

1                                   A bill to be entitled  
2           An act relating to the WAGES Program; amending  
3           s. 402.305, F.S.; prohibiting the factoring of  
4           specified individuals in calculating  
5           staff-to-children ratio; creating s. 414.0265,  
6           F.S.; providing for a Work and Gain Economic  
7           Self-sufficiency fiscal agent; specifying  
8           conditions; creating s. 414.0267, F.S.;  
9           establishing a program for matching grants;  
10          providing for administration; amending s.  
11          414.027, F.S.; revising requirements for the  
12          annual state plan; modifying payment structure;  
13          amending s. 414.028, F.S.; conforming  
14          cross-references; deleting obsolete provisions;  
15          providing funding for local WAGES coalitions  
16          through contract with the Office of Tourism,  
17          Trade, and Economic Development; providing for  
18          revocation of a local coalition charter;  
19          providing for reassignment of duties;  
20          specifying use of funds; amending s. 414.030,  
21          F.S.; correcting an organizational name  
22          reference; eliminating a cap on the number of  
23          WAGES Program employment projects to be  
24          identified; specifying that the role of the  
25          WAGES Program Employment Project Coordinator  
26          includes other WAGES employment opportunities;  
27          authorizing the commitment and coordination of  
28          resources; providing for suspension of certain  
29          criteria and requirements; encouraging agency  
30          resolution of barriers to such projects;  
31          authorizing waiver of economic development

1 incentive criteria; specifying a limit to funds  
2 allocated; authorizing the award of reasonable  
3 administrative costs associated with such  
4 projects; specifying contract terms; requiring  
5 creation of a WAGES Program Employment  
6 Implementation Team; authorizing the Governor  
7 to declare a WAGES employment emergency;  
8 providing for use of certain emergency  
9 management powers and other powers; creating s.  
10 414.035, F.S.; requiring expenditures of funds  
11 under Temporary Assistance for Needy Families  
12 to be in accordance with federal provisions;  
13 requiring certification of fiscal controls;  
14 creating s. 414.045, F.S.; establishing a cash  
15 assistance program; designating applicable  
16 groups; amending s. 414.055, F.S.; conforming  
17 organizational name references; amending s.  
18 414.065, F.S.; conforming organizational name  
19 references; excluding English language  
20 proficiency from education time limits;  
21 authorizing a local WAGES coalition to assign  
22 certain additional educational activities as  
23 work requirements; providing for an adjustment  
24 in the regional-participation requirement;  
25 requiring participants with medical limitations  
26 to be assigned appropriate work activities;  
27 providing for work activity exemption under  
28 certain circumstances; deleting obsolete  
29 provisions; amending s. 414.085, F.S.;  
30 excluding certain payments from consideration  
31 in determining grant amounts; amending s.

1 414.095, F.S.; deleting obsolete provisions;  
2 authorizing shelter obligations under certain  
3 circumstances; conforming organizational name  
4 references; amending s. 414.105, F.S.; revising  
5 limitations on extended eligibility for  
6 temporary cash assistance; deleting obsolete  
7 provisions; creating s. 414.151, F.S.;  
8 establishing a diversion program for victims of  
9 domestic violence; creating s. 414.1521, F.S.;  
10 establishing a diversion program to strengthen  
11 Florida's families; providing for determining  
12 eligibility for the program; authorizing the  
13 Healthy Families Florida program or the  
14 department to establish additional criteria for  
15 services or one-time payments under the  
16 program; providing that participation in the  
17 program does not preclude eligibility for other  
18 assistance; creating s. 414.159, F.S.;  
19 establishing a teen parent and pregnancy  
20 prevention diversion program; providing for  
21 eligibility for services under the program;  
22 providing that participation in the program  
23 does not preclude eligibility for other  
24 assistance; creating s. 414.1525, F.S.;  
25 establishing an early exit incentive program;  
26 amending s. 414.155, F.S.; conforming  
27 organizational name references; revising  
28 standards regarding the relocation assistance  
29 program; amending s. 414.20, F.S., relating to  
30 support services; providing for the provision  
31 of care for certain dependent children so that

1 the parent may accept or continue employment or  
2 participate in work activities; conforming  
3 organizational name references; creating s.  
4 414.201, F.S.; establishing a program for  
5 dependent care for families with children with  
6 special needs; providing requirements for  
7 eligibility; providing that implementation of  
8 the program is subject to an appropriation;  
9 requiring compliance with certain federal  
10 requirements; providing a time limitation on  
11 the receipt of assistance; amending s. 414.22,  
12 F.S.; conforming organizational name  
13 references; creating s. 414.223, F.S.;  
14 authorizing the development of a list of  
15 post-secondary courses to promote job retention  
16 and advancement; authorizing Retention  
17 Incentive Training Accounts; prescribing  
18 eligible expenditures through such accounts;  
19 requiring performance monitoring and a report;  
20 reserving funds; amending s. 414.225, F.S.;  
21 revising provisions relating to transportation;  
22 amending s. 414.23, F.S.; conforming  
23 organizational name references; amending s.  
24 414.37, F.S.; deleting obsolete reference;  
25 amending s. 414.44, F.S.; conforming  
26 organizational name reference; amending s.  
27 414.45, F.S.; deleting obsolete language;  
28 amending s. 414.70, F.S.; providing conditions  
29 for inclusion in a demonstration project;  
30 providing for work activity requirements and  
31 penalties for failure to comply; amending s.

1 288.063, F.S.; providing for WAGES  
2 transportation projects; authorizing the Office  
3 of Tourism, Trade, and Economic Development to  
4 develop an expedited process; amending s.  
5 250.10, F.S.; requiring the Adjutant General to  
6 administer a life preparation program and job  
7 readiness services; providing appropriations of  
8 TANF funds; amending s. 414.085, F.S.;  
9 requiring that income security payments be  
10 excluded as income except as required by  
11 federal law; repealing s. 414.25, F.S.,  
12 relating to exemptions from leased real  
13 property requirements; repealing s. 414.43,  
14 F.S., relating to special needs allowances for  
15 families with disabled members; repealing s.  
16 414.55, F.S., relating to implementation of the  
17 program; requiring compliance with s. 216.181,  
18 F.S.; providing an effective date.

19

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

21

22 Section 1. Subsection (4) of section 402.305, Florida  
23 Statutes, 1998 Supplement, is amended to read:

24 402.305 Licensing standards; child care facilities.--

25 (4) STAFF-TO-CHILDREN RATIO.--

26 (a) Minimum standards for the care of children in a  
27 licensed child care facility as established by rule of the  
28 department must include:29 1. For children from birth through 1 year of age,  
30 there must be one child care personnel for every four  
31 children.

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

4           3. For children 2 years of age or older, but under 3  
5 years of age, there must be one child care personnel for every  
6 11 children.

7           4. For children 3 years of age or older, but under 4  
8 years of age, there must be one child care personnel for every  
9 15 children.

10          5. For children 4 years of age or older, but under 5  
11 years of age, there must be one child care personnel for every  
12 20 children.

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

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

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

26           Section 2. Section 414.0265, Florida Statutes, is  
27 created to read:

28           414.0265 Work and Gain Economic Self-sufficiency  
29 (WAGES) fiscal agent.--

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1           (1) The WAGES Program State Board of Directors is  
2 authorized to contract with a fiscal agent to administer its  
3 financial affairs.

4           (2) If the WAGES Program State Board of Directors  
5 elects to contract with a fiscal agent to administer its  
6 financial affairs, the following conditions must be met:

7           (a) The fiscal agent must be a Florida for profit or  
8 not-for-profit corporation approved by the Department of  
9 State;

10           (b) The fiscal agent cannot be a provider of any  
11 service under the WAGES Program;

12           (c) The fiscal agent shall provide financial and  
13 administrative services pursuant to an annual contract or  
14 agreement with the WAGES Program State Board of Directors. The  
15 contract or agreement shall include a requirement for annual  
16 audit by an independent public account certified to practice  
17 in Florida. The audit must meet the requirements of chapter 75  
18 of Title 31, United States Code. The annual audit report  
19 shall include a management letter and shall be submitted to  
20 the Auditor General and the WAGES Program State Board of  
21 Directors for review;

22           (d) Costs associated with fiscal agent services shall  
23 be specified in the agreement and may not exceed 5 percent of  
24 the total funds provided to the WAGES Program State Board of  
25 Directors; and

26           (e) The fiscal agent shall assist the WAGES Program  
27 State Board of Directors to prepare and submit an annual  
28 budget request by September 1 of each year and an annual  
29 financial statement to the Governor, the Senate, and the House  
30 of Representatives. The format for the annual budget and the  
31

1 annual financial statement shall conform to the fiscal year of  
2 the state.

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

5 414.0267 Matching grants for economic independence.--

6 (1) There is established a program of matching grants  
7 for economic independence. The program shall provide an  
8 incentive in the form of matching grants for donations and  
9 expenditures by donors and charitable organizations for  
10 transitional, diversion, and support programs that complement,  
11 supplement, and further the goals of the Work and Gain  
12 Economic Self-sufficiency Program.

13 (2) The WAGES Program State Board of Directors shall  
14 specify the funds allocated for matching; the process for  
15 submission, documentation, and approval of requests for  
16 program funds and matching funds; accountability for funds and  
17 proceeds of investments; allocations to programs and  
18 coalitions; restrictions on the use of the funds; and criteria  
19 used in determining the value of donations.

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

22 414.027 WAGES Program annual statewide program  
23 implementation plan.--

24 (1) The WAGES Program State Board of Directors shall  
25 submit to the Governor, the President of the Senate, and the  
26 Speaker of the House of Representatives an annual ~~a~~ statewide  
27 plan for ~~implementing~~ the WAGES Program established under this  
28 chapter. At a minimum, the annual statewide program  
29 ~~implementation~~ plan must include:

30 (a) Performance standards, measurement criteria, and  
31 contract guidelines for all services provided under the WAGES

1 Program whether by state employees or contract providers. The  
2 plan must include performance standards and objectives,  
3 measurement criteria, measures of performance, and contract  
4 guidelines for all local WAGES coalitions related to the  
5 following issues:

- 6 1. Work participation rates by type of activity;
- 7 2. Caseload trends;
- 8 3. Recidivism;
- 9 4. Participation in diversion and relocation programs;
- 10 5. Employment retention; and
- 11 6. Other issues identified by the WAGES Program State

12 Board of Directors.

13 (b) A description of:

14 1. Cooperative agreements and partnerships between  
15 local WAGES coalitions and local community agencies and  
16 not-for-profit organizations described in section 501(c)(3) of  
17 the Internal Revenue Code;

18 2. Efforts by local WAGES coalitions to provide WAGES  
19 applicants, recipients, and former recipients with information  
20 on the services and programs available to them, including  
21 diversion programs, relocation assistance, and other services  
22 that may be obtained without receiving monthly cash  
23 assistance;

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

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

28 (c) An evaluation of the performance of each local  
29 WAGES coalition based on the performance measures and  
30 guidelines.

31

1           ~~(d)(b)~~ Directives for creating and chartering local  
2 WAGES coalitions to plan and coordinate the delivery of  
3 services under the WAGES Program at the local level.

4           ~~(e)(c)~~ The approval of the implementation plans  
5 submitted by local WAGES coalitions.

6           ~~(f)(d)~~ Recommendations for clarifying, or if  
7 necessary, modifying the roles of the state agencies charged  
8 with implementing the WAGES Program so that all unnecessary  
9 duplication is eliminated.

10           ~~(g)(e)~~ Recommendations for modifying compensation and  
11 incentive programs for state employees in order to achieve the  
12 performance outcomes necessary for successful implementation  
13 of the WAGES Program.

14           ~~(h)(f)~~ Criteria for allocating WAGES Program resources  
15 to local WAGES coalitions. Such criteria must include  
16 weighting factors that reflect the relative degree of  
17 difficulty associated with securing employment placements for  
18 specific subsets of the welfare transition caseload.

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

- 22           1. The degree of difficulty associated with placing a  
23 WAGES Program participant in a job;
- 24           2. The quality of the placement with regard to salary,  
25 benefits, and opportunities for advancement; and
- 26           3. The employee's retention of the placement.

27  
28 The payment structure shall provide not more than 50 ~~40~~  
29 percent of the cost of services provided to a WAGES  
30 participant prior to placement, 25 ~~50~~ percent upon employment  
31 placement, and 25 ~~10~~ percent if employment is retained for at

1 least 6 months. The payment structure should provide bonus  
2 payments to providers that experience notable success in  
3 achieving long-term job retention with WAGES Program  
4 participants. The board shall consult with the Workforce  
5 Development Board ~~Enterprise Florida workforce development~~  
6 ~~board~~ in developing the WAGES Program annual statewide program  
7 implementation plan.

8 (j) Specifications for WAGES Program services that are  
9 to be delivered through local WAGES coalitions, including the  
10 following:

11 1. Referral of participants to diversion and  
12 relocation programs;

13 2. Pre-placement services, including assessment,  
14 staffing, career plan development, work orientation, and  
15 employability skills enhancement;

16 3. Services necessary to secure employment for a WAGES  
17 participant;

18 4. Services necessary to assist participants in  
19 retaining employment, including, but not limited to, remedial  
20 education, language skills, and personal and family  
21 counseling;

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

24 6. Expectations regarding job retention;

25 7. Strategies to ensure that transition services are  
26 provided to participants for the mandated period of  
27 eligibility;

28 8. Services that must be provided to the participant  
29 throughout an education or training program, such as  
30 monitoring attendance and progress in the program;

31

1           9. Services that must be delivered to WAGES  
2 participants who have a deferral from work requirements but  
3 wish to participate in activities that meet federal  
4 participation requirements; and

5           10. Expectations regarding continued participant  
6 awareness of available services and benefits.

7           Section 5. Subsections (2), (4), (5), and (7) of  
8 section 414.028, Florida Statutes, 1998 Supplement, are  
9 amended, and subsections (9) and (10) are added to that  
10 section to read:

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

23           (2) A local WAGES coalition and a regional workforce  
24 development board may be combined into one board if the  
25 membership complies with subsection (1), and if the membership  
26 of the combined board meets the requirements of Pub. L. No.  
27 105-220, s. 117(b)(2)~~97-300, the federal Job Training~~  
28 ~~Partnership Act, as amended~~, and with any law delineating the  
29 membership requirements for the regional workforce development  
30 boards.

31

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

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

13           (b) Developing a funding strategy to implement the  
14 program and financial plan which incorporates resources from  
15 all principal funding sources.

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

19           (d) In cooperation with the regional workforce  
20 development board, coordinating the implementation of one-stop  
21 career centers.

22           (e) Advising the Office of Tourism, Trade, and  
23 Economic Development ~~Department of Children and Family~~  
24 ~~Services and the Department of Labor and Employment Security~~  
25 with respect to the competitive procurement of services under  
26 the WAGES Program.

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

1 (g) Developing a plan for services for victims of  
2 domestic violence.

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

5 a. Criteria for determining eligibility for exceptions  
6 to state work requirements;

7 b. The programs and services to be offered to victims  
8 of domestic violence;

9 c. Time limits for exceptions to program requirements,  
10 which may not result in an adult participant exceeding the  
11 federal time limit for exceptions or the state lifetime  
12 benefit limit that the participant would otherwise be entitled  
13 to receive; and

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

21 2. Each local WAGES coalition plan must specify  
22 provisions for coordinating and, where appropriate, delivering  
23 services, including:

24 a. Provisions for the local coalition to coordinate  
25 with law enforcement agencies and social service agencies and  
26 organizations that provide services and protection to victims  
27 of domestic violence;

28 b. Provisions for allowing participants access to  
29 domestic violence support services and ensuring that WAGES  
30 participants are aware of domestic violence shelters,  
31 hotlines, and other domestic violence services and policies;

1           c. Designation of the agency that is responsible for  
2 determining eligibility for exceptions from program  
3 requirements due to domestic violence;

4           d. Provisions that require each individual who is  
5 granted an exemption from program requirements due to domestic  
6 violence to participate in a program that prepares the  
7 individual for self-sufficiency and safety; and

8           e. Where possible and necessary, provisions for job  
9 assignments and transportation arrangements that take maximum  
10 advantage of opportunities to preserve the safety of the  
11 victim of domestic violence and the victim's dependents.

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

1 ~~Security for WAGES service functions. By October 1, 1998, the~~  
2 ~~coalition may have negotiated and entered into new lease~~  
3 ~~agreements or subleased for said space from the Department of~~  
4 ~~Labor and Employment Security. In the event the coalition~~  
5 ~~does not utilize the Department of Labor and Employment~~  
6 ~~Security leased space, the Department of Labor and Employment~~  
7 ~~Security shall not be obligated to pay under any lease~~  
8 ~~agreement for WAGES services entered into by the department~~  
9 ~~since July 1, 1996.~~

10 (7) At the option of the local WAGES coalition, local  
11 employees of the department ~~and the Department of Labor and~~  
12 ~~Employment Security~~ shall provide staff support for the local  
13 WAGES coalitions. Staff support may be provided by another  
14 agency, entity, or by contract.

15 (9)(a) Effective October 1, 1999, funds for the  
16 administrative and service delivery operations of the local  
17 WAGES coalitions shall be provided to the coalitions by  
18 contract with the Office of Tourism, Trade, and Economic  
19 Development. The local WAGES coalitions are subject to the  
20 provisions of the implementation plan approved for the  
21 coalition by the WAGES Program State Board of Directors. Each  
22 coalition's implementation plan shall be incorporated into the  
23 coalition's contract with the Office of Tourism, Trade, and  
24 Economic Development so that the coalition is contractually  
25 committed to achieve the performance requirements contained in  
26 the approved plan. The Office of Tourism, Trade, and Economic  
27 Development shall advise the board of applicable federal and  
28 state law related to the contract and of issues raised as a  
29 result of oversight of the contracts.

30 (b) A local WAGES coalition that does not meet the  
31 performance requirements set by the WAGES Program State Board

1 of Directors and contained in the contract executed pursuant  
2 to this subsection must develop for approval by the WAGES  
3 Program State Board of Directors an analysis of the problems  
4 preventing the region from meeting the performance standards  
5 and a plan of corrective action for meeting state performance  
6 requirements. The analysis and plan of corrective action shall  
7 be included as appendices to the annual plan submitted to the  
8 Governor, the President of the Senate, and the Speaker of the  
9 House of Representatives by the WAGES Program State Board of  
10 Directors.

11 (c) The WAGES Program State Board of Directors may  
12 direct the Office of Tourism, Trade, and Economic Development  
13 to procure a portion of the duties of a local WAGES coalition  
14 from another agency, coalition, or provider for good cause.  
15 Good cause may include failure to meet performance  
16 requirements.

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

29 (10) No less than 25 percent of funds provided to  
30 local WAGES coalitions must be used to contract with local  
31 public or private agencies that have elected or appointed

1 boards of directors on which a majority of the members are  
2 residents of that local WAGES coalition's service area.

3 Section 6. Section 414.030, Florida Statutes, 1998  
4 Supplement, is amended to read:

5 414.030 WAGES Program Employment Projects.--

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

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

29 (3)(a) By September 1 of each year, Enterprise  
30 Florida, Inc., in consultation with the ~~state~~ WAGES Program  
31 State Board of Directors, shall review and prioritize the list

1 of projects identified pursuant to subsection (2) using the  
2 following criteria:

- 3 1. Areas with a high proportion of families who had  
4 already received cash assistance in 3 out of the previous 5  
5 years at the time their time limit was established;
- 6 2. Areas with a high proportion of families subject to  
7 the WAGES time limit headed by a parent who was under age 24  
8 at the time the time limit was established and who lacked high  
9 school or GED completion;
- 10 3. Areas with a high proportion of families subject to  
11 the time limit who have used all of the available months of  
12 cash assistance since October 1996;
- 13 4. Areas with a low ratio of new jobs per WAGES  
14 participant;
- 15 5. Areas with a low ratio of job openings requiring  
16 less than a high school degree per WAGES participant;
- 17 6. Areas with a high proportion of families subject to  
18 the time limit who are either within 6 months of the time  
19 limit or are receiving cash assistance under a period of  
20 hardship extension to the time limit;
- 21 7. Areas with unusually high unemployment; and
- 22 8. Areas identified as labor surplus areas using the  
23 criteria established by the United States Department of Labor  
24 Employment and Training Administration.

25 (b) To the greatest extent possible, Enterprise  
26 Florida, Inc., shall foster the development or completion of  
27 the projects identified pursuant to paragraph (a) using  
28 existing state and local resources under the control of  
29 Enterprise Florida, Inc. To the extent that such projects  
30 cannot be developed or completed from resources available to  
31 Enterprise Florida, Inc., shall ~~may~~ identify and prioritize ~~no~~

1 ~~more than 10~~ projects, ~~of which no more than 3 may be located~~  
2 ~~in Dade County,~~ that need extraordinary state and local  
3 assistance. Enterprise Florida, Inc., shall provide the list  
4 of projects needing extraordinary assistance to the Governor  
5 and each WAGES Program Employment Project Coordinator  
6 designated pursuant to subsection (4) by September 1 of each  
7 year.

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

25 (b) By designation, the WAGES Program Employment  
26 Project Coordinators are empowered to commit and coordinate  
27 those resources applicable to the organization that the  
28 coordinator represents, including suspending program criteria,  
29 agency requirements, procedures, practices, guidelines, rules,  
30 fees, charges, and other ministerial requirements, to  
31

1 successfully assist areas meeting the criteria in paragraph  
2 (3)(a).

3 (c) Coordinators, working with the Office of Tourism,  
4 Trade, and Economic Development, must encourage state and  
5 local agencies to cooperatively solve all barriers for  
6 attracting and committing potential employers to locate in the  
7 state and to facilitate expansion of existing businesses in  
8 the state.

9 (d) Coordinators, working with the Office of Tourism,  
10 Trade, and Economic Development, may waive any criteria,  
11 requirement, or similar provision of certain economic  
12 development incentives, including the Qualified Target  
13 Industry Tax Refund Program under s. 288.106; the  
14 Quick-Response Training Program under s. 288.047; the WAGES  
15 Quick-Response Training Program under s. 288.047; contracts  
16 for transportation projects under s. 288.063; the Qualified  
17 Defense Contractor Tax Refund Program under s. 288.1045; the  
18 brownfield redevelopment bonus refunds under s. 288.107; and  
19 the urban high-crime area and rural job tax credit programs  
20 under ss. 212.097, 212.098, and 220.1895.

21 (e)~~(b)~~ By October 1 of each year, each WAGES Program  
22 Employment Project Coordinator shall determine what resources  
23 are available at the organization to foster the development  
24 and completion of the economic development projects received  
25 pursuant to subsection (3). Each coordinator shall provide  
26 this determination to the Governor by October 1 of each year.

27 (5)(a) By October 15 of each year, the Governor may,  
28 by executive order, designate these projects as WAGES Program  
29 Employment Projects, and direct the agencies to use the  
30 resources identified pursuant to subsection (4) to develop or  
31 complete such projects. The order shall direct such agencies

1 to contract with the appropriate local WAGES coalition to  
2 develop or complete such projects. Funds allocated to these  
3 projects must not exceed \$5,000 per new job created.

4 (b) Notwithstanding the eligibility provisions of s.  
5 403.973, the Governor may waive such eligibility requirements  
6 by executive order for projects that have been identified as  
7 needing expedited permitting.

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

15 (d) Any executive order issued by the Governor  
16 pursuant to this section shall expire within 90 days, unless  
17 renewed for an additional 60 days by the Governor. However,  
18 no executive order may be issued by the Governor pursuant to  
19 this section for a period in excess of 150 days.

20 (6) Each local WAGES coalition with jurisdiction over  
21 an area where a WAGES Program Employment Project has been  
22 designated by the Governor pursuant to subsection (5) shall  
23 enter into a contract with the appropriate local, state, or  
24 private entities to ensure that the project is developed and  
25 completed. Such contracts may include, but are not limited  
26 to, contracts with applicable state agencies and businesses to  
27 provide training, education, and employment opportunities for  
28 WAGES participants. Each local WAGES coalition may be awarded  
29 reasonable administration costs from funds appropriated for  
30 these projects.

31

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

12           ~~(8)(7)~~ The Office of Tourism, Trade, and Economic  
13 Development shall convene a WAGES Program Employment  
14 Implementation Team to ensure the timely and effective  
15 implementation of these projects.By March 15 of each year,  
16 this team Enterprise Florida, Inc., shall submit to the state  
17 WAGES Program State Board of Directors, the Governor, the  
18 President of the Senate, the Speaker of the House of  
19 Representatives, the Senate Minority Leader, and the House  
20 Minority Leader a complete and detailed report that includes,  
21 but is not limited to, a description of the activities,  
22 expenditures, and projects undertaken pursuant to this section  
23 and a description of what, if any, legislative action that may  
24 be necessary.

25           (9)(8)(a) The Auditor General may, pursuant to his or  
26 her own authority or at the direction of the Legislature,  
27 conduct a financial audit of the expenditure of resources  
28 pursuant to this section.

29           (b) Prior to the 2000 Regular Session of the  
30 Legislature, the Office of Program Policy Analysis and  
31 Government Accountability shall conduct a review of the

1 projects developed or completed pursuant to this section. The  
2 review shall be comprehensive in its scope, but, at a minimum,  
3 must be conducted in a manner as to specifically determine:

4 1. The impact the provisions contained in this section  
5 had on the development and completion of the projects  
6 identified pursuant to this section.

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

13 (10) If the Governor finds that the provisions of this  
14 section will be inadequate to address a community's impending  
15 or existing employment crisis, the Governor may, by executive  
16 order, declare a WAGES employment emergency and may use only  
17 the necessary powers enumerated under s. 252.36, as well as  
18 all other powers of the Governor under law, to coordinate,  
19 focus, intensify, and maximize successful WAGES employment  
20 efforts.

21 Section 7. Section 414.035, Florida Statutes, is  
22 created to read:

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

1 requirements and limitations of federal law and that any  
2 reporting requirements of federal law are met. It shall be the  
3 responsibility of any entity to which such funds are  
4 appropriated to obtain the required certification prior to any  
5 expenditure of funds.

6 Section 8. Section 414.045, Florida Statutes, is  
7 created to read:

8 414.045 Cash Assistance Program.--Cash assistance  
9 families include any families receiving cash assistance from  
10 the state program for Temporary Assistance for Needy Families  
11 as defined in federal law, whether such cash assistance is  
12 supported by federal funds, state funds, or a combination of  
13 federal and state funds. Cash assistance families may also  
14 include families receiving cash assistance through a program  
15 defined as a separate state program. For reporting purposes,  
16 families receiving cash assistance shall be designated as  
17 being in one of the following groups. The department may  
18 develop additional groupings in order to comply with federal  
19 reporting requirements, to comply with the data needs of the  
20 WAGES Program State Board of Directors, or to better inform  
21 the public of program progress. Program reporting data shall  
22 include, but is not necessarily limited to, the following  
23 groups:

24 (1) WAGES cases include families that contain an adult  
25 or a teen head of household as defined by federal law. WAGES  
26 cases are generally subject to the work activity requirements  
27 defined in s. 414.065 and the time limitations on cash  
28 benefits established in s. 414.105. Families with an adult  
29 where the adult's needs have been removed from the case due to  
30 sanction or disqualification shall be considered WAGES cases  
31 to the extent that such cases are considered in the

1 calculation of federal work participation rates or would be  
2 counted in such calculation in future months.

3 (2) Child only cases include cases that do not include  
4 an adult or teen head of household as defined in federal law.  
5 Such cases include:

6 (a) Child only families with children in the care of  
7 caretaker relatives where the caretaker relatives choose to  
8 have their needs excluded in calculating the amount of cash  
9 assistance.

10 (b) Families in the Relative Caregiver Program as  
11 defined in s. 39.5085.

12 (c) Families in which the only parent in a  
13 single-parent family or both parents in a two-parent family  
14 receive Supplemental Security Income (SSI) benefits under  
15 Title XVI of the Social Security Act, as amended. To the  
16 extent permitted by federal law, individuals receiving SSI  
17 shall be excluded as household members in determining the  
18 amount of cash assistance, and such cases shall not be  
19 considered as families that contain an adult. Parents or  
20 caretaker relatives who are excluded as members of the cash  
21 assistance group due to receiving SSI benefits may voluntarily  
22 participate in WAGES work activities. An individual who  
23 volunteers to participate in a WAGES work activity may receive  
24 WAGES-related child care or support services consistent with  
25 such participation.

26 (d) Families described in paragraph (a), paragraph  
27 (b), or paragraph (c) may receive child care assistance or  
28 other support services so that the children may continue to be  
29 cared for in their own homes or in the homes of relatives.  
30 Such assistance or services may be funded from the Temporary  
31 Assistance for Needy Families block grant to the extent

1 permitted under federal law and in accordance with specific  
2 state appropriations.

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

9  
10 The purview of the WAGES Program State Board of Directors and  
11 the service delivery and financial planning responsibilities  
12 of the local WAGES coalitions shall apply to the families  
13 defined as WAGES cases in subsection (1). The department  
14 shall be responsible for program administration and service  
15 delivery related to families in groups defined in subsection  
16 (2) and shall coordinate such administration and service  
17 delivery with the WAGES Program State Board of Directors to  
18 the extent required for effective operations of the WAGES  
19 Program.

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

22 414.055 One-stop career centers.--

23 (6) At the one-stop career centers, local WAGES  
24 coalitions ~~staff of the Department of Labor and Employment~~  
25 ~~Security~~ shall assign a participant in the WAGES Program to ~~an~~  
26 approved work activities ~~activity~~.

27 Section 10. Paragraphs (b), (g), and (i) of subsection  
28 (1) and subsections (2), (4), (7), (9), (10), and (11) of  
29 section 414.065, Florida Statutes, 1998 Supplement, are  
30 amended to read:

31 414.065 Work requirements.--

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

4           (b) Subsidized private sector employment.--Subsidized  
5 private sector employment is employment in a private  
6 for-profit enterprise or a private not-for-profit enterprise  
7 which is directly supplemented by federal or state funds. A  
8 subsidy may be provided in one or more of the forms listed in  
9 this paragraph.

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

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

1 a pattern of failing to provide participants with continued  
2 employment after the on-the-job training subsidy ends.

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

28 4. Tax credits.--An employer who employs a program  
29 participant may qualify for enterprise zone property tax  
30 credits under s. 220.182, the tax refund program for qualified  
31 target industry businesses under s. 288.106, or other federal

1 or state tax benefits. The department and the Department of  
2 Labor and Employment Security shall provide information and  
3 assistance, as appropriate, to use such credits to accomplish  
4 program goals.

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

15           (g) Vocational education or training.--Vocational  
16 education or training is education or training designed to  
17 provide participants with the skills and certification  
18 necessary for employment in an occupational area. Vocational  
19 education or training may be used as a primary program  
20 activity for participants when it has been determined that the  
21 individual has demonstrated compliance with other phases of  
22 program participation and successful completion of the  
23 vocational education or training is likely to result in  
24 employment entry at a higher wage than the participant would  
25 have been likely to attain without completion of the  
26 vocational education or training. Vocational education or  
27 training may be combined with other program activities and  
28 also may be used to upgrade skills or prepare for a higher  
29 paying occupational area for a participant who is employed.

30           1. Vocational education shall not be used as the  
31 primary program activity for a period which exceeds 12 months.

1 The 12-month restriction applies to instruction in a career  
2 education program and does not include remediation of basic  
3 skills, including English language proficiency,~~through adult~~  
4 ~~general education~~ if remediation is necessary to enable a  
5 WAGES participant to benefit from a career education program.  
6 Any necessary remediation must be completed before a  
7 participant is referred to vocational education as the primary  
8 work activity. In addition, use of vocational education or  
9 training shall be restricted to not more than 20 percent of  
10 adult participants in the WAGES region, or subject to other  
11 limitation as established in federal law. Vocational education  
12 included in a program leading to a high school diploma shall  
13 not be considered vocational education for purposes of this  
14 section.

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

29 ~~3.2.~~ When possible, a provider of vocational education  
30 or training shall use funds provided by funding sources other  
31 than the department or local WAGES coalition ~~the Department of~~

1 ~~Labor and Employment Security~~. Either department may provide  
2 additional funds to a vocational education or training  
3 provider only if payment is made pursuant to a  
4 performance-based contract. Under a performance-based  
5 contract, the provider may be partially paid when a  
6 participant completes education or training, but the majority  
7 of payment shall be made following the participant's  
8 employment at a specific wage or job retention for a specific  
9 duration. Performance-based payments made under this  
10 subparagraph are limited to education or training for targeted  
11 occupations identified by the Occupational Forecasting  
12 Conference under s. 216.136, or other programs identified by  
13 the Workforce Development Board ~~Enterprise Florida workforce~~  
14 ~~development board~~ as beneficial to meet the needs of  
15 designated groups, such as WAGES participants, who are hard to  
16 place. If the contract pays the full cost of training, the  
17 community college or school district may not report the  
18 participants for other state funding, except that the college  
19 or school district may report WAGES clients for performance  
20 incentives or bonuses authorized for student enrollment,  
21 completion, and placement.

22 (i) Education services related to employment for  
23 participants 19 years of age or younger.--Education services  
24 provided under this paragraph are designed to prepare a  
25 participant for employment in an occupation. The department  
26 ~~and the Department of Labor and Employment Security~~ shall  
27 coordinate education services with the school-to-work  
28 activities provided under s. 229.595. Activities provided  
29 under this paragraph are restricted to participants 19 years  
30 of age or younger who have not completed high school or  
31 obtained a high school equivalency diploma.

1           (2) WORK ACTIVITY REQUIREMENTS.--Each individual adult  
2 ~~participant~~ who is not otherwise exempt must participate in a  
3 work activity, except for community service work experience,  
4 for the maximum number of hours allowable under federal law  
5 provided that no participant be required to work more than 40  
6 hours per week or less than the minimum number of hours  
7 required by federal law. The maximum number of hours each  
8 month that a participant may be required to participate in  
9 community service activities is the greater of: the number of  
10 hours that would result from dividing the family's monthly  
11 amount for temporary cash assistance and food stamps by the  
12 federal minimum wage and then dividing that result by the  
13 number of participants in the family who participate in  
14 community service activities; or the minimum required to meet  
15 federal participation requirements. However, in no case shall  
16 the maximum hours required per week for community work  
17 experience exceed 40 hours. An applicant shall be referred for  
18 employment at the time of application if the applicant is  
19 eligible to participate in the WAGES Program.

20           (a) A participant in a work activity may also be  
21 required to enroll in and attend a course of instruction  
22 designed to increase literacy skills to a level necessary for  
23 obtaining or retaining employment, provided that the  
24 instruction plus the work activity does not require more than  
25 40 hours per week.

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

31

1           (4) PENALTIES FOR NONPARTICIPATION IN WORK  
2 REQUIREMENTS.--The department ~~and the Department of Labor and~~  
3 ~~Employment Security~~ shall establish procedures for  
4 administering penalties for nonparticipation in work  
5 requirements. If an individual in a family receiving temporary  
6 cash assistance fails to engage in work activities required in  
7 accordance with this section, the following penalties shall  
8 apply:

9           (a) First noncompliance: temporary cash assistance  
10 shall be terminated for the family until the individual who  
11 failed to comply does so, and food stamp benefits shall not be  
12 increased as a result of the loss of temporary cash  
13 assistance.

14           (b) Second noncompliance: temporary cash assistance  
15 and food stamps shall be terminated for the family until the  
16 individual demonstrates compliance in the required work  
17 activity for a period of 30 days. Upon compliance, temporary  
18 cash assistance and food stamps shall be reinstated to the  
19 date of compliance. ~~Prior to the imposition of sanctions for~~  
20 ~~a second noncompliance, the participant shall be interviewed~~  
21 ~~to determine why full compliance has not been achieved. The~~  
22 ~~participant shall be counseled regarding compliance and, if~~  
23 ~~appropriate, shall be referred for services that could assist~~  
24 ~~the participant to fully comply with program requirements.~~

25           (c) Third noncompliance: temporary cash assistance  
26 and food stamps shall be terminated for the family for 3  
27 months. The individual shall be required to demonstrate  
28 compliance in the work activity upon completion of the 3-month  
29 penalty period, before reinstatement of temporary cash  
30 assistance and food stamps.

31

1 Prior to the imposition of sanctions, the participant shall be  
2 interviewed to determine why full compliance has not been  
3 achieved. The participant shall be counseled regarding  
4 compliance and, if appropriate, shall be referred for services  
5 that could assist the participant to fully comply with program  
6 requirements. If a participant fully complies with work  
7 activity requirements for at least 6 months, the participant  
8 shall be reinstated as being in full compliance with program  
9 requirements for purpose of sanctions imposed under this  
10 section.

11 (7) EXCEPTIONS TO NONCOMPLIANCE PENALTIES.--The  
12 situations listed in this subsection shall constitute  
13 exceptions to the penalties for noncompliance with  
14 participation requirements, except that these situations do  
15 not constitute exceptions to the applicable time limit for  
16 receipt of temporary cash assistance:

17 (a) Noncompliance related to child care.--Temporary  
18 cash assistance may not be terminated for refusal to  
19 participate in work activities if the individual is a single  
20 custodial parent caring for a child who has not attained 6  
21 years of age, and the adult proves to the department ~~or to the~~  
22 ~~Department of Labor and Employment Security~~ an inability to  
23 obtain needed child care for one or more of the following  
24 reasons:

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

27 2. Unavailability or unsuitability of informal child  
28 care by a relative or under other arrangements.

29 3. Unavailability of appropriate and affordable formal  
30 child care arrangements.

31

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

13           (c) Noncompliance related to treatment or remediation  
14 of past effects of domestic violence.--An individual who is  
15 determined to be unable to comply with the work requirements  
16 under this section due to mental or physical impairment  
17 related to past incidents of domestic violence may be exempt  
18 from work requirements for a specified period pursuant to s.  
19 414.028(4)(g), except that such individual shall comply with a  
20 plan that specifies alternative requirements that prepare the  
21 individual for self-sufficiency while providing for the safety  
22 of the individual and the individual's dependents. The plan  
23 must include counseling or a course of treatment necessary for  
24 the individual to resume participation. The need for treatment  
25 and the expected duration of such treatment must be verified  
26 by a physician licensed under chapter 458 or chapter 459; a  
27 psychologist licensed under s. 490.005(1), s. 490.006, or the  
28 provision identified as s. 490.013(2) in s. 1, chapter 81-235,  
29 Laws of Florida; a therapist as defined in s. 491.003(2) or  
30 (6); or a treatment professional who is registered under s.  
31 415.605(1)(g), is authorized to maintain confidentiality under

1 s. 90.5036(1)(d), and has a minimum of 2 years experience at a  
2 certified domestic violence center. An exception granted under  
3 this paragraph does not constitute an exception from the time  
4 limitations on benefits specified under s. 414.105.

5 (d) Noncompliance related to medical incapacity.--If  
6 an individual cannot participate in assigned work activities  
7 due to a medical incapacity, the individual may be excepted  
8 from the activity for a specific period, except that the  
9 individual shall be required to comply with the course of  
10 treatment necessary for the individual to resume  
11 participation. A participant may not be excused from work  
12 activity requirements unless the participant's medical  
13 incapacity is verified by a physician licensed under chapter  
14 458 or chapter 459, in accordance with procedures established  
15 by rule of the ~~department~~ Department of Labor and Employment  
16 Security. An individual for whom there is medical verification  
17 of limitation to participate in work activities shall be  
18 assigned to work activities consistent with such limitations.  
19 Evaluation of an individual's ability to participate in work  
20 activities or development of a plan for work activity  
21 assignment may include vocational assessment or work  
22 evaluation. The department or a local WAGES coalition may  
23 require an individual to cooperate in medical or vocational  
24 assessment necessary to evaluate the individual's ability to  
25 participate in a work activity.

26 (e) Noncompliance due to medical incapacity by  
27 applicants for Supplemental Security Income (SSI).--An  
28 individual subject to work activity requirements may be  
29 exempted from those requirements if the individual provides  
30 information verifying that he or she has filed an application  
31 for SSI disability benefits and the decision is pending

1 development and evaluation under social security disability  
2 law, rules, and regulations at the initial reconsideration,  
3 administrative law judge, or SSA Appeals Council levels.

4 (f)~~(e)~~ Other good cause exceptions for  
5 noncompliance.--Individuals who are temporarily unable to  
6 participate due to circumstances beyond their control may be  
7 excepted from the noncompliance penalties. The department  
8 ~~Department of Labor and Employment Security~~ may define by rule  
9 situations that would constitute good cause. These situations  
10 must include caring for a disabled family member when the need  
11 for the care has been verified and alternate care is not  
12 available.

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

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

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

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

30 (d) Priority may be assigned based on the amount of  
31 time remaining until the participant reaches the applicable

1 time limit for program participation or may be based on  
2 requirements of a case plan.

3  
4 Local WAGES coalitions ~~The Department of Labor and Employment~~  
5 ~~Security~~ may limit a participant's weekly work requirement to  
6 the minimum required to meet federal work activity  
7 requirements in lieu of the level defined in subsection (2).  
8 The department and local WAGES Coalitions ~~the Department of~~  
9 ~~Labor and Employment Security~~ may develop screening and  
10 prioritization procedures within service districts or within  
11 counties based on the allocation of resources, the  
12 availability of community resources, or the work activity  
13 needs of the service district.

14 (10) USE OF CONTRACTS.--Local WAGES coalitions ~~The~~  
15 ~~Department of Labor and Employment Security~~ shall provide work  
16 activities, training, and other services, as appropriate,  
17 through contracts. In contracting for work activities,  
18 training, or services, the following applies:

19 (a) All education and training provided under the  
20 WAGES Program shall be provided through agreements with  
21 regional workforce development boards.

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

28 (c) A contract may include performance-based incentive  
29 payments that may vary according to the extent to which the  
30 participant is more difficult to place. Contract payments may  
31 be weighted proportionally to reflect the extent to which the

1 participant has limitations associated with the long-term  
2 receipt of welfare and difficulty in sustaining employment.  
3 The factors may include the extent of prior receipt of  
4 welfare, lack of employment experience, lack of education, and  
5 lack of job skills, ~~and other factors determined appropriate~~  
6 ~~by the Department of Labor and Employment Security.~~

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

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

21 (f) The administrative costs associated with a  
22 contract for services provided under this section may not  
23 exceed the applicable administrative cost ceiling established  
24 in federal law. An agency or entity that is awarded a contract  
25 under this section may not charge more than 7 percent of the  
26 value of the contract for administration, unless an exception  
27 is approved by the local WAGES coalition. A list of any  
28 exceptions approved must be submitted to the WAGES Program  
29 State Board of Directors for review, and the board may rescind  
30 approval of the exception. The WAGES Program State Board of  
31

1 Directors may also approve exceptions for any statewide  
2 contract for services provided under this section.

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

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

12 (11) PROTECTIONS FOR PARTICIPANTS.--

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

18 ~~(b) The Department of Labor and Employment Security~~  
19 ~~shall recommend to the Legislature by December 30, 1997,~~  
20 ~~policies to protect participants from discrimination,~~  
21 ~~unreasonable risk, and unreasonable expectations related to~~  
22 ~~work experience and community service requirements.~~

23 Section 11. Subsection (4) is added to section  
24 414.085, Florida Statutes, to read:

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

1           (4) An incentive payment to a participant authorized  
2 by a local WAGES coalition shall not be considered income for  
3 the purpose of determining the cash assistance grant amount  
4 for the assistance group.

5           Section 12. Paragraphs (b) and (c) of subsection (15)  
6 of section 414.095, Florida Statutes, 1998 Supplement, are  
7 amended to read:

8           414.095 Determining eligibility for the WAGES  
9 Program.--

10           (15) PROHIBITIONS AND RESTRICTIONS.--

11           (b) Temporary cash assistance, without shelter  
12 expense, may be available for a teen parent who is less than  
13 19 years of age and for the child. Temporary cash assistance  
14 may not be paid directly to the teen parent but must be paid,  
15 on behalf of the teen parent and child, to an alternative  
16 payee who is designated by the department. The alternative  
17 payee may not use the temporary cash assistance for any  
18 purpose other than paying for food, clothing, shelter, and  
19 medical care for the teen parent and child and for other  
20 necessities required to enable the teen parent to attend  
21 school or a training program. In order for the child of the  
22 teen parent and the teen parent to be eligible for temporary  
23 cash assistance, the teen parent must:

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

27           2. Reside with a parent, legal guardian, or other  
28 adult caretaker relative. The income and resources of the  
29 parent shall be included in calculating the temporary cash  
30 assistance available to the teen parent since the parent is  
31

1 responsible for providing support and care for the child  
2 living in the home.

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

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

10           1. The teen parent has suffered or might suffer harm  
11 in the home of the parent, legal guardian, or adult caretaker  
12 relative.

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

23  
24 The department may not delay providing temporary cash  
25 assistance to the teen parent through the alternative payee  
26 designated by the department pending a determination as to  
27 where the teen parent should live and sufficient time for the  
28 move itself. A teen parent determined to need placement that  
29 is unavailable shall continue to be eligible for temporary  
30 cash assistance so long as the teen parent cooperates with the  
31 department, the local WAGES coalition ~~Department of Labor and~~

1 ~~Employment Security~~, and the Department of Health. The teen  
2 parent shall be provided with counseling to make the  
3 transition from independence to supervised living and with a  
4 choice of living arrangements.

5 Section 13. Subsections (2) and (3) of section  
6 414.105, Florida Statutes, 1998 Supplement, are amended to  
7 read:

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

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

1 ~~chapter, and~~ 20 percent of participants in any given year ~~all~~  
2 ~~subsequent years~~. Criteria for hardship 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

1 shall be reduced by 10 percent. Upon the employment of the  
2 participant, full benefits shall be restored.

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

10 Section 14. Section 414.151, Florida Statutes, is  
11 created to read:

12 414.151 Diversion program for victims of domestic  
13 violence.--

14 (1) The diversion program for victims of domestic  
15 violence is intended to provide services and one-time payments  
16 to assist victims of domestic violence and their children in  
17 making the transition to independence.

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

21 (a) The applicant family includes a pregnant woman or  
22 a parent with one or more minor children or a caretaker  
23 relative with one or more minor children.

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

26 (3) Notwithstanding any provision to the contrary in  
27 ss. 414.075, 414.085, and 414.095, a family meeting the  
28 criteria of subsection (2) who is determined by the domestic  
29 violence program to be in need of services or one-time payment  
30 due to domestic violence shall be considered a needy family  
31

1 and shall be deemed eligible under this section for services  
2 through a certified domestic violence shelter.

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

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

10 Section 15. Section 414.1521, Florida Statutes, is  
11 created to read:

12 414.1521 Diversion program to strengthen Florida's  
13 families.--

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

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

23 (a) Includes a pregnant woman, a parent with one or  
24 more minor children, or a caretaker relative with one or more  
25 minor children.

26 (b) Meets the criteria of a voluntary assessment  
27 performed by the Healthy Families Florida program; or

28 (c) Meets the criteria established by the department  
29 for one or more children in the family to be at risk of abuse  
30 or neglect or threatened with harm.

31

1 The services or one-time payments provided under this program  
2 are not assistance under federal law or guidelines.

3 (3) Notwithstanding any provision to the contrary in  
4 s. 414.075, s. 414.085, or s. 414.095, a family that meets the  
5 criteria of subsection (2) shall be considered a needy family  
6 and shall be eligible for services or a one-time payment under  
7 this section.

8 (4) The Healthy Families Florida program, or the  
9 department, may establish additional criteria related to  
10 services or one-time payments. The department may establish  
11 maximum amounts of one-time payments by rule.

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

15 Section 16. Section 414.159, Florida Statutes, is  
16 created to read:

17 414.159 Teen parent and pregnancy prevention diversion  
18 program; eligibility for services.--The Legislature recognizes  
19 that teen pregnancy is a major cause of dependency on  
20 government assistance which often extends through more than  
21 one generation. The purpose of the teen parent and pregnancy  
22 prevention diversion program is to provide services to reduce  
23 and avoid welfare dependency by reducing teen pregnancy,  
24 reducing the incidence of multiple pregnancies to teens, and  
25 assisting teens in completing educational programs.

26 (1) Notwithstanding any provision to the contrary in  
27 s. 414.075, s. 414.085, or s. 414.095, a teen who is  
28 determined to be at risk of teen pregnancy or who already has  
29 a child shall be eligible to receive services under this  
30 program.

31

1           (2) Services provided under this program are limited  
2 to services that are not considered assistance under federal  
3 law or guidelines.

4           (3) Receipt of services under this section does not  
5 preclude eligibility for, or receipt of, other assistance or  
6 services under this chapter.

7           Section 17. Section 414.1525, Florida Statutes, is  
8 created to read:

9           414.1525 WAGES early-exit incentive.--

10          (1) An individual who meets the following criteria may  
11 choose to receive a one-time lump-sum payment of \$1,000 in  
12 lieu of continued temporary cash-assistance payments:

13          (a) The individual is employed and is receiving  
14 earnings such that the individual would be eligible for cash  
15 assistance and the amount of cash assistance would be less  
16 than \$100 per month, given the WAGES earnings disregard.

17          (b) The individual has received cash assistance for at  
18 least 3 consecutive months.

19          (c) The individual can reasonably expect to remain  
20 employed for at least 6 months.

21          (d) The individual provides employment and earnings  
22 information necessary for the department to evaluate the  
23 family's eligibility for transitional benefits.

24          (e) The individual signs an agreement not to apply for  
25 or accept temporary cash assistance for the assistance group  
26 for 6 months after receipt of the one-time payment. The  
27 agreement shall provide for an exception in the event of an  
28 emergency. If the individual or assistance group receives  
29 temporary cash assistance within 6 months, the amount of the  
30 one-time payment shall be deducted from the amount of the cash  
31 assistance provided to the assistance group. This deduction

1 may be prorated over a 6-month period. The department shall  
2 adopt rules defining the term "emergency" and prescribing the  
3 circumstances under which exceptions may be granted.

4 (2) A lump-sum payment made under this section only  
5 counts toward the time limitation for the month in which the  
6 payment is made in lieu of cash assistance. A participant  
7 choosing to accept such payment shall be terminated from cash  
8 assistance; however, eligibility for Medicaid, food stamps, or  
9 child care shall continue subject to the eligibility  
10 requirements of those programs.

11 Section 18. Subsections (2), (4), and (5) of section  
12 414.155, Florida Statutes, 1998 Supplement, are amended to  
13 read:

14 414.155 Relocation assistance program.--

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

19 (a) A determination that the family is a WAGES Program  
20 participant or that all requirements of eligibility for the  
21 WAGES Program would likely be met.

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

26 1. Is unlikely to achieve independence at the current  
27 community of residence;

28 2. Has secured a job that requires relocation to  
29 another community;

30 3. Has a family support network in another community;

31 or

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

5           (c) Establishment of a relocation plan., ~~including a~~  
6 ~~budget and such requirements as are necessary to prevent abuse~~  
7 ~~of the benefit and to provide an assurance that the applicant~~  
8 ~~will relocate. The plan may require that expenditures be made~~  
9 ~~on behalf of the recipient. However,~~The plan must include  
10 provisions to protect the safety of victims of domestic  
11 violence and avoid provisions that place them in anticipated  
12 danger. The payment to defray relocation expenses shall be  
13 limited to an amount not to exceed 4 months' temporary cash  
14 assistance, based on family size. To simplify administration  
15 of the program, the department may establish standard payment  
16 amounts for relocation assistance based on maximum cash  
17 assistance grant levels and family size.

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

22           (e) Monitoring the relocation.

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

28           (5) The department ~~Department of Children and Family~~  
29 ~~Services~~ shall have authority to adopt rules pursuant to the  
30 Administrative Procedure Act to develop and implement  
31 relocation plans and to draft an agreement restricting a

1 family from applying for temporary cash assistance within 6  
2 months after receiving a relocation assistance payment.

3 Section 19. Section 414.20, Florida Statutes, 1998  
4 Supplement, is amended to read:

5 414.20 Other support services.--Support services shall  
6 be provided, if resources permit, to assist participants in  
7 complying with work activity requirements outlined in s.  
8 414.065. If resources do not permit the provision of needed  
9 support services, the department and the local WAGES coalition  
10 ~~Department of Labor and Employment Security~~ may prioritize or  
11 otherwise limit provision of support services. This section  
12 does not constitute an entitlement to support services. Lack  
13 of provision of support services may be considered as a factor  
14 in determining whether good cause exists for failing to comply  
15 with work activity requirements but does not automatically  
16 constitute good cause for failing to comply with work activity  
17 requirements, and does not affect any applicable time limit on  
18 the receipt of temporary cash assistance or the provision of  
19 services under this chapter. Support services shall include,  
20 but need not be limited to:

21 (1) TRANSPORTATION.--Transportation expenses may be  
22 provided to any participant when the assistance is needed to  
23 comply with work activity requirements or employment  
24 requirements, including transportation to and from a child  
25 care provider. Payment may be made in cash or tokens in  
26 advance or through reimbursement paid against receipts or  
27 invoices. Transportation services may include, but are not  
28 limited to, cooperative arrangements with the following:  
29 public transit providers; community transportation  
30 coordinators designated under chapter 427; school districts;  
31 churches and community centers; donated motor vehicle

1 programs, van pools, and ridesharing programs; small  
2 enterprise developments and entrepreneurial programs that  
3 encourage WAGES participants to become transportation  
4 providers; public and private transportation partnerships; and  
5 other innovative strategies to expand transportation options  
6 available to program participants.

7 (a) Local WAGES coalitions are authorized to provide  
8 payment for vehicle operational and repair expenses, including  
9 repair expenditures necessary to make a vehicle functional;  
10 vehicle registration fees; driver's license fees; and  
11 liability insurance for the vehicle for a period of up to 6  
12 months. Request for vehicle repairs must be accompanied by an  
13 estimate of the cost prepared by a repair facility registered  
14 under s. 559.904.

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

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

30  
31

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

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

18 (5) DEPENDENT CARE.--In addition to child care  
19 services provided under s. 402.3015, dependent care may be  
20 provided for children age 13 years and older who are in need  
21 of care due to disability and where such care is needed for  
22 the parent to accept or continue employment or otherwise  
23 participate in work activities. The amount of subsidy shall be  
24 consistent with the rates for special needs child care  
25 established by the department. Dependent care needed for  
26 employment may be provided for up to 2 years after eligibility  
27 for the WAGES program ends.

28 Section 20. Section 414.201, Florida Statutes, is  
29 created to read:

30 414.201 Program for dependent care for families with  
31 children with special needs.--

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

5           (a) The child is 13 years of age through 17 years of  
6 age;

7           (b) The child is a child with special needs, as  
8 defined by the subsidized child care program authorized under  
9 s. 402.3015; and

10           (c) The family meets the income guidelines established  
11 under s. 402.3015.

12  
13 Financial eligibility for this program shall be based solely  
14 on the guidelines used for subsidized child care,  
15 notwithstanding any financial eligibility criteria in s.  
16 414.075, s. 414.085, or s. 414.095, to the contrary.

17           (2) Implementation of this program is subject to an  
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 upon receipt of such assistance and must sign a  
24 written statement acknowledging and agreeing to comply with  
25 all federal requirements.

26           (4) Notwithstanding any provision of s. 414.105 to the  
27 contrary, the time limitation on receipt of such assistance  
28 shall be the limit established in subsection (a)(7) of section  
29 408 of the Social Security Act, as amended.

30           Section 21. Section 414.22, Florida Statutes, is  
31 amended to read:

1           414.22 Transitional education and training.--In order  
2 to assist current and former participants who are employed in  
3 continuing their training and upgrading their skills,  
4 education, or training, support services may be provided to a  
5 ~~participant~~ for up to 2 years after the participant is no  
6 longer eligible to participate in the program. This section  
7 does not constitute an entitlement to transitional education  
8 and training. If funds are not sufficient to provide services  
9 under this section, the WAGES Program State Board of Directors  
10 ~~Department of Labor and Employment Security~~ may limit or  
11 otherwise prioritize transitional education and training.

12           (1) Education or training resources available in the  
13 community at no additional cost to the WAGES Program  
14 ~~Department of Labor and Employment Security~~ shall be used  
15 whenever possible.

16           (2) Local WAGES coalitions ~~the Department of Labor and~~  
17 ~~Employment Security~~ may authorize child care or other support  
18 services in addition to services provided in conjunction with  
19 employment. For example, a participant who is employed full  
20 time may receive subsidized child care related to that  
21 employment and may also receive additional subsidized child  
22 care in conjunction with training to upgrade the participant's  
23 skills.

24           (3) Transitional education or training must be  
25 job-related, but may include training to improve job skills in  
26 a participant's existing area of employment or may include  
27 training to prepare a participant for employment in another  
28 occupation.

29           (4) A local WAGES coalition ~~The Department of Labor~~  
30 ~~and Employment Security~~ may enter into an agreement with an  
31 employer to share the costs relating to upgrading the skills

1 of participants hired by the employer. For example, local  
2 WAGES coalitions ~~the department~~ may agree to provide support  
3 services such as transportation or a wage subsidy in  
4 conjunction with training opportunities provided by the  
5 employer.

6 Section 22. Section 414.223, Florida Statutes, is  
7 created to read:

8 414.223 Retention Incentive Training Accounts.--To  
9 promote job retention and to enable upward job advancement  
10 into higher skilled, higher paying employment, the WAGES  
11 Program State Board of Directors, Workforce Development Board,  
12 regional workforce development boards, and local WAGES  
13 coalitions may jointly assemble, from post-secondary education  
14 institutions, a list of courses for WAGES participants who  
15 have become employed which promote job retention and  
16 advancement.

17 (1) The WAGES Program State Board of Directors and the  
18 Workforce Development Board may jointly establish Retention  
19 Incentive Training Accounts (RITAs). RITAs shall utilize TANF  
20 funds specifically appropriated for this purpose. RITAs must  
21 be compatible with the Individual Training Account required by  
22 the federal Workforce Investment Act of 1998, Pub. L. No.  
23 105-220.

24 (2) RITAs may pay for tuition, fees, educational  
25 materials, coaching and mentoring, performance incentives,  
26 transportation to and from courses, childcare costs during  
27 education courses, and other such costs as the regional  
28 workforce development boards determine are necessary to effect  
29 successful job retention and advancement.

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

4           (4) Regional workforce development boards shall report  
5 annually to the Legislature on the measurable retention and  
6 advancement success of each program provider and the  
7 effectiveness of RITAs, making recommendations for any needed  
8 changes or modifications.

9           (5) Funds associated with future Welfare-to-Work  
10 grants from the U.S. Department of Labor are to be reserved  
11 for RITAs if the participating educational institutions  
12 provide the required state match for that federal grant  
13 program.

14           Section 23. Section 414.225, Florida Statutes, 1998  
15 Supplement, is amended to read:

16           414.225 Transitional transportation.--In order to  
17 assist former WAGES participants in maintaining and sustaining  
18 employment, transportation may be provided, if funds are  
19 available, for up to 1 year after the participant is no longer  
20 eligible to participate in the program due to earnings. This  
21 does not constitute an entitlement to transitional  
22 transportation. If funds are not sufficient to provide  
23 services under this section, the department may limit or  
24 otherwise prioritize transportation services.

25           (1) Transitional transportation must be job related.

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

30           Section 24. Section 414.23, Florida Statutes, is  
31 amended to read:

1           414.23 Evaluation.--The department and the WAGES  
2 Program State Board of Directors ~~Department of Labor and~~  
3 ~~Employment Security~~ shall arrange for evaluation of programs  
4 operated under this chapter, as follows:

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

9           (2) The department and the WAGES Program State Board  
10 of Directors ~~Department of Labor and Employment Security~~ shall  
11 participate in the evaluation of this program in conjunction  
12 with evaluation of the state's workforce development programs  
13 or similar activities aimed at evaluating program outcomes,  
14 cost-effectiveness, or return on investment, and the impact of  
15 time limits, sanctions, and other welfare reform measures set  
16 out in this chapter. Evaluation shall also contain information  
17 on the number of participants in work experience assignments  
18 who obtain unsubsidized employment, including, but not limited  
19 to, the length of time the unsubsidized job is retained,  
20 wages, and the public benefits, if any, received by such  
21 families while in unsubsidized employment. The evaluation  
22 shall solicit the input of consumers, community-based  
23 organizations, service providers, employers, and the general  
24 public, and shall publicize, especially in low-income  
25 communities, the process for submitting comments.

26           (3) The department and the WAGES Program State Board  
27 of Directors ~~Department of Labor and Employment Security~~ may  
28 share information with and develop protocols for information  
29 exchange with the Florida Education and Training Placement  
30 Information Program.

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

6           (5) In providing for evaluation activities, the  
7 department and the WAGES Program State Board of Directors  
8 ~~Department of Labor and Employment Security~~ shall safeguard  
9 the use or disclosure of information obtained from program  
10 participants consistent with federal or state requirements.  
11 The department and the WAGES Program State Board of Directors  
12 ~~Department of Labor and Employment Security~~ may use evaluation  
13 methodologies that are appropriate for evaluation of program  
14 activities, including random assignment of recipients or  
15 participants into program groups or control groups. To the  
16 extent necessary or appropriate, evaluation data shall provide  
17 information with respect to the state, district, or county, or  
18 other substate area.

19           (6) The department and the WAGES Program State Board  
20 of Directors ~~Department of Labor and Employment Security~~ may  
21 contract with a qualified organization for evaluations  
22 conducted under this section.

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

25           Section 25. Section 414.37, Florida Statutes, is  
26 amended to read:

27           414.37 Public assistance overpayment recovery  
28 privatization; reemployment of laid-off career service  
29 employees.--Should career service employees of the Department  
30 of Children and Family Services be subject to layoff after  
31 July 1, 1995, due to the privatization of public assistance

1 overpayment recovery functions, the privatization contract  
2 shall require the contracting firm to give priority  
3 consideration to employment of such employees. In addition, a  
4 task force composed of representatives from the Department of  
5 Children and Family Services, ~~the Department of Labor and~~  
6 ~~Employment Security~~, and the Department of Management Services  
7 shall be established to provide reemployment assistance to  
8 such employees.

9 Section 26. Section 414.44, Florida Statutes, is  
10 amended to read:

11 414.44 Data collection and reporting.--The department  
12 and the WAGES Program State Board of Directors ~~Department of~~  
13 ~~Labor and Employment Security~~ shall collect data necessary to  
14 administer this chapter and make the reports required under  
15 federal law to the United States Department of Health and  
16 Human Services and the United States Department of  
17 Agriculture.

18 Section 27. Section 414.45, Florida Statutes, 1998  
19 Supplement, is amended to read:

20 414.45 Rulemaking.--The department has authority to  
21 adopt rules pursuant to ss. 120.536(1) and 120.54 to implement  
22 and enforce the provisions of this chapter. ~~The Department of~~  
23 ~~Labor and Employment Security may adopt rules pursuant to ss.~~  
24 ~~120.536(1) and 120.54, to implement and enforce the provisions~~  
25 ~~of this chapter.~~The rules must provide protection against  
26 discrimination and the opportunity for a participant to  
27 request a review by a supervisor or administrator of any  
28 decision made by a panel or board of the department, ~~the~~  
29 ~~Department of Labor and Employment Security~~, or the WAGES  
30 Program.

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1           Section 28. Subsections (1), (2), and (3) of section  
2 414.70, Florida Statutes, 1998 Supplement, are amended to  
3 read:

4           414.70 Drug-testing and drug-screening program;  
5 procedures.--

6           (1) DEMONSTRATION PROJECT.--The Department of Children  
7 and Family Services, in consultation with local WAGES  
8 coalitions 3 and 8, shall develop and, as soon as possible  
9 after January 1, 1999, implement a demonstration project in  
10 WAGES regions 3 and 8 to screen each applicant and test  
11 applicants for temporary cash assistance provided under this  
12 chapter, who the department has reasonable cause to believe,  
13 based on the screening, engage in illegal use of controlled  
14 substances. Unless reauthorized by the Legislature, this  
15 demonstration project expires June 30, 2001. As used in this  
16 act, the term "applicant" means an individual who first  
17 applies for assistance or services under the WAGES Program.  
18 Screening and testing for the illegal use of controlled  
19 substances is not required if the individual reapplies during  
20 any continuous period in which the individual receives  
21 assistance or services. However, an individual may volunteer  
22 for drug testing and treatment if funding is available.

23           (a) Applicants subject to the requirements of this  
24 section include any parent or caretaker relative who is  
25 included in the cash assistance group, including individuals  
26 who may be exempt from work activity requirements due to the  
27 age of the youngest child or who may be exempt from the work  
28 activity requirement pursuant to s. 414.065(7).

29           (b) Applicants not subject to the requirements of this  
30 section include:

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1           1. Applicants for food stamps or Medicaid who are not  
2 applying for cash assistance;

3           2. Applicants who, if eligible, would be exempt from  
4 the time limitation and work activity requirement due to  
5 receipt of Social Security Disability; and

6           3. Applicants who, if eligible, would be excluded from  
7 the assistance group due to receipt of Supplemental Security  
8 Income (SSI).

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

11           (a) Provide notice of drug screening and the potential  
12 for possible drug testing to each applicant at the time of  
13 application. The notice must advise the applicant that drug  
14 screening and possibly drug testing will be conducted as a  
15 condition for receiving temporary assistance or services under  
16 this chapter, and shall specify the assistance or services  
17 that are subject to this requirement. The notice must also  
18 advise the applicant that a prospective employer may require  
19 the applicant to submit to a preemployment drug test. The  
20 applicant shall be advised that the required drug screening  
21 and possible drug testing may be avoided if the applicant does  
22 not apply for or receive assistance or services. The  
23 drug-screening and drug-testing program is not applicable in  
24 child-only cases.

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

30           (c) Provide a procedure to advise each person to be  
31 tested, before the test is conducted, that he or she may, but

1 is not required to, advise the agent administering the test of  
2 any prescription or over-the-counter medication he or she is  
3 taking.

4 (d) Require each person to be tested to sign a written  
5 acknowledgment that he or she has received and understood the  
6 notice and advice provided under paragraphs (a) and (c).

7 (e) Provide a procedure to assure each person being  
8 tested a reasonable degree of dignity while producing and  
9 submitting a sample for drug testing, consistent with the  
10 state's need to ensure the reliability of the sample.

11 (f) Specify circumstances under which a person who  
12 fails a drug test has the right to take one or more additional  
13 tests.

14 (g) Provide a procedure for appealing the results of a  
15 drug test by a person who fails a test and for advising the  
16 appellant that he or she may, but is not required to, advise  
17 appropriate staff of any prescription or over-the-counter  
18 medication he or she has been taking.

19 (h) Notify each person who fails a drug test of the  
20 local substance abuse treatment programs that may be available  
21 to such person.

22 (3) CHILDREN.--

23 (a) If a parent is deemed ineligible for cash  
24 assistance due to refusal or failure to comply with provisions  
25 of this section ~~the failure of a drug test under this act~~, his  
26 or her dependent child's eligibility for cash assistance is  
27 not affected. A parent who is ineligible for cash assistance  
28 due to refusal or failure to comply with provisions of this  
29 section shall be subject to the work activity requirements of  
30 s. 414.065, and shall be subject to penalties under s.  
31 414.065(4), upon failure to comply with these requirements.

1 (b) If a parent is deemed ineligible for cash  
2 assistance due to the failure of a drug test, an appropriate  
3 protective payee will be established for the benefit of the  
4 child.

5 (c) If the parent refuses to cooperate in establishing  
6 an appropriate protective payee for the child, the Department  
7 of Children and Family Services will appoint one.

8 Section 29. Section (10) is added to section 288.063,  
9 Florida Statutes, 1998 Supplement, to read:

10 288.063 Contracts for transportation projects.--

11 (10) The Office of Tourism, Trade, and Economic  
12 Development is authorized to make, and based on  
13 recommendations from Enterprise Florida, Inc., to approve,  
14 expenditures and enter into contracts with the appropriate  
15 governmental body for direct costs of transportation projects  
16 for new and expanding businesses which employ WAGES  
17 participants. The Office of Tourism, Trade, and Economic  
18 Development shall develop by July 30, 1999, an expedited  
19 process for the award of these projects. Approved projects  
20 must utilize such funds as the Legislature specifically  
21 appropriates for transportation projects related to WAGES  
22 employment. Transportation projects shall involve magnet  
23 employers who individually or collectively will employ 3,000  
24 individuals, or 300 employees in rural counties. Funds  
25 provided under this subsection for a single transportation  
26 infrastructure project shall not exceed \$5,000 for each new  
27 WAGES job created within 12 months of completion of such  
28 project, and \$2,500 for each new WAGES job created within the  
29 following 2 years.

30 Section 30. Paragraph (m) is added to subsection (2)  
31 of section 250.10, Florida Statutes, 1998 Supplement, to read:

1           250.10 Appointment and duties of the Adjutant  
2 General.--

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

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

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

23           2. The Adjutant General shall provide job-readiness  
24 services in the Forward March program for WAGES program  
25 participants who are directed to Forward March by local WAGES  
26 coalitions. The Forward March program shall provide training  
27 on topics that directly relate to the skills required for  
28 real-world success. The program shall emphasize functional  
29 life skills, computer literacy, interpersonal relationships,  
30 critical-thinking skills, business skills, preemployment and  
31 work maturity skills, job-search skills, exploring careers

1 activities, how to be a successful and effective employee, and  
2 some job-specific skills. The program also shall provide  
3 extensive opportunities for participants to practice generic  
4 job skills in a supervised work setting. Upon completion of  
5 the program, Forward March shall return participants to the  
6 local WAGES coalition for placement in a job-placement pool.

7       Section 31. For Fiscal Year 1999-2000, \$25 million  
8 designated for WAGES under Temporary Assistance for Needy  
9 Families funding is appropriated for Retention Incentive  
10 Training Accounts authorized under this act. No more than 5  
11 percent of such funds may be expended for administrative and  
12 marketing costs related to Retention Incentive Training  
13 Accounts.

14       Section 32. For Fiscal Year 1999-2000, \$25 million  
15 designated for WAGES under Temporary Assistance for Needy  
16 Families funding is appropriated to the Office of Tourism,  
17 Trade, and Economic Development for WAGES Program Employment  
18 Projects under section 414.030, Florida Statutes. No more than  
19 5 percent of such funds may be expended for administrative and  
20 marketing costs related to WAGES Program Employment Projects.

21       Section 33. Subsection (2) of section 414.085, Florida  
22 Statutes, is amended to read:

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

30       (2) Income security payments, including payments  
31 funded under part B of Title IV of the Social Security Act, as

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

6 Section 34. Section 414.25, Florida Statutes, as  
7 amended by section 15 of chapter 98-57, Laws of Florida, and  
8 sections 414.43 and 414.55, Florida Statutes, are repealed.

9 Section 35. If the Governor elects to exercise the  
10 emergency powers provided in section 414.030, Florida  
11 Statutes, the process established in section 216.181, Florida  
12 Statutes, must be followed.

13 Section 36. Unless otherwise specified in this act,  
14 this act shall take effect July 1, 1999.

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