

1
2 An act relating to the WAGES Program; amending
3 s. 402.305, F.S.; revising provisions excepting
4 program participants working at a child care
5 facility from calculation of the facility's
6 staff-to-child ratio; amending s. 414.0252,
7 F.S.; providing a definition; creating s.
8 414.0267, F.S.; establishing a program of
9 matching grants for economic independence;
10 amending s. 414.027, F.S.; revising
11 requirements for the annual state plan;
12 modifying payment structure for services to
13 WAGES participants; amending s. 414.028, F.S.;
14 eliminating references to certain duties of the
15 Department of Labor and Employment Security;
16 providing funding for local WAGES coalitions
17 through contract with the Department of
18 Management Services; providing for revocation
19 of a local coalition charter; providing for
20 reassignment of duties; specifying use of
21 funds; amending s. 414.030, F.S.; eliminating a
22 cap on the number of WAGES Program employment
23 projects to be identified; specifying a limit
24 to funds allocated; authorizing the award of
25 reasonable administrative costs associated with
26 such projects; specifying contract terms;
27 requiring creation of a WAGES Program
28 Employment Implementation Team; creating s.
29 414.035, F.S.; requiring expenditures of funds
30 under Temporary Assistance for Needy Families
31 to be in accordance with federal provisions;

1 requiring certification of fiscal controls;
2 creating s. 414.045, F.S.; providing cash
3 assistance program reporting and oversight
4 requirements; providing duties of the state
5 board of directors, local coalitions, and
6 Department of Children and Family Services;
7 amending s. 414.055, F.S.; conforming
8 references; amending s. 414.065, F.S.; revising
9 restrictions on the use of vocational education
10 to fulfill work activity requirements; revising
11 provisions relating to job skills training;
12 providing for extended education and training;
13 providing penalties for failure to comply with
14 work activity alternative requirement plans;
15 revising provisions relating to interview,
16 counseling, and services for noncompliant
17 participants; directing the department to seek
18 a federal waiver to administer certain
19 sanctions; providing for limited work activity
20 assignments for persons with medically verified
21 limitations; providing for medical or
22 vocational assessment; providing an exemption
23 from work activity requirements for certain
24 supplemental security income applicants;
25 providing for contracts for vocational
26 assessments and work evaluations; creating s.
27 414.0655, F.S.; providing an exception from
28 work activities for participants who require
29 out-of-home residential treatment for substance
30 abuse or mental health impairment; providing
31 time limitations; amending s. 414.085, F.S.;

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

1 414.159, F.S.; authorizing the teen parent and
2 teen pregnancy diversion program; providing
3 eligibility; providing limitations; creating s.
4 414.1599, F.S.; providing for determination of
5 need for diversion programs; creating s.
6 414.18, F.S.; creating a program for dependent
7 care for families with children with special
8 needs; providing requirements and limitations;
9 amending ss. 414.20, 414.23, 414.37, 414.44,
10 and 414.45, F.S.; conforming references;
11 amending s. 414.22, F.S.; revising eligibility
12 for transitional education and training;
13 creating s. 414.223, F.S.; providing for
14 development of lists of postsecondary programs
15 and courses that promote job retention and
16 advancement; authorizing establishment of
17 Retention Incentive Training Accounts;
18 providing for funding; providing eligible
19 expenditures; requiring an annual report;
20 amending s. 414.225, F.S.; revising provisions
21 relating to transitional transportation;
22 amending s. 414.70, F.S.; providing drug
23 testing and screening requirements for parents
24 and caretaker relatives in a cash assistance
25 group; providing exceptions; providing
26 applicability of work requirements and
27 penalties to persons who fail to comply with
28 drug testing and screening requirements;
29 amending s. 239.249, F.S.; correcting a cross
30 reference; amending s. 250.10, F.S.; requiring
31 the Adjutant General to administer a life

1 preparation program and job readiness services;
2 repealing s. 414.29, F.S., relating to access
3 to lists of temporary cash assistance
4 recipients; repealing s. 414.43, F.S., relating
5 to a special needs allowance for families with
6 a disabled family member; providing for
7 transfer of funds between appropriations
8 categories; providing an effective date.
9

10 Be It Enacted by the Legislature of the State of Florida:
11

12 Section 1. Paragraph (b) of subsection (4) of section
13 402.305, Florida Statutes, 1998 Supplement, is amended to
14 read:

15 402.305 Licensing standards; child care facilities.--

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

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

20 1. For children from birth through 1 year of age,
21 there must be one child care personnel for every four
22 children.

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

26 3. For children 2 years of age or older, but under 3
27 years of age, there must be one child care personnel for every
28 11 children.

29 4. For children 3 years of age or older, but under 4
30 years of age, there must be one child care personnel for every
31 15 children.

1 5. For children 4 years of age or older, but under 5
2 years of age, there must be one child care personnel for every
3 20 children.

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

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

9 (b) This subsection does not apply to nonpublic
10 schools and their integral programs as defined in s.
11 402.3025(2)(d)1. In addition, an individual participating in a
12 community service work experience activity under s.
13 414.065(1)(d), or a work experience activity under s.
14 414.065(1)(e), at a child care facility ~~employee of a child~~
15 ~~care facility who receives subsidized wages under the WAGES~~
16 ~~Program~~ may not be considered in calculating the
17 staff-to-children ratio.

18 Section 2. Subsection (12) of section 414.0252,
19 Florida Statutes, 1998 Supplement, is renumbered as subsection
20 (13), and a new subsection (12) is added to said section to
21 read:

22 414.0252 Definitions.--As used in ss. 414.015-414.45,
23 the term:

24 (12) "Services and one-time payments" or "services,"
25 when used in reference to individuals who are not receiving
26 temporary cash assistance, means nonrecurrent, short-term
27 benefits designed to deal with a specific crisis situation or
28 episode of need and other services; work subsidies; supportive
29 services such as child care and transportation; services such
30 as counseling, case management, peer support, and child care
31 information and referral; transitional services, job

1 retention, job advancement, and other employment-related
2 services; nonmedical treatment for substance abuse or mental
3 health problems; and any other services that are reasonably
4 calculated to further the purposes of the WAGES Program and
5 the federal Temporary Assistance for Needy Families program.
6 Such terms do not include assistance as defined in federal
7 regulations at 45 C.F.R. s. 260.31(a).

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

10 414.0267 Matching grants for economic independence.--

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

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

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

26 414.027 WAGES Program annual statewide program
27 implementation plan.--

28 (1) The WAGES Program State Board of Directors shall
29 submit to the Governor, the President of the Senate, and the
30 Speaker of the House of Representatives an annual ~~a~~ statewide
31 plan for ~~implementing~~ the WAGES Program established under this

1 chapter. At a minimum, the annual statewide program
2 ~~implementation~~ plan must include:

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

- 10 1. Work participation rates by type of activity;
- 11 2. Caseload trends;
- 12 3. Recidivism;
- 13 4. Participation in diversion and relocation programs;
- 14 5. Employment retention; and
- 15 6. Other issues identified by the WAGES Program State
16 Board of Directors.

17 (b) A description of:

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

1 (c) An evaluation of the performance of each local
2 WAGES coalition based on the performance measures and
3 guidelines.

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

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

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

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

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

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

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

30
31

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

12 (j) Specifications for WAGES Program services that are
13 to be delivered through local WAGES coalitions, including the
14 following:

15 1. Referral of participants to diversion and
16 relocation programs;

17 2. Pre-placement services, including assessment,
18 staffing, career plan development, work orientation, and
19 employability skills enhancement;

20 3. Services necessary to secure employment for a WAGES
21 participant;

22 4. Services necessary to assist participants in
23 retaining employment, including, but not limited to, remedial
24 education, language skills, and personal and family
25 counseling;

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

28 6. Expectations regarding job retention;

29 7. Strategies to ensure that transition services are
30 provided to participants for the mandated period of
31 eligibility;

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

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

8 10. Expectations regarding continued participant
9 awareness of available services and benefits.

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

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

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

1 membership requirements for the regional workforce development
2 boards.

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

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

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

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

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

24 (e) Advising the Department of Children and Family
25 Services ~~and the Department of Labor and Employment Security~~
26 with respect to the competitive procurement of services under
27 the WAGES Program.

28 (f) Selecting an entity to administer the program and
29 financial plan, such as a unit of a political subdivision
30 within the service area, a not-for-profit private organization
31

1 or corporation, or any other entity agreed upon by the local
2 WAGES coalition.

3 (g) Developing a plan for services for victims of
4 domestic violence.

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

7 a. Criteria for determining eligibility for exceptions
8 to state work requirements;

9 b. The programs and services to be offered to victims
10 of domestic violence;

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

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

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

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

30 b. Provisions for allowing participants access to
31 domestic violence support services and ensuring that WAGES

1 participants are aware of domestic violence shelters,
2 hotlines, and other domestic violence services and policies;

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

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

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

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

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

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

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

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

12 (c) The WAGES Program State Board of Directors may
13 direct the Department of Management Services to procure a
14 portion of the duties of a local WAGES coalition from another
15 agency, coalition, or provider for good cause. Good cause may
16 include failure to meet performance 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 state board of directors may direct the
22 Department of Management Services to procure a service
23 provider or providers for any or all of the duties of a local
24 WAGES coalition until a new coalition is established by the
25 WAGES Program State Board of Directors and a contract is
26 executed with the new coalition. The service provider may be a
27 public or private agency or another local WAGES coalition.

28 (10) No less than 25 percent of funds provided to
29 local WAGES coalitions must be used to contract with local
30 public or private agencies that have elected or appointed
31 boards of directors on which a majority of the members are

1 residents of that local WAGES coalition's service area.
2 Subcontracts with local public or private agencies shall be
3 counted towards compliance with this requirement.

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

6 414.030 WAGES Program Employment Projects.--

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

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

30 (3)(a) By September 1 of each year, Enterprise
31 Florida, Inc., in consultation with the ~~state~~ WAGES Program

1 State Board of Directors, shall review and prioritize the list
2 of projects identified pursuant to subsection (2) using the
3 following criteria:

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

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

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

14 4. Areas with a low ratio of new jobs per WAGES
15 participant;

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

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

22 7. Areas with unusually high unemployment; and

23 8. Areas identified as labor surplus areas using the
24 criteria established by the United States Department of Labor
25 Employment and Training Administration.

26 (b) To the greatest extent possible, Enterprise
27 Florida, Inc., shall foster the development or completion of
28 the projects identified pursuant to paragraph (a) using
29 existing state and local resources under the control of
30 Enterprise Florida, Inc. To the extent that such projects
31 cannot be developed or completed from resources available, ~~to~~

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

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

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

30 (5)(a) By October 15 of each year, the Governor may,
31 by executive order, designate these projects as WAGES Program

1 Employment Projects, and direct the agencies to use the
2 resources identified pursuant to subsection (4) to develop or
3 complete such projects. The order shall direct such agencies
4 to contract with the appropriate local WAGES coalition to
5 develop or complete such projects. Funds allocated to these
6 projects must not exceed \$5,000 per new job created.

7 (b) Notwithstanding the eligibility provisions of s.
8 403.973, the Governor may waive such eligibility requirements
9 by executive order for projects that have been identified as
10 needing expedited permitting.

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

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

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

1 reasonable administration costs from funds appropriated for
2 these projects.

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

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

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

31

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

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

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

16 Section 7. Section 414.035, Florida Statutes, is
17 created to read:

18 414.035 Authorized expenditures.--Any expenditures
19 from the Temporary Assistance for Needy Families block grant
20 shall be expended in accordance with the requirements and
21 limitations of part A of Title IV of the Social Security Act,
22 as amended, or any other applicable federal requirement or
23 limitation. Prior to any expenditure of such funds, the
24 Secretary of Children and Family Services, or his or her
25 designee, shall certify that controls are in place to ensure
26 such funds are expended in accordance with the requirements
27 and limitations of federal law and that any reporting
28 requirements of federal law are met. It shall be the
29 responsibility of any entity to which such funds are
30 appropriated to obtain the required certification prior to any
31 expenditure of funds.

1 Section 8. Section 414.045, Florida Statutes, is
2 created to read:

3 414.045 Cash assistance program.--Cash assistance
4 families include any families receiving cash assistance
5 payments from the state program for temporary assistance for
6 needy families as defined in federal law, whether such funds
7 are from federal funds, state funds, or commingled federal and
8 state funds. Cash assistance families may also include
9 families receiving cash assistance through a program defined
10 as a separate state program.

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

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

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

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

31

1 3. Families participating in transition assistance
2 programs.

3 4. Families otherwise eligible for the WAGES Program
4 that receive a diversion or early exit payment or participate
5 in the relocation program.

6 (b) Child-only cases.--Child-only cases include cases
7 that do not have an adult or teen head of household as defined
8 in federal law. Such cases include:

9 1. Child-only families with children in the care of
10 caretaker relatives where the caretaker relatives choose to
11 have their needs excluded in the calculation of the amount of
12 cash assistance.

13 2. Families in the Relative Caregiver Program as
14 provided in s. 39.5085.

15 3. Families in which the only parent in a
16 single-parent family or both parents in a two-parent family
17 receive supplemental security income (SSI) benefits under
18 Title XVI of the Social Security Act, as amended. To the
19 extent permitted by federal law, individuals receiving SSI
20 shall be excluded as household members in determining the
21 amount of cash assistance, and such cases shall not be
22 considered families containing an adult. Parents or caretaker
23 relatives who are excluded from the cash assistance group due
24 to receipt of SSI may choose to participate in WAGES work
25 activities. An individual who volunteers to participate in
26 WAGES work activity but whose ability to participate in work
27 activities is limited shall be assigned to work activities
28 consistent with such limitations. An individual who volunteers
29 to participate in a WAGES work activity may receive
30 WAGES-related child care or support services consistent with
31 such participation.

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

7
8 Families described in subparagraph 1., subparagraph 2., or
9 subparagraph 3. may receive child care assistance or other
10 supports or services so that the children may continue to be
11 cared for in their own homes or the homes of relatives. Such
12 assistance or services may be funded from the temporary
13 assistance for needy families block grant to the extent
14 permitted under federal law and to the extent permitted by
15 appropriation of funds.

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

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

27 414.055 One-stop career centers.--

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

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

6 414.065 Work requirements.--

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

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

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

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

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

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

1 to provide participants with continued employment after the
2 incentive payments cease.

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

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

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

1 vocational education or training. Vocational education or
2 training may be combined with other program activities and
3 also may be used to upgrade skills or prepare for a higher
4 paying occupational area for a participant who is employed.

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

22 2. When possible, a provider of vocational education
23 or training shall use funds provided by funding sources other
24 than the department or the local WAGES coalition ~~Department of~~
25 ~~Labor and Employment Security~~. Either department may provide
26 additional funds to a vocational education or training
27 provider only if payment is made pursuant to a
28 performance-based contract. Under a performance-based
29 contract, the provider may be partially paid when a
30 participant completes education or training, but the majority
31 of payment shall be made following the participant's

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

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

1 ~~participant to perform in a specific job or job training~~
2 ~~program.~~

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

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

29 (2) WORK ACTIVITY REQUIREMENTS.--Each individual adult
30 ~~participant~~ who is not otherwise exempt must participate in a
31 work activity, except for community service work experience,

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

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

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

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

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

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

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

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

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

23
24 If a participant fully complies with work activity
25 requirements for at least 6 months, the participant shall be
26 reinstated as being in full compliance with program
27 requirements for purpose of sanctions imposed under this
28 section.

29 (7) EXCEPTIONS TO NONCOMPLIANCE PENALTIES.--Unless
30 otherwise provided, the situations listed in this subsection
31 shall constitute exceptions to the penalties for noncompliance

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

23 (c) A contract may include performance-based incentive
24 payments that may vary according to the extent to which the
25 participant is more difficult to place. Contract payments may
26 be weighted proportionally to reflect the extent to which the
27 participant has limitations associated with the long-term
28 receipt of welfare and difficulty in sustaining employment.

29 The factors may include the extent of prior receipt of
30 welfare, lack of employment experience, lack of education,
31

1 lack of job skills, and other factors determined appropriate
2 by the department ~~Department of Labor and Employment Security~~.

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

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

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

29 (g) Local WAGES coalitions ~~The Department of Labor and~~
30 ~~Employment Security~~ may enter into contracts to provide

31

1 short-term work experience for the chronically unemployed as
2 provided in this section.

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

8 (11) PROTECTIONS FOR PARTICIPANTS.--

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

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

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

24 Section 11. Section 414.0655, Florida Statutes, is
25 created to read:

26 414.0655 Medical incapacity due to substance abuse or
27 mental health impairment.--

28 (1) Notwithstanding the provisions of s. 414.065 to
29 the contrary, any participant who requires out-of-home
30 residential treatment for alcoholism, drug addiction, alcohol
31 abuse, or a mental health disorder, as certified by a

1 physician licensed under chapter 458 or chapter 459, shall be
2 exempted from work activities while participating in
3 treatment. The participant shall be required to comply with
4 the course of treatment necessary for the individual to resume
5 work activity participation. The treatment agency shall be
6 required to notify the department with an initial estimate of
7 when the participant will have completed the course of
8 treatment and be ready to resume full participation in the
9 WAGES program. If the treatment will take longer than 60 days,
10 the treatment agency shall provide to the department the
11 conditions justifying extended treatment and the department
12 and the treatment agency shall negotiate a continued stay in
13 treatment not to exceed an additional 90 days.

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

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

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

31

1 (2) Income security payments, including payments
2 funded under part B of Title IV of the Social Security Act, as
3 amended; supplemental security income under Title XVI of the
4 Social Security Act, as amended; or other income security
5 payments as defined by federal law shall be excluded ~~included~~
6 as income unless ~~to the extent~~ required to be included ~~or~~
7 ~~permitted~~ by federal law.

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

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

15 414.095 Determining eligibility for the WAGES
16 Program.--

17 (15) PROHIBITIONS AND RESTRICTIONS.--

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

31

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

4 2. Reside with a parent, legal guardian, or other
5 adult caretaker relative. The income and resources of the
6 parent shall be included in calculating the temporary cash
7 assistance available to the teen parent since the parent is
8 responsible for providing support and care for the child
9 living in the home.

10 3. Attend parenting and family classes that provide a
11 curriculum specified by the department, ~~the Department of~~
12 ~~Labor and Employment Security,~~ or the Department of Health, as
13 available.

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

17 1. The teen parent has suffered or might suffer harm
18 in the home of the parent, legal guardian, or adult caretaker
19 relative.

20 2. The requirement is not in the best interest of the
21 teen parent or the child. If the department determines that it
22 is not in the best interest of the teen parent or child to
23 reside with a parent, legal guardian, or other adult caretaker
24 relative, the department shall provide or assist the teen
25 parent in finding a suitable home, a second-chance home, a
26 maternity home, or other appropriate adult-supervised
27 supportive living arrangement. Such living arrangement may
28 include a shelter obligation in accordance with subsection
29 (11).

1 The department may not delay providing temporary cash
2 assistance to the teen parent through the alternative payee
3 designated by the department pending a determination as to
4 where the teen parent should live and sufficient time for the
5 move itself. A teen parent determined to need placement that
6 is unavailable shall continue to be eligible for temporary
7 cash assistance so long as the teen parent cooperates with the
8 department, the local WAGES coalition ~~Department of Labor and~~
9 ~~Employment Security~~, and the Department of Health. The teen
10 parent shall be provided with counseling to make the
11 transition from independence to supervised living and with a
12 choice of living arrangements.

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

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

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

30 (c) The department, in consultation with the WAGES
31 Program State Board of Directors, shall develop informational

1 material, including posters and brochures, to better inform
2 families about the availability of transitional benefits and
3 services.

4 (d) The department shall review federal requirements
5 related to transitional Medicaid and shall, to the extent
6 permitted by federal law, develop procedures to maximize the
7 utilization of transitional Medicaid by families who leave the
8 temporary cash assistance program.

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

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

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

1 chapter shall be limited to ~~10 percent of participants in the~~
2 ~~first year of implementation of this chapter, 15 percent of~~
3 ~~participants in the second year of implementation of this~~
4 ~~chapter, and 20 percent of participants in all subsequent~~
5 ~~years, as determined by the department and approved by the~~
6 WAGES Program State Board of Directors. Criteria for hardship
7 exemptions include:

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

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

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

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

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

1
2 At the recommendation of the local WAGES coalition, temporary
3 cash assistance under a hardship exemption for a participant
4 who is eligible for work activities and who is not working
5 shall be reduced by 10 percent. Upon the employment of the
6 participant, full benefits shall be restored.

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

14 (10) An individual who receives benefits under the
15 Supplemental Security Income program or the Social Security
16 Disability Insurance program is not subject to time
17 limitations. An individual who has applied for supplemental
18 security income (SSI), but has not yet received a
19 determination must be granted an extension of time limits
20 until the individual receives a final determination on the SSI
21 application. Determination shall be considered final once all
22 appeals have been exhausted, benefits have been received, or
23 denial has been accepted without any appeal. Such individual
24 must continue to meet all program requirements assigned to the
25 participant based on medical ability to comply. Extensions of
26 time limits shall be within the recipient's 48-month lifetime
27 limit. Hardship exemptions granted under this subsection shall
28 not be subject to the percentage limitations in subsection
29 (2).

30 (12) A member of the WAGES Program staff shall
31 interview and assess the employment prospects and barriers of

1 each participant who is within 6 months of reaching the
2 24-month time limit. The staff member shall assist the
3 participant in identifying actions necessary to become
4 employed prior to reaching the benefit time limit for
5 temporary cash assistance and, if appropriate, shall refer the
6 participant for services that could facilitate employment.

7 Section 15. Section 414.1525, Florida Statutes, is
8 created to read:

9 414.1525 WAGES early exit diversion program.--An
10 individual who meets the criteria listed in this section may
11 choose to receive a lump-sum payment in lieu of ongoing cash
12 assistance payments, provided the individual:

13 (1) Is employed and is receiving earnings, and would
14 be eligible to receive cash assistance in an amount less than
15 \$100 per month given the WAGES earnings disregard.

16 (2) Has received cash assistance for at least 3
17 consecutive months.

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

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

21 (5) Provides employment and earnings information to
22 the department, so that the department can ensure that the
23 family's eligibility for transitional benefits can be
24 evaluated.

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

1 rules defining the conditions under which a family may receive
2 cash assistance due to such emergency.

3
4 Such individual may choose to accept a one-time lump-sum
5 payment of \$1,000 in lieu of receiving ongoing cash
6 assistance. Such payment shall only count toward the time
7 limitation for the month in which the payment is made in lieu
8 of cash assistance. A participant choosing to accept such
9 payment shall be terminated from cash assistance. However,
10 eligibility for Medicaid, food stamps, or child care shall
11 continue, subject to the eligibility requirements of those
12 programs.

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

16 414.155 Relocation assistance program.--

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

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

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

28 1. Is unlikely to achieve independence at the current
29 community of residence;

30 2. Has secured a job that requires relocation to
31 another community;

1 3. Has a family support network in another community;
2 or

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

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

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

25 (e) Monitoring the relocation.

26 (3) A family receiving relocation assistance for
27 reasons other than domestic violence must sign an agreement
28 restricting the family from applying for temporary cash
29 assistance for a period specified in a rule approved by the
30 WAGES Program State Board of Directors and adopted by the
31 department ~~6 months~~, unless an emergency is demonstrated to

1 the department. If a demonstrated emergency forces the family
2 to reapply for temporary cash assistance within such period, 6
3 ~~months~~ after receiving a relocation assistance payment,
4 repayment must be made on a prorated basis ~~over an 8-month~~
5 ~~period~~ and subtracted from any regular payment of temporary
6 cash assistance for which the applicant may be eligible, as
7 specified in a rule approved by the WAGES Program State Board
8 of Directors and adopted by the department.

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

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

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

23 414.157 Diversion program for victims of domestic
24 violence.--

25 (1) The diversion program for victims of domestic
26 violence is intended to provide services and one-time payments
27 to assist victims of domestic violence and their children in
28 making the transition to independence.

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

1 (a) The applicant family includes a pregnant woman or
2 a parent with one or more minor children or a caretaker
3 relative with one or more minor children.

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

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

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

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

20 Section 18. Section 414.158, Florida Statutes, is
21 created to read:

22 414.158 Diversion program to strengthen Florida's
23 families.--

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

30
31

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

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

7 (b) The family meets the criteria of a voluntary
8 assessment performed by Healthy Families Florida; the family
9 meets the criteria established by the department for
10 determining that one or more children in the family are at
11 risk of abuse, neglect, or threatened harm; or the family is
12 homeless or living in a facility that provides shelter to
13 homeless families.

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

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

20 (4) The department, in consultation with Healthy
21 Families Florida, may establish additional requirements
22 related to services or one-time payments, and the department
23 is authorized to adopt rules relating to maximum amounts of
24 such one-time payments.

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

28 Section 19. Section 414.1585, Florida Statutes, is
29 created to read:

30 414.1585 Diversion program for families at risk of
31 welfare dependency due to substance abuse or mental illness.

1 (1) The diversion program for families at risk of
2 welfare dependency due to substance abuse or mental illness is
3 intended to provide services and one-time payments to assist
4 families in avoiding welfare dependency and to stabilize
5 families, so that children can be cared for in their own homes
6 or in the homes of relatives and so that families can be
7 self-sufficient.

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

11 (a) The family includes a pregnant woman or a parent
12 with one or more minor children or a caretaker relative with
13 one or more minor children.

14 (b) The family meets criteria established by the
15 department that one or more individuals in the family are at
16 risk of or are impaired due to substance abuse or mental
17 illness.

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

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

24 (4) The department is authorized to adopt rules
25 governing the administration of this section and may establish
26 additional criteria related to services, client need, or
27 one-time payments. The department may establish maximum
28 amounts of one-time payments in rule.

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

1 Section 20. Section 414.159, Florida Statutes, is
2 created to read:

3 414.159 Teen parent and pregnancy prevention diversion
4 program; eligibility for services.--The Legislature recognizes
5 that teen pregnancy is a major cause of dependency on
6 government assistance that often extends through more than one
7 generation. The purpose of the teen parent and pregnancy
8 prevention diversion program is to provide services to reduce
9 and avoid welfare dependency by reducing teen pregnancy,
10 reducing the incidence of multiple pregnancies to teens, and
11 by assisting teens in completing educational programs.

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

16 (2) Services provided under this program shall be
17 limited to services that are not considered assistance under
18 federal law or guidelines.

19 (3) Receipt of services under this section shall not
20 preclude eligibility for, or receipt of, other assistance or
21 services under this chapter.

22 Section 21. Section 414.1599, Florida Statutes, is
23 created to read:

24 414.1599 Diversion programs; determination of
25 need.--If federal regulations require a determination of needy
26 families or needy parents to be based on financial criteria,
27 such as income or resources, for individuals or families who
28 are receiving services, one-time payments, or nonrecurring
29 short-term benefits, the department shall adopt rules to
30 define such criteria. In such rules, the department shall use
31 the income level established for Temporary Assistance for

1 Needy Families funds which are transferred for use under Title
2 XX of the Social Security Act. If federal regulations do not
3 require a financial determination for receipt of such
4 benefits, payments, or services, the criteria otherwise
5 established in this chapter shall be used.

6 Section 22. Section 414.18, Florida Statutes, is
7 created to read:

8 414.18 Program for dependent care for families with
9 children with special needs.--

10 (1) There is created the program for dependent care
11 for families with children with special needs. This program
12 is intended to provide assistance to families with children
13 who meet the following requirements:

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

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

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

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

26 (3) If federal funds under the Temporary Assistance
27 for Needy Families block grant provided under Title IV-A of
28 the Social Security Act, as amended, are used for this
29 program, the family must be informed about the federal
30 requirements on receipt of such assistance and must sign a

31

1 written statement acknowledging, and agreeing to comply with,
2 all federal requirements.

3 (4) In addition to child care services provided under
4 s. 402.3015, dependent care may be provided for children age
5 13 years and older who are in need of care due to disability
6 and where such care is needed for the parent to accept or
7 continue employment or otherwise participate in work
8 activities. The amount of subsidy shall be consistent with the
9 rates for special needs child care established by the
10 department. Dependent care needed for employment may be
11 provided as transitional services for up to 2 years after
12 eligibility for WAGES assistance ends.

13 (5) Notwithstanding any provision of s. 414.105 to the
14 contrary, the time limitation on receipt of assistance under
15 this section shall be the limit established pursuant to s.
16 408(a)(7) of the Social Security Act, as amended, 42 U.S.C. s.
17 608(a)(7).

18 Section 23. Section 414.20, Florida Statutes, 1998
19 Supplement, is amended to read:

20 414.20 Other support services.--Support services shall
21 be provided, if resources permit, to assist participants in
22 complying with work activity requirements outlined in s.
23 414.065. If resources do not permit the provision of needed
24 support services, the department and the local WAGES coalition
25 ~~Department of Labor and Employment Security~~ may prioritize or
26 otherwise limit provision of support services. This section
27 does not constitute an entitlement to support services. Lack
28 of provision of support services may be considered as a factor
29 in determining whether good cause exists for failing to comply
30 with work activity requirements but does not automatically
31 constitute good cause for failing to comply with work activity

1 requirements, and does not affect any applicable time limit on
2 the receipt of temporary cash assistance or the provision of
3 services under this chapter. Support services shall include,
4 but need not be limited to:

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

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

30 (b) Transportation disadvantaged funds as defined in
31 chapter 427 do not include WAGES support services funds or

1 funds appropriated to assist persons eligible under the Job
2 Training Partnership Act. It is the intent of the Legislature
3 that local WAGES coalitions and regional workforce development
4 boards consult with local community transportation
5 coordinators designated under chapter 427 regarding the
6 availability and cost of transportation services through the
7 coordinated transportation system prior to contracting for
8 comparable transportation services outside the coordinated
9 system.

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

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

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

31

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

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

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

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

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

1 (4) A local WAGES coalition ~~The Department of Labor~~
2 ~~and Employment Security~~ may enter into an agreement with an
3 employer to share the costs relating to upgrading the skills
4 of participants hired by the employer. For example, local
5 WAGES coalitions ~~the department~~ may agree to provide support
6 services such as transportation or a wage subsidy in
7 conjunction with training opportunities provided by the
8 employer.

9 Section 25. Section 414.223, Florida Statutes, is
10 created to read:

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

20 (1) The WAGES Program State Board of Directors and the
21 Workforce Development Board may jointly establish Retention
22 Incentive Training Accounts (RITAs). RITAs shall utilize
23 Temporary Assistance to Needy Families block grant funds
24 specifically appropriated for this purpose. RITAs must
25 complement the Individual Training Account required by the
26 federal Workforce Investment Act of 1998, Pub. L. No. 105-220.

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

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

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

11 Section 26. Section 414.225, Florida Statutes, 1998
12 Supplement, is amended to read:

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

23 (1) Transitional transportation must be job or
24 education related.

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

29 Section 27. Section 414.23, Florida Statutes, is
30 amended to read:

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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 28. 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 29. 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 30. 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 31. Subsection (1), paragraph (b) of
2 subsection (2), and paragraph (a) of subsection (3) of section
3 414.70, Florida Statutes, 1998 Supplement, are amended to
4 read:

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

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

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

30 (b) Applicants not subject to the requirements of this
31 section include applicants for food stamps or Medicaid who are

1 not applying for cash assistance, applicants who, if eligible,
2 would be exempt from the time limitation and work activity
3 requirements due to receipt of social security disability
4 income, and applicants who, if eligible, would be excluded
5 from the assistance group due to receipt of supplemental
6 security income.

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

9 (b) Develop a procedure for drug screening and
10 conducting drug testing of applicants for temporary assistance
11 or services under the WAGES Program. For two-parent families,
12 both parents must comply with the drug screening and testing
13 requirements of this section.

14 (3) CHILDREN.--

15 (a) If a parent is deemed ineligible for cash
16 assistance due to refusal to comply with the provisions of
17 this section ~~the failure of a drug test under this act~~, his or
18 her dependent child's eligibility for cash assistance is not
19 affected. A parent who is ineligible for cash assistance due
20 to refusal or failure to comply with the provisions of this
21 section shall be subject to the work activity requirements of
22 s. 414.065, and shall be subject to the penalties under s.
23 414.065(4) upon failure to comply with such requirements.

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

26 239.249 Market-driven, performance-based incentive
27 funding for vocational and technical education programs.--

28 (13) Payment for vocational and technical education
29 and training provided to WAGES Program participants shall be
30 in accordance with the payment structure established by the
31

1 WAGES Program State Board of Directors under s.

2 414.027(1)(i)~~(g)~~.

3 Section 33. Paragraph (m) is added to subsection (2)
4 of section 250.10, Florida Statutes, 1998 Supplement, to read:
5 250.10 Appointment and duties of the Adjutant
6 General.--

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

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

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

27 2. The Adjutant General shall provide job-readiness
28 services in the Forward March program for WAGES Program
29 participants who are directed to Forward March by local WAGES
30 coalitions. The Forward March program shall provide training
31 on topics that directly relate to the skills required for

1 real-world success. The program shall emphasize functional
2 life skills, computer literacy, interpersonal relationships,
3 critical-thinking skills, business skills, preemployment and
4 work maturity skills, job-search skills, exploring careers
5 activities, how to be a successful and effective employee, and
6 some job-specific skills. The program also shall provide
7 extensive opportunities for participants to practice generic
8 job skills in a supervised work setting. Upon completion of
9 the program, Forward March shall return participants to the
10 local WAGES coalition for placement in a job placement pool.

11 Section 34. Sections 414.29 and 414.43, Florida
12 Statutes, are repealed.

13 Section 35. (1) Notwithstanding the provisions of ss.
14 216.031, 216.0181, 216.251, and 216.262, Florida Statutes, to
15 the contrary and pursuant to the provisions of s. 216.351,
16 Florida Statutes, funds and authorized positions for the
17 operation of programs affected by this act may be transferred
18 by the Executive Office of the Governor between appropriation
19 categories, budget entities, and departments as necessary to
20 implement the act. The affected departments shall develop and
21 publish annual operating budgets that reflect any
22 reallocations. Any program, activity, or function transferred
23 under the provisions of this subsection shall be considered a
24 type two transfer under the provisions of s. 20.06, Florida
25 Statutes.

26 (2) Notwithstanding the provisions of s. 216.181,
27 Florida Statutes, and pursuant to the provisions of s.
28 216.351, Florida Statutes, but subject to any requirements
29 imposed in the General Appropriations Act, the Comptroller,
30 upon the request of the Executive Office of the Governor,
31 shall transfer or reallocate funds to or among accounts

1 established for disbursement purposes as necessary to
2 implement this act. The departments shall maintain records to
3 account for the original appropriation and shall submit
4 legislative budget requests which reflect the transfer of
5 funds between expenditure categories which have been made in
6 order to implement this act.

7 (3) This section shall take effect upon this act
8 becoming a law.

9 Section 36. This act shall take effect upon becoming a
10 law.

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