the individual provides
 23 information verifying that he or she has filed an application
 24 for SSI disability benefits and the decision is pending
 25 development and evaluation under social security disability
 26 law, rules, and regulations at the initial reconsideration,
 27 administrative law judge, or Social Security Administration
 28 Appeals Council levels.

29 (f)~~(e)~~ Other good cause exceptions for
 30 noncompliance.--Individuals who are temporarily unable to
 31 participate due to circumstances beyond their control may be

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1 excepted from the noncompliance penalties. The department of
2 ~~Labor and Employment Security~~ may define by rule situations
3 that would constitute good cause. These situations must
4 include caring for a disabled family member when the need for
5 the care has been verified and alternate care is not
6 available.

7 (9) PRIORITIZATION OF WORK REQUIREMENTS.--The
8 department and local WAGES coalitions ~~Department of Labor and~~
9 ~~Employment Security~~ shall require participation in work
10 activities to the maximum extent possible, subject to federal
11 and state funding. If funds are projected to be insufficient
12 to allow full-time work activities by all program participants
13 who are required to participate in work activities, local
14 WAGES coalitions ~~the Department of Labor and Employment~~
15 ~~Security~~ shall screen participants and assign priority based
16 on the following:

17 (a) In accordance with federal requirements, at least
18 one adult in each two-parent family shall be assigned priority
19 for full-time work activities.

20 (b) Among single-parent families, a family that has
21 older preschool children or school-age children shall be
22 assigned priority for work activities.

23 (c) A participant who has access to nonsubsidized
24 child care may be assigned priority for work activities.

25 (d) Priority may be assigned based on the amount of
26 time remaining until the participant reaches the applicable
27 time limit for program participation or may be based on
28 requirements of a case plan.

29
30 Local WAGES coalitions ~~The Department of Labor and Employment~~
31 ~~Security~~ may limit a participant's weekly work requirement to

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1 the minimum required to meet federal work activity
2 requirements in lieu of the level defined in subsection (2).
3 The department and local WAGES coalitions ~~the Department of~~
4 ~~Labor and Employment Security~~ may develop screening and
5 prioritization procedures within service districts or within
6 counties based on the allocation of resources, the
7 availability of community resources, or the work activity
8 needs of the service district.

9 (10) USE OF CONTRACTS.--The department and local WAGES
10 coalitions ~~Department of Labor and Employment Security~~ shall
11 provide work activities, training, and other services, as
12 appropriate, through contracts. In contracting for work
13 activities, training, or services, the following applies:

14 (a) All education and training provided under the
15 WAGES Program shall be provided through agreements with
16 regional workforce development boards.

17 (b) A contract must be performance-based. Wherever
18 possible, payment shall be tied to performance outcomes that
19 include factors such as, but not limited to, job entry, job
20 entry at a target wage, and job retention, rather than tied to
21 completion of training or education or any other phase of the
22 program participation process.

23 (c) A contract may include performance-based incentive
24 payments that may vary according to the extent to which the
25 participant is more difficult to place. Contract payments may
26 be weighted proportionally to reflect the extent to which the
27 participant has limitations associated with the long-term
28 receipt of welfare and difficulty in sustaining employment.
29 The factors may include the extent of prior receipt of
30 welfare, lack of employment experience, lack of education,
31 lack of job skills, and other factors determined appropriate

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1 by the department ~~Department of Labor and Employment Security.~~

2 (d) Notwithstanding the exemption from the competitive
3 sealed bid requirements provided in s. 287.057(3)(f) for
4 certain contractual services, each contract awarded under this
5 chapter must be awarded on the basis of a competitive sealed
6 bid, except for a contract with a governmental entity as
7 determined by the department ~~or the Department of Labor and~~
8 ~~Employment Security.~~

9 (e) The department and the local WAGES coalitions ~~or~~
10 ~~the Department of Labor and Employment Security~~ may contract
11 with commercial, charitable, or religious organizations. A
12 contract must comply with federal requirements with respect to
13 nondiscrimination and other requirements that safeguard the
14 rights of participants. Services may be provided under
15 contract, certificate, voucher, or other form of disbursement.

16 (f) The administrative costs associated with a
17 contract for services provided under this section may not
18 exceed the applicable administrative cost ceiling established
19 in federal law. An agency or entity that is awarded a contract
20 under this section may not charge more than 7 percent of the
21 value of the contract for administration, unless an exception
22 is approved by the local WAGES coalition. A list of any
23 exceptions approved must be submitted to the WAGES Program
24 State Board of Directors for review, and the board may rescind
25 approval of the exception. The WAGES Program State Board of
26 Directors may also approve exceptions for any statewide
27 contract for services provided under this section.

28 (g) Local WAGES coalitions ~~The Department of Labor and~~
29 ~~Employment Security~~ may enter into contracts to provide
30 short-term work experience for the chronically unemployed as
31 provided in this section.

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1 (h) A tax-exempt organization under s. 501(c) of the
2 Internal Revenue Code of 1986 which receives funds under this
3 chapter must disclose receipt of federal funds on any
4 advertising, promotional, or other material in accordance with
5 federal requirements.

6 (11) PROTECTIONS FOR PARTICIPANTS.--

7 ~~(a)~~ Each participant is subject to the same health,
8 safety, and nondiscrimination standards established under
9 federal, state, or local laws that otherwise apply to other
10 individuals engaged in similar activities who are not
11 participants in the WAGES Program.

12 ~~(b) The Department of Labor and Employment Security~~
13 ~~shall recommend to the Legislature by December 30, 1997,~~
14 ~~policies to protect participants from discrimination,~~
15 ~~unreasonable risk, and unreasonable expectations related to~~
16 ~~work experience and community service requirements.~~

17 (13) CONTRACTS FOR VOCATIONAL ASSESSMENTS AND WORK
18 EVALUATIONS.--Vocational assessments or work evaluations by
19 the Division of Vocational Rehabilitation pursuant to this
20 section shall be performed under contract with the local WAGES
21 coalitions.

22 Section 11. Section 414.0655, Florida Statutes, is
23 created to read:

24 414.0655 Medical incapacity due to substance abuse or
25 mental health impairment.--

26 (1) Notwithstanding the provisions of s. 414.065 to
27 the contrary, any participant who requires out-of-home
28 residential treatment for alcoholism, drug addiction, alcohol
29 abuse, or a mental health disorder, as certified by a
30 physician licensed under chapter 458 or chapter 459, shall be
31 exempted from work activities while participating in

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1 treatment. The participant shall be required to comply with
2 the course of treatment necessary for the individual to resume
3 work activity participation. The treatment agency shall be
4 required to notify the department with an initial estimate of
5 when the participant will have completed the course of
6 treatment and be ready to resume full participation in the
7 WAGES program. If the treatment will take longer than 60 days,
8 the treatment agency shall provide to the department the
9 conditions justifying extended treatment and the department
10 and the treatment agency shall negotiate a continued stay in
11 treatment not to exceed an additional 90 days.

12 (2) Notwithstanding any provision of s.
13 414.095(2)(a)4. or 5. to the contrary, a participant who is
14 absent from the home due to out-of-home residential treatment
15 for not more than 150 days shall continue to be a member of
16 the assistance group whether or not the child or children for
17 whom the participant is the parent or caretaker relative are
18 living in the residential treatment center.

19 Section 12. Subsection (2) of section 414.085, Florida
20 Statutes, is amended and subsection (4) is added to said
21 section, to read:

22 414.085 Income eligibility standards.--For purposes of
23 program simplification and effective program management,
24 certain income definitions, as outlined in the food stamp
25 regulations at 7 C.F.R. s. 273.9, shall be applied to the
26 WAGES Program as determined by the department to be consistent
27 with federal law regarding temporary cash assistance and
28 Medicaid for needy families, except as to the following:

29 (2) Income security payments, including payments
30 funded under part B of Title IV of the Social Security Act, as
31 amended; supplemental security income under Title XVI of the

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1 Social Security Act, as amended; or other income security
 2 payments as defined by federal law shall be ~~excluded~~ included
 3 as income ~~unless to the extent~~ required to be included ~~or~~
 4 ~~permitted~~ by federal law.

5 (4) An incentive payment to a participant authorized
 6 by a local WAGES coalition shall not be considered income.

7 Section 13. Paragraphs (b) and (c) of subsection (15)
 8 of section 414.095, Florida Statutes, 1998 Supplement, are
 9 amended, subsections (16), (17), and (18) are renumbered as
 10 subsections (17), (18), and (19), respectively, and a new
 11 subsection (16) is added to said section, to read:

12 414.095 Determining eligibility for the WAGES
 13 Program.--

14 (15) PROHIBITIONS AND RESTRICTIONS.--

15 (b) Temporary cash assistance, without shelter
 16 expense, may be available for a teen parent who is a minor
 17 child less than 19 years of age and for the child. Temporary
 18 cash assistance may not be paid directly to the teen parent
 19 but must be paid, on behalf of the teen parent and child, to
 20 an alternative payee who is designated by the department. The
 21 alternative payee may not use the temporary cash assistance
 22 for any purpose other than paying for food, clothing, shelter,
 23 and medical care for the teen parent and child and for other
 24 necessities required to enable the teen parent to attend
 25 school or a training program. In order for the child of the
 26 teen parent and the teen parent to be eligible for temporary
 27 cash assistance, the teen parent must:

28 1. Attend school or an approved alternative training
 29 program, unless the child is less than 12 weeks of age or the
 30 teen parent has completed high school; and

31 2. Reside with a parent, legal guardian, or other

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1 adult caretaker relative. The income and resources of the
2 parent shall be included in calculating the temporary cash
3 assistance available to the teen parent since the parent is
4 responsible for providing support and care for the child
5 living in the home.

6 3. Attend parenting and family classes that provide a
7 curriculum specified by the department, ~~the Department of~~
8 ~~Labor and Employment Security~~, or the Department of Health, as
9 available.

10 (c) The teen parent is not required to live with a
11 parent, legal guardian, or other adult caretaker relative if
12 the department determines that:

13 1. The teen parent has suffered or might suffer harm
14 in the home of the parent, legal guardian, or adult caretaker
15 relative.

16 2. The requirement is not in the best interest of the
17 teen parent or the child. If the department determines that it
18 is not in the best interest of the teen parent or child to
19 reside with a parent, legal guardian, or other adult caretaker
20 relative, the department shall provide or assist the teen
21 parent in finding a suitable home, a second-chance home, a
22 maternity home, or other appropriate adult-supervised
23 supportive living arrangement. Such living arrangement may
24 include a shelter obligation in accordance with subsection
25 (11).

26
27 The department may not delay providing temporary cash
28 assistance to the teen parent through the alternative payee
29 designated by the department pending a determination as to
30 where the teen parent should live and sufficient time for the
31 move itself. A teen parent determined to need placement that

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1 is unavailable shall continue to be eligible for temporary
2 cash assistance so long as the teen parent cooperates with the
3 department, the local WAGES coalition ~~Department of Labor and~~
4 ~~Employment Security~~, and the Department of Health. The teen
5 parent shall be provided with counseling to make the
6 transition from independence to supervised living and with a
7 choice of living arrangements.

8 (16) TRANSITIONAL BENEFITS AND SERVICES.--The
9 department shall develop procedures to ensure that families
10 leaving the temporary cash assistance program receive
11 transitional benefits and services that will assist the family
12 in moving toward self-sufficiency. At a minimum, such
13 procedures must include, but are not limited to, the
14 following:

15 (a) Each WAGES participant who is determined
16 ineligible for cash assistance for a reason other than a work
17 activity sanction shall be contacted by the case manager and
18 provided information about the availability of transitional
19 benefits and services. Such contact shall be attempted prior
20 to closure of the case management file.

21 (b) Each WAGES participant who is determined
22 ineligible for cash assistance due to noncompliance with the
23 work activity requirements shall be contacted and provided
24 information in accordance with s. 414.065(4).

25 (c) The department, in consultation with the WAGES
26 Program State Board of Directors, shall develop informational
27 material, including posters and brochures, to better inform
28 families about the availability of transitional benefits and
29 services.

30 (d) The department shall review federal requirements
31 related to transitional Medicaid and shall, to the extent

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1 permitted by federal law, develop procedures to maximize the
2 utilization of transitional Medicaid by families who leave the
3 temporary cash assistance program.

4 Section 14. Subsections (2), (3), (10), and (12) of
5 section 414.105, Florida Statutes, 1998 Supplement, are
6 amended to read:

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

14 (2) A participant who is not exempt from work activity
15 requirements may earn 1 month of eligibility for extended
16 temporary cash assistance, up to maximum of 12 additional
17 months, for each month in which the participant is fully
18 complying with the work activities of the WAGES Program
19 through subsidized or unsubsidized public or private sector
20 employment. The period for which extended temporary cash
21 assistance is granted shall be based upon compliance with
22 WAGES Program requirements beginning October 1, 1996. A
23 participant may not receive temporary cash assistance under
24 this subsection, in combination with other periods of
25 temporary cash assistance for longer than a lifetime limit of
26 48 months. Hardship exemptions to the time limitations of this
27 chapter shall be limited to ~~10 percent of participants in the~~
28 ~~first year of implementation of this chapter, 15 percent of~~
29 ~~participants in the second year of implementation of this~~
30 ~~chapter, and 20 percent of participants in all subsequent~~
31 years, as determined by the department and approved by the

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1 WAGES Program State Board of Directors. Criteria for hardship
2 exemptions include:
3 (a) Diligent participation in activities, combined
4 with inability to obtain employment.
5 (b) Diligent participation in activities, combined
6 with extraordinary barriers to employment, including the
7 conditions which may result in an exemption to work
8 requirements.
9 (c) Significant barriers to employment, combined with
10 a need for additional time.
11 (d) Diligent participation in activities and a need by
12 teen parents for an exemption in order to have 24 months of
13 eligibility beyond receipt of the high school diploma or
14 equivalent.
15 (e) A recommendation of extension for a minor child of
16 a participating family that has reached the end of the
17 eligibility period for temporary cash assistance. The
18 recommendation must be the result of a review which determines
19 that the termination of the child's temporary cash assistance
20 would be likely to result in the child being placed into
21 emergency shelter or foster care. Temporary cash assistance
22 shall be provided through a protective payee. Staff of the
23 Children and Families Program Office of the department shall
24 conduct all assessments in each case in which it appears a
25 child may require continuation of temporary cash assistance
26 through a protective payee.
27
28 At the recommendation of the local WAGES coalition, temporary
29 cash assistance under a hardship exemption for a participant
30 who is eligible for work activities and who is not working
31 shall be reduced by 10 percent. Upon the employment of the

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1 participant, full benefits shall be restored.

2 (3) In addition to the exemptions listed in subsection
3 (2), a victim of domestic violence may be granted a hardship
4 exemption if the effects of such domestic violence delay or
5 otherwise interrupt or adversely affect the individual's
6 participation in the program. Hardship exemptions granted
7 under this subsection shall not be subject to the percentage
8 limitations in subsection (2)(3).

9 (10) An individual who receives benefits under the
10 Supplemental Security Income program or the Social Security
11 Disability Insurance program is not subject to time
12 limitations. An individual who has applied for supplemental
13 security income (SSI), but has not yet received a
14 determination must be granted an extension of time limits
15 until the individual receives a final determination on the SSI
16 application. Determination shall be considered final once all
17 appeals have been exhausted, benefits have been received, or
18 denial has been accepted without any appeal. Such individual
19 must continue to meet all program requirements assigned to the
20 participant based on medical ability to comply. Extensions of
21 time limits shall be within the recipient's 48-month lifetime
22 limit. Hardship exemptions granted under this subsection shall
23 not be subject to the percentage limitations in subsection
24 (2).

25 (12) A member of the WAGES Program staff shall
26 interview and assess the employment prospects and barriers of
27 each participant who is within 6 months of reaching the
28 24-month time limit. The staff member shall assist the
29 participant in identifying actions necessary to become
30 employed prior to reaching the benefit time limit for
31 temporary cash assistance and, if appropriate, shall refer the

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1 participant for services that could facilitate employment.

2 Section 15. Section 414.1525, Florida Statutes, is
3 created to read:

4 414.1525 WAGES early exit diversion program.--An
5 individual who meets the criteria listed in this section may
6 choose to receive a lump-sum payment in lieu of ongoing cash
7 assistance payments, provided the individual:

8 (1) Is employed and is receiving earnings, and would
9 be eligible to receive cash assistance in an amount less than
10 \$100 per month given the WAGES earnings disregard.

11 (2) Has received cash assistance for at least 3
12 consecutive months.

13 (3) Expects to remain employed for at least 6 months.

14 (4) Chooses to receive a one-time lump-sum payment in
15 lieu of ongoing monthly payments.

16 (5) Provides employment and earnings information to
17 the department, so that the department can ensure that the
18 family's eligibility for transitional benefits can be
19 evaluated.

20 (6) Signs an agreement not to apply for or accept cash
21 assistance for 6 months after receipt of the one-time payment.
22 In the event of an emergency, such agreement shall provide for
23 an exception to this restriction, provided that the one-time
24 payment shall be deducted from any cash assistance for which
25 the family subsequently is approved. This deduction may be
26 prorated over an 8 month period. The department shall adopt
27 rules defining the conditions under which a family may receive
28 cash assistance due to such emergency.

29
30 Such individual may choose to accept a one-time lump-sum
31 payment of \$1,000 in lieu of receiving ongoing cash

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1 assistance. Such payment shall only count toward the time
2 limitation for the month in which the payment is made in lieu
3 of cash assistance. A participant choosing to accept such
4 payment shall be terminated from cash assistance. However,
5 eligibility for Medicaid, food stamps, or child care shall
6 continue, subject to the eligibility requirements of those
7 programs.

8 Section 16. Subsections (2), (3), (4), and (5) of
9 section 414.155, Florida Statutes, 1998 Supplement, are
10 amended to read:

11 414.155 Relocation assistance program.--

12 (2) The relocation assistance program shall involve
13 five steps by the Department of Children and Family Services
14 or a local WAGES coalition ~~the Department of Labor and~~
15 ~~Employment Security:~~

16 (a) A determination that the family is a WAGES Program
17 participant or that all requirements of eligibility for the
18 WAGES Program would likely be met.

19 (b) A determination that there is a basis for
20 believing that relocation will contribute to the ability of
21 the applicant to achieve self-sufficiency. For example, the
22 applicant:

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

25 2. Has secured a job that requires relocation to
26 another community;

27 3. Has a family support network in another community;
28 or

29 4. Is determined, pursuant to criteria or procedures
30 established by the WAGES Program State Board of Directors, to
31 be a victim of domestic violence who would experience reduced

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1 probability of further incidents through relocation.

2 (c) Establishment of a relocation plan which includes
3 ~~including a budget and~~ such requirements as are necessary to
4 prevent abuse of the benefit and ~~to provide an assurance that~~
5 ~~the applicant will relocate. The plan may require that~~
6 ~~expenditures be made on behalf of the recipient. However, the~~
7 ~~plan must include~~ provisions to protect the safety of victims
8 of domestic violence and avoid provisions that place them in
9 anticipated danger. The payment to defray relocation expenses
10 shall be determined based on a rule approved by the WAGES
11 Program State Board of Directors and adopted by the
12 department. Participants in the relocation program shall be
13 eligible for transitional benefits limited to an amount not to
14 exceed 4 months' temporary cash assistance, based on family
15 size.

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

20 (e) Monitoring the relocation.

21 (3) A family receiving relocation assistance for
22 reasons other than domestic violence must sign an agreement
23 restricting the family from applying for temporary cash
24 assistance for a period specified in a rule approved by the
25 WAGES Program State Board of Directors and adopted by the
26 department 6 months, unless an emergency is demonstrated to
27 the department. If a demonstrated emergency forces the family
28 to reapply for temporary cash assistance within such period, 6
29 ~~months~~ after receiving a relocation assistance payment,
30 repayment must be made on a prorated basis ~~over an 8-month~~
31 ~~period~~ and subtracted from any regular payment of temporary

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1 cash assistance for which the applicant may be eligible, as
2 specified in a rule approved by the WAGES Program State Board
3 of Directors and adopted by the department.

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

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

16 Section 17. Section 414.157, Florida Statutes, is
17 created to read:

18 414.157 Diversion program for victims of domestic
19 violence.--

20 (1) The diversion program for victims of domestic
21 violence is intended to provide services and one-time payments
22 to assist victims of domestic violence and their children in
23 making the transition to independence.

24 (2) Before finding an applicant family eligible for
25 the diversion program created under this section, a
26 determination must be made that:

27 (a) The applicant family includes a pregnant woman or
28 a parent with one or more minor children or a caretaker
29 relative with one or more minor children.

30 (b) The services or one-time payment provided are not
31 considered assistance under federal law or guidelines.

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1 (3) Notwithstanding any provision to the contrary in
2 ss. 414.075, 414.085, and 414.095, a family meeting the
3 criteria of subsection (2) who is determined by the domestic
4 violence program to be in need of services or one-time payment
5 due to domestic violence shall be considered a needy family
6 and shall be deemed eligible under this section for services
7 through a certified domestic violence shelter.

8 (4) One-time payments provided under this section
9 shall not exceed an amount recommended by the WAGES Program
10 State Board of Directors and adopted by the department in
11 rule.

12 (5) Receipt of services or a one-time payment under
13 this section shall not preclude eligibility for, or receipt
14 of, other assistance or services under this chapter.

15 Section 18. Section 414.158, Florida Statutes, is
16 created to read:

17 414.158 Diversion program to strengthen Florida's
18 families.--

19 (1) The diversion program to strengthen Florida's
20 families is intended to provide services and one-time payments
21 to assist families in avoiding welfare dependency and to
22 strengthen families so that children can be cared for in their
23 own homes or in the homes of relatives and so that families
24 can be self-sufficient.

25 (2) Before finding a family eligible for the diversion
26 program created under this section, a determination must be
27 made that:

28 (a) The family includes a pregnant woman or a parent
29 with one or more minor children or a caretaker relative with
30 one or more minor children.

31 (b) The family meets the criteria of a voluntary

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1 assessment performed by Healthy Families Florida; the family
2 meets the criteria established by the department for
3 determining that one or more children in the family are at
4 risk of abuse, neglect, or threatened harm; or the family is
5 homeless or living in a facility that provides shelter to
6 homeless families.

7 (c) The services or one-time payment provided are not
8 considered assistance under federal law or guidelines.

9 (3) Notwithstanding any provision to the contrary in
10 s. 414.075, s. 414.085, or s. 414.095, a family meeting the
11 requirements of subsection (2) shall be considered a needy
12 family and shall be deemed eligible under this section.

13 (4) The department, in consultation with Healthy
14 Families Florida, may establish additional requirements
15 related to services or one-time payments, and the department
16 is authorized to adopt rules relating to maximum amounts of
17 such one-time payments.

18 (5) Receipt of services or a one-time payment under
19 this section shall not preclude eligibility for, or receipt
20 of, other assistance or services under this chapter.

21 Section 19. Section 414.1585, Florida Statutes, is
22 created to read:

23 414.1585 Diversion program for families at risk of
24 welfare dependency due to substance abuse or mental illness.

25 (1) The diversion program for families at risk of
26 welfare dependency due to substance abuse or mental illness is
27 intended to provide services and one-time payments to assist
28 families in avoiding welfare dependency and to stabilize
29 families, so that children can be cared for in their own homes
30 or in the homes of relatives and so that families can be
31 self-sufficient.

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1 (2) Before finding a family eligible for the diversion
2 program created under this section, a determination must be
3 made that:

4 (a) The family includes a pregnant woman or a parent
5 with one or more minor children or a caretaker relative with
6 one or more minor children.

7 (b) The family meets criteria established by the
8 department that one or more individuals in the family are at
9 risk of or are impaired due to substance abuse or mental
10 illness.

11 (c) The services or one-time payment provided are not
12 considered assistance under federal law or guidelines.

13 (3) Notwithstanding any provision to the contrary in
14 s. 414.075, s. 414.085, or s. 414.095, a family meeting the
15 criteria of subsection (2) shall a be considered a needy
16 family and shall be deemed eligible under this section.

17 (4) The department is authorized to adopt rules
18 governing the administration of this section and may establish
19 additional criteria related to services, client need, or
20 one-time payments. The department may establish maximum
21 amounts of one-time payments in rule.

22 (5) Receipt of services or a one-time payment under
23 this section shall not preclude eligibility for, or receipt
24 of, other assistance or services under this chapter.

25 Section 20. Section 414.159, Florida Statutes, is
26 created to read:

27 414.159 Teen parent and pregnancy prevention diversion
28 program; eligibility for services.--The Legislature recognizes
29 that teen pregnancy is a major cause of dependency on
30 government assistance that often extends through more than one
31 generation. The purpose of the teen parent and pregnancy

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1 prevention diversion program is to provide services to reduce
2 and avoid welfare dependency by reducing teen pregnancy,
3 reducing the incidence of multiple pregnancies to teens, and
4 by assisting teens in completing educational programs.

5 (1) Notwithstanding any provision to the contrary in
6 ss. 414.075, 414.085, and 414.095, a teen who is determined to
7 be at-risk of teen pregnancy or who already has a child shall
8 be deemed eligible to receive services under this program.

9 (2) Services provided under this program shall be
10 limited to services that are not considered assistance under
11 federal law or guidelines.

12 (3) Receipt of services under this section shall not
13 preclude eligibility for, or receipt of, other assistance or
14 services under this chapter.

15 Section 21. Section 414.1599, Florida Statutes, is
16 created to read:

17 414.1599 Diversion programs; determination of
18 need.--If federal regulations require a determination of needy
19 families or needy parents to be based on financial criteria,
20 such as income or resources, for individuals or families who
21 are receiving services, one-time payments, or nonrecurring
22 short-term benefits, the department shall adopt rules to
23 define such criteria. In such rules, the department shall use
24 the income level established for Temporary Assistance for
25 Needy Families funds which are transferred for use under Title
26 XX of the Social Security Act. If federal regulations do not
27 require a financial determination for receipt of such
28 benefits, payments, or services, the criteria otherwise
29 established in this chapter shall be used.

30 Section 22. Section 414.18, Florida Statutes, is
31 created to read:

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1 414.18 Program for dependent care for families with
2 children with special needs.--

3 (1) There is created the program for dependent care
4 for families with children with special needs. This program
5 is intended to provide assistance to families with children
6 who meet the following requirements:

7 (a) The child or children are between the ages of 13
8 and 17 years, inclusive.

9 (b) The child or children are considered to be
10 children with special needs as defined by the subsidized child
11 care program authorized under s. 402.3015.

12 (c) The family meets the income guidelines established
13 under s. 402.3015. Financial eligibility for this program
14 shall be based solely on the guidelines used for subsidized
15 child care, notwithstanding any financial eligibility criteria
16 to the contrary in s. 414.075, s. 414.085, or s. 414.095.

17 (2) Implementation of this program shall be subject to
18 appropriation of funds for this purpose.

19 (3) If federal funds under the Temporary Assistance
20 for Needy Families block grant provided under Title IV-A of
21 the Social Security Act, as amended, are used for this
22 program, the family must be informed about the federal
23 requirements on receipt of such assistance and must sign a
24 written statement acknowledging, and agreeing to comply with,
25 all federal requirements.

26 (4) In addition to child care services provided under
27 s. 402.3015, dependent care may be provided for children age
28 13 years and older who are in need of care due to disability
29 and where such care is needed for the parent to accept or
30 continue employment or otherwise participate in work
31 activities. The amount of subsidy shall be consistent with the

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1 rates for special needs child care established by the
2 department. Dependent care needed for employment may be
3 provided as transitional services for up to 2 years after
4 eligibility for WAGES assistance ends.

5 (5) Notwithstanding any provision of s. 414.105 to the
6 contrary, the time limitation on receipt of assistance under
7 this section shall be the limit established pursuant to s.
8 408(a)(7) of the Social Security Act, as amended, 42 U.S.C. s.
9 608(a)(7).

10 Section 23. Section 414.20, Florida Statutes, 1998
11 Supplement, is amended to read:

12 414.20 Other support services.--Support services shall
13 be provided, if resources permit, to assist participants in
14 complying with work activity requirements outlined in s.
15 414.065. If resources do not permit the provision of needed
16 support services, the department and the local WAGES coalition
17 ~~Department of Labor and Employment Security~~ may prioritize or
18 otherwise limit provision of support services. This section
19 does not constitute an entitlement to support services. Lack
20 of provision of support services may be considered as a factor
21 in determining whether good cause exists for failing to comply
22 with work activity requirements but does not automatically
23 constitute good cause for failing to comply with work activity
24 requirements, and does not affect any applicable time limit on
25 the receipt of temporary cash assistance or the provision of
26 services under this chapter. Support services shall include,
27 but need not be limited to:

28 (1) TRANSPORTATION.--Transportation expenses may be
29 provided to any participant when the assistance is needed to
30 comply with work activity requirements or employment
31 requirements, including transportation to and from a child

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1 care provider. Payment may be made in cash or tokens in
2 advance or through reimbursement paid against receipts or
3 invoices. Transportation services may include, but are not
4 limited to, cooperative arrangements with the following:
5 public transit providers; community transportation
6 coordinators designated under chapter 427; school districts;
7 churches and community centers; donated motor vehicle
8 programs, van pools, and ridesharing programs; small
9 enterprise developments and entrepreneurial programs that
10 encourage WAGES participants to become transportation
11 providers; public and private transportation partnerships; and
12 other innovative strategies to expand transportation options
13 available to program participants.

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

22 (b) Transportation disadvantaged funds as defined in
23 chapter 427 do not include WAGES support services funds or
24 funds appropriated to assist persons eligible under the Job
25 Training Partnership Act. It is the intent of the Legislature
26 that local WAGES coalitions and regional workforce development
27 boards consult with local community transportation
28 coordinators designated under chapter 427 regarding the
29 availability and cost of transportation services through the
30 coordinated transportation system prior to contracting for
31 comparable transportation services outside the coordinated

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1 system.

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

6 (3) MEDICAL SERVICES.--A family that meets the
7 eligibility requirements for Medicaid shall receive medical
8 services under the Medicaid program.

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

23 Section 24. Section 414.22, Florida Statutes, is
24 amended to read:

25 414.22 Transitional education and training.--In order
26 to assist current and former participants who are working or
27 actively seeking employment in continuing their training and
28 upgrading their skills, education, or training, support
29 services may be provided to a participant for up to 2 years
30 after the participant is no longer ~~eligible to participate~~ in
31 the program. This section does not constitute an entitlement

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1 to transitional education and training. If funds are not
2 sufficient to provide services under this section, the WAGES
3 Program State Board of Directors ~~Department of Labor and~~
4 ~~Employment Security~~ may limit or otherwise prioritize
5 transitional education and training.

6 (1) Education or training resources available in the
7 community at no additional cost to the WAGES Program
8 ~~Department of Labor and Employment Security~~ shall be used
9 whenever possible.

10 (2) The local WAGES coalitions ~~Department of Labor and~~
11 ~~Employment Security~~ may authorize child care or other support
12 services in addition to services provided in conjunction with
13 employment. For example, a participant who is employed full
14 time may receive subsidized child care related to that
15 employment and may also receive additional subsidized child
16 care in conjunction with training to upgrade the participant's
17 skills.

18 (3) Transitional education or training must be
19 job-related, but may include training to improve job skills in
20 a participant's existing area of employment or may include
21 training to prepare a participant for employment in another
22 occupation.

23 (4) A local WAGES coalition ~~The Department of Labor~~
24 ~~and Employment Security~~ may enter into an agreement with an
25 employer to share the costs relating to upgrading the skills
26 of participants hired by the employer. For example, local
27 WAGES coalitions ~~the department~~ may agree to provide support
28 services such as transportation or a wage subsidy in
29 conjunction with training opportunities provided by the
30 employer.

31 Section 25. Section 414.223, Florida Statutes, is

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1 created to read:

2 414.223 Retention Incentive Training Accounts.--To
3 promote job retention and to enable upward job advancement
4 into higher skilled, higher paying employment, the WAGES
5 Program State Board of Directors, Workforce Development Board,
6 regional workforce development boards, and local WAGES
7 coalitions may jointly assemble, from postsecondary education
8 institutions, a list of programs and courses for WAGES
9 participants who have become employed which promote job
10 retention and advancement.

11 (1) The WAGES Program State Board of Directors and the
12 Workforce Development Board may jointly establish Retention
13 Incentive Training Accounts (RITAs). RITAs shall utilize
14 Temporary Assistance to Needy Families block grant funds
15 specifically appropriated for this purpose. RITAs must
16 complement the Individual Training Account required by the
17 federal Workforce Investment Act of 1998, Pub. L. No. 105-220.

18 (2) RITAs may pay for tuition, fees, educational
19 materials, coaching and mentoring, performance incentives,
20 transportation to and from courses, child care costs during
21 education courses, and other such costs as the regional
22 workforce development boards determine are necessary to effect
23 successful job retention and advancement.

24 (3) Regional workforce development boards shall retain
25 only those courses that continue to meet their performance
26 standards as established in their local plan.

27 (4) Regional workforce development boards shall report
28 annually to the Legislature on the measurable retention and
29 advancement success of each program provider and the
30 effectiveness of RITAs, making recommendations for any needed
31 changes or modifications.

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1 Section 26. Section 414.225, Florida Statutes, 1998
2 Supplement, is amended to read:

3 414.225 Transitional transportation.--In order to
4 assist former WAGES participants in maintaining and sustaining
5 employment or educational opportunities, transportation may be
6 provided, if funds are available, for up to 1 year after the
7 participant is no longer ~~eligible to participate~~ in the
8 program ~~due to earnings~~. This does not constitute an
9 entitlement to transitional transportation. If funds are not
10 sufficient to provide services under this section, the
11 department may limit or otherwise prioritize transportation
12 services.

13 (1) Transitional transportation must be job or
14 education related.

15 (2) Transitional transportation may include expenses
16 identified in s. 414.20, paid directly or by voucher, as well
17 as a vehicle valued at not more than \$8,500 if the vehicle is
18 needed for training, employment, or educational purposes.

19 Section 27. Section 414.23, Florida Statutes, is
20 amended to read:

21 414.23 Evaluation.--The department and the WAGES
22 Program State Board of Directors ~~Department of Labor and~~
23 ~~Employment Security~~ shall arrange for evaluation of programs
24 operated under this chapter, as follows:

25 (1) If required by federal waivers or other federal
26 requirements, the department and the WAGES Program State Board
27 of Directors ~~Department of Labor and Employment Security~~ may
28 provide for evaluation according to these requirements.

29 (2) The department and the WAGES Program State Board
30 of Directors ~~Department of Labor and Employment Security~~ shall
31 participate in the evaluation of this program in conjunction

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1 with evaluation of the state's workforce development programs
2 or similar activities aimed at evaluating program outcomes,
3 cost-effectiveness, or return on investment, and the impact of
4 time limits, sanctions, and other welfare reform measures set
5 out in this chapter. Evaluation shall also contain information
6 on the number of participants in work experience assignments
7 who obtain unsubsidized employment, including, but not limited
8 to, the length of time the unsubsidized job is retained,
9 wages, and the public benefits, if any, received by such
10 families while in unsubsidized employment. The evaluation
11 shall solicit the input of consumers, community-based
12 organizations, service providers, employers, and the general
13 public, and shall publicize, especially in low-income
14 communities, the process for submitting comments.

15 (3) The department and the WAGES Program State Board
16 of Directors ~~Department of Labor and Employment Security~~ may
17 share information with and develop protocols for information
18 exchange with the Florida Education and Training Placement
19 Information Program.

20 (4) The department and the WAGES Program State Board
21 of Directors ~~Department of Labor and Employment Security~~ may
22 initiate or participate in additional evaluation or assessment
23 activities that will further the systematic study of issues
24 related to program goals and outcomes.

25 (5) In providing for evaluation activities, the
26 department and the WAGES Program State Board of Directors
27 ~~Department of Labor and Employment Security~~ shall safeguard
28 the use or disclosure of information obtained from program
29 participants consistent with federal or state requirements.
30 The department and the WAGES Program State Board of Directors
31 ~~Department of Labor and Employment Security~~ may use evaluation

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1 methodologies that are appropriate for evaluation of program
2 activities, including random assignment of recipients or
3 participants into program groups or control groups. To the
4 extent necessary or appropriate, evaluation data shall provide
5 information with respect to the state, district, or county, or
6 other substate area.

7 (6) The department and the WAGES Program State Board
8 of Directors ~~Department of Labor and Employment Security~~ may
9 contract with a qualified organization for evaluations
10 conducted under this section.

11 (7) Evaluations described in this section are exempt
12 from the provisions of s. 381.85.

13 Section 28. Section 414.37, Florida Statutes, is
14 amended to read:

15 414.37 Public assistance overpayment recovery
16 privatization; reemployment of laid-off career service
17 employees.--Should career service employees of the Department
18 of Children and Family Services be subject to layoff after
19 July 1, 1995, due to the privatization of public assistance
20 overpayment recovery functions, the privatization contract
21 shall require the contracting firm to give priority
22 consideration to employment of such employees. In addition, a
23 task force composed of representatives from the Department of
24 Children and Family Services, ~~the Department of Labor and~~
25 ~~Employment Security~~, and the Department of Management Services
26 shall be established to provide reemployment assistance to
27 such employees.

28 Section 29. Section 414.44, Florida Statutes, is
29 amended to read:

30 414.44 Data collection and reporting.--The department
31 and the WAGES Program State Board of Directors ~~Department of~~

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1 ~~Labor and Employment Security~~ shall collect data necessary to
2 administer this chapter and make the reports required under
3 federal law to the United States Department of Health and
4 Human Services and the United States Department of
5 Agriculture.

6 Section 30. Section 414.45, Florida Statutes, 1998
7 Supplement, is amended to read:

8 414.45 Rulemaking.--The department has authority to
9 adopt rules pursuant to ss. 120.536(1) and 120.54 to implement
10 and enforce the provisions of this chapter. ~~The Department of~~
11 ~~Labor and Employment Security may adopt rules pursuant to ss.~~
12 ~~120.536(1) and 120.54, to implement and enforce the provisions~~
13 ~~of this chapter.~~The rules must provide protection against
14 discrimination and the opportunity for a participant to
15 request a review by a supervisor or administrator of any
16 decision made by a panel or board of the department, ~~the~~
17 ~~Department of Labor and Employment Security,~~ or the WAGES
18 Program.

19 Section 31. Subsection (1), paragraph (b) of
20 subsection (2), and paragraph (a) of subsection (3) of section
21 414.70, Florida Statutes, 1998 Supplement, are amended to
22 read:

23 414.70 Drug-testing and drug-screening program;
24 procedures.--

25 (1) DEMONSTRATION PROJECT.--The Department of Children
26 and Family Services, in consultation with local WAGES
27 coalitions 3 and 8, shall develop and, as soon as possible
28 after January 1, 1999, implement a demonstration project in
29 WAGES regions 3 and 8 to screen each applicant and test
30 applicants for temporary cash assistance provided under this
31 chapter, who the department has reasonable cause to believe,

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1 based on the screening, engage in illegal use of controlled
2 substances. Unless reauthorized by the Legislature, this
3 demonstration project expires June 30, 2001. As used in this
4 act, the term "applicant" means an individual who first
5 applies for assistance or services under the WAGES Program.
6 Screening and testing for the illegal use of controlled
7 substances is not required if the individual reapplies during
8 any continuous period in which the individual receives
9 assistance or services. However, an individual may volunteer
10 for drug testing and treatment if funding is available.

11 (a) Applicants subject to the requirements of this
12 section include any parent or caretaker relative who is
13 included in the cash assistance group, including individuals
14 who may be exempt from work activity requirements due to the
15 age of the youngest child or who may be excepted from work
16 activity requirements under s. 414.065(7).

17 (b) Applicants not subject to the requirements of this
18 section include applicants for food stamps or Medicaid who are
19 not applying for cash assistance, applicants who, if eligible,
20 would be exempt from the time limitation and work activity
21 requirements due to receipt of social security disability
22 income, and applicants who, if eligible, would be excluded
23 from the assistance group due to receipt of supplemental
24 security income.

25 (2) PROCEDURES.--Under the demonstration project, the
26 Department of Children and Family Services shall:

27 (b) Develop a procedure for drug screening and
28 conducting drug testing of applicants for temporary assistance
29 or services under the WAGES Program. For two-parent families,
30 both parents must comply with the drug screening and testing
31 requirements of this section.

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1 (3) CHILDREN.--

2 (a) If a parent is deemed ineligible for cash
 3 assistance due to refusal to comply with the provisions of
 4 this section ~~the failure of a drug test under this act~~, his or
 5 her dependent child's eligibility for cash assistance is not
 6 affected. A parent who is ineligible for cash assistance due
 7 to refusal or failure to comply with the provisions of this
 8 section shall be subject to the work activity requirements of
 9 s. 414.065, and shall be subject to the penalties under s.
 10 414.065(4) upon failure to comply with such requirements.

11 Section 32. Subsection (13) of section 239.249,
 12 Florida Statutes, is amended to read:

13 239.249 Market-driven, performance-based incentive
 14 funding for vocational and technical education programs.--

15 (13) Payment for vocational and technical education
 16 and training provided to WAGES Program participants shall be
 17 in accordance with the payment structure established by the
 18 WAGES Program State Board of Directors under s.
 19 414.027(1)(i)~~(g)~~.

20 Section 33. Paragraph (m) is added to subsection (2)
 21 of section 250.10, Florida Statutes, 1998 Supplement, to read:

22 250.10 Appointment and duties of the Adjutant
 23 General.--

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

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

29 1. About Face shall establish a summer and a
 30 year-round afterschool life-preparation program for
 31 economically disadvantaged and at-risk youths from 13 through

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1 17 years of age. Both programs must provide schoolwork
2 assistance, focusing on the skills needed to pass the high
3 school competency test, and also focus on functional life
4 skills, including teaching students to work effectively in
5 groups; providing basic instruction in computer skills;
6 teaching basic problem solving, decisionmaking, and reasoning
7 skills; teaching how the business world and free enterprise
8 work through computer simulations; and teaching home finance
9 and budgeting and other daily living skills. In the
10 afterschool program, students must train in academic study
11 skills, and the basic skills that businesses require for
12 employment consideration.

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

28 Section 34. Sections 414.29 and 414.43, Florida
29 Statutes, are repealed.

30 Section 35. (1) Notwithstanding the provisions of ss.
31 216.031, 216.0181, 216.251, and 216.262, Florida Statutes, to

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1 the contrary and pursuant to the provisions of s. 216.351,
2 Florida Statutes, funds and authorized positions for the
3 operation of programs affected by this act may be transferred
4 by the Executive Office of the Governor between appropriation
5 categories, budget entities, and departments as necessary to
6 implement the act. The affected departments shall develop and
7 publish annual operating budgets that reflect any
8 reallocations. Any program, activity, or function transferred
9 under the provisions of this subsection shall be considered a
10 type two transfer under the provisions of s. 20.06, Florida
11 Statutes.

12 (2) Notwithstanding the provisions of s. 216.181,
13 Florida Statutes, and pursuant to the provisions of s.
14 216.351, Florida Statutes, but subject to any requirements
15 imposed in the General Appropriations Act, the Comptroller,
16 upon the request of the Executive Office of the Governor,
17 shall transfer or reallocate funds to or among accounts
18 established for disbursement purposes as necessary to
19 implement this act. The departments shall maintain records to
20 account for the original appropriation and shall submit
21 legislative budget requests which reflect the transfer of
22 funds between expenditure categories which have been made in
23 order to implement this act.

24 (3) This section shall take effect upon this act
25 becoming a law.

26 Section 36. This act shall take effect upon becoming a
27 law.

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

31 And the title is amended as follows:

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1 remove from the title of the bill: the entire title

2

3 and insert in lieu thereof:

4

A bill to be entitled

5

An act relating to the WAGES Program; amending
6 s. 402.305, F.S.; revising provisions excepting
7 program participants working at a child care
8 facility from calculation of the facility's
9 staff-to-child ratio; amending s. 414.0252,
10 F.S.; providing a definition; creating s.
11 414.0267, F.S.; establishing a program of
12 matching grants for economic independence;
13 amending s. 414.027, F.S.; revising
14 requirements for the annual state plan;
15 modifying payment structure for services to
16 WAGES participants; amending s. 414.028, F.S.;
17 eliminating references to certain duties of the
18 Department of Labor and Employment Security;
19 providing funding for local WAGES coalitions
20 through contract with the Department of
21 Management Services; providing for revocation
22 of a local coalition charter; providing for
23 reassignment of duties; specifying use of
24 funds; amending s. 414.030, F.S.; eliminating a
25 cap on the number of WAGES Program employment
26 projects to be identified; specifying a limit
27 to funds allocated; authorizing the award of
28 reasonable administrative costs associated with
29 such projects; specifying contract terms;
30 requiring creation of a WAGES Program
31 Employment Implementation Team; creating s.

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1 414.035, F.S.; requiring expenditures of funds
2 under Temporary Assistance for Needy Families
3 to be in accordance with federal provisions;
4 requiring certification of fiscal controls;
5 creating s. 414.045, F.S.; providing cash
6 assistance program reporting and oversight
7 requirements; providing duties of the state
8 board of directors, local coalitions, and
9 Department of Children and Family Services;
10 amending s. 414.055, F.S.; conforming
11 references; amending s. 414.065, F.S.; revising
12 restrictions on the use of vocational education
13 to fulfill work activity requirements; revising
14 provisions relating to job skills training;
15 providing for extended education and training;
16 providing penalties for failure to comply with
17 work activity alternative requirement plans;
18 revising provisions relating to interview,
19 counseling, and services for noncompliant
20 participants; directing the department to seek
21 a federal waiver to administer certain
22 sanctions; providing for limited work activity
23 assignments for persons with medically verified
24 limitations; providing for medical or
25 vocational assessment; providing an exemption
26 from work activity requirements for certain
27 supplemental security income applicants;
28 providing for contracts for vocational
29 assessments and work evaluations; creating s.
30 414.0655, F.S.; providing an exception from
31 work activities for participants who require

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1 out-of-home residential treatment for substance
2 abuse or mental health impairment; providing
3 time limitations; amending s. 414.085, F.S.;
4 revising applicability of certain federal
5 income to program income eligibility standards;
6 providing that local coalition incentive
7 payments not be considered income; amending s.
8 414.095, F.S.; revising provisions relating to
9 temporary cash assistance and a shelter
10 obligation for teen parents; providing for
11 transitional benefits and services for families
12 leaving the temporary cash assistance program;
13 amending s. 414.105, F.S.; revising time
14 limitations and exceptions for temporary cash
15 assistance; creating s. 414.1525, F.S.;
16 authorizing an early exit diversion program;
17 providing criteria for one-time lump-sum
18 payment in lieu of ongoing cash assistance;
19 providing limitations; amending s. 414.155,
20 F.S.; revising procedure for determination of
21 relocation assistance and for receipt and
22 repayment of assistance thereafter; providing
23 eligibility for transitional benefits and
24 services; creating s. 414.157, F.S.;
25 authorizing a diversion program for victims of
26 domestic violence; providing eligibility;
27 providing limitations; creating s. 414.158,
28 F.S.; authorizing a diversion program to
29 strengthen Florida's families; providing
30 limitations and requirements; creating s.
31 414.1585, F.S.; authorizing a diversion program

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1 for families at risk of welfare dependency due
2 to substance abuse or mental illness; providing
3 limitations and requirements; creating s.
4 414.159, F.S.; authorizing the teen parent and
5 teen pregnancy diversion program; providing
6 eligibility; providing limitations; creating s.
7 414.1599, F.S.; providing for determination of
8 need for diversion programs; creating s.
9 414.18, F.S.; creating a program for dependent
10 care for families with children with special
11 needs; providing requirements and limitations;
12 amending ss. 414.20, 414.23, 414.37, 414.44,
13 and 414.45, F.S.; conforming references;
14 amending s. 414.22, F.S.; revising eligibility
15 for transitional education and training;
16 creating s. 414.223, F.S.; providing for
17 development of lists of postsecondary programs
18 and courses that promote job retention and
19 advancement; authorizing establishment of
20 Retention Incentive Training Accounts;
21 providing for funding; providing eligible
22 expenditures; requiring an annual report;
23 amending s. 414.225, F.S.; revising provisions
24 relating to transitional transportation;
25 amending s. 414.70, F.S.; providing drug
26 testing and screening requirements for parents
27 and caretaker relatives in a cash assistance
28 group; providing exceptions; providing
29 applicability of work requirements and
30 penalties to persons who fail to comply with
31 drug testing and screening requirements;

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1 amending s. 239.249, F.S.; correcting a cross
 2 reference; amending s. 250.10, F.S.; requiring
 3 the Adjutant General to administer a life
 4 preparation program and job readiness services;
 5 repealing s. 414.29, F.S., relating to access
 6 to lists of temporary cash assistance
 7 recipients; repealing s. 414.43, F.S., relating
 8 to a special needs allowance for families with
 9 a disabled family member; providing for
 10 transfer of funds between appropriations
 11 categories; providing an effective date.

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