

1 A bill to be entitled
2 An act relating to economic development;
3 creating s. 163.055, F.S.; creating the Local
4 Government Financial Technical Assistance
5 Program; providing legislative findings and
6 declaration; requiring the Comptroller to enter
7 into certain contracts; providing for review of
8 contract proposals; providing for fiscal
9 oversight by the Comptroller; providing for an
10 annual performance review; providing for a
11 report; amending s. 163.01, F.S.; allowing
12 local government self-insurance reserves to be
13 used to guarantee local government obligations
14 under certain circumstances; creating s.
15 414.224, F.S.; creating the Retention Enhancing
16 Communities Initiative; providing for the
17 identification of communities; requiring
18 solicitation of proposals; providing for the
19 selection of RECI participants by the WAGES
20 Program State Board of Directors; providing for
21 the appointment of liaisons; authorizing the
22 Governor to address barriers to implementation
23 of RECI proposals; providing for the
24 redirection of certain funds; providing for
25 RECI elements; requiring the Governor to
26 designate a coordinator; establishing a center
27 for community excellence; providing
28 appropriations for RECI elements; providing
29 restrictions of funds; providing for monitoring
30 and reporting; amending s. 250.10, F.S.;
31 requiring the Adjutant General to administer a

1 life-preparation program and job-readiness
2 services; creating s. 290.0069, F.S.; directing
3 the Office of Tourism, Trade, and Economic
4 Development to designate a pilot project area
5 within an enterprise zone; providing
6 qualifications for such area; providing that
7 certain businesses in such area are eligible
8 for credits against the tax on sales, use, and
9 other transactions and corporate income tax;
10 providing for computation of such credits;
11 providing application procedures and
12 requirements; providing rulemaking authority;
13 requiring a review and report by the Office of
14 Program Policy Analysis and Government
15 Accountability; providing for future repeal and
16 revocation of such designation; providing an
17 extended period for certain businesses to claim
18 enterprise-zone tax incentives; authorizing
19 amendments to the boundaries of an enterprise
20 zone in a community with a brownfield pilot
21 project; providing for individual development
22 accounts in RECI communities; providing
23 purposes; providing definitions; requiring the
24 Department of Revenue to amend the Temporary
25 Assistance for Needy Families State Plan to
26 provide for use of funds for individual
27 development accounts; specifying criteria and
28 requirements for contributions to such
29 accounts; specifying purposes for use of such
30 accounts; providing for procedures for
31 withdrawals from such accounts; specifying

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

22
23 Be It Enacted by the Legislature of the State of Florida:

24
25 Section 1. Effective upon this act becoming a law,
26 section 163.055, Florida Statutes, is created to read:

27 163.055 Local Government Financial Technical
28 Assistance Program.--

29 (1) Among municipalities and special districts, the
30 Legislature finds that:

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1 (a) Florida is a state comprised of 400 municipalities
2 and almost 1,000 special districts statewide.

3 (b) Of the 400 municipalities in the state, over 200
4 have a population under 5,000.

5 (c) State and federal mandates will continue to place
6 additional funding demands on all municipalities and special
7 districts.

8 (d) State government lacks the specific technical
9 expertise or resources to effectively perform ongoing
10 educational support and financial emergency detection or
11 assistance.

12 (2) Recognizing the findings in subsection (1), the
13 Legislature declares that:

14 (a) The fiscal challenges confronting various
15 municipalities and special districts require an investment
16 that will facilitate efforts to improve the productivity and
17 efficiency of their financial structures and operating
18 procedures.

19 (b) Current and additional revenue enhancements
20 authorized by the Legislature should be managed and
21 administered using appropriate management practices and
22 expertise.

23 (3) The purpose of this section is to provide
24 technical assistance to municipalities and special districts
25 to enable them to implement workable solutions to financially
26 related problems.

27 (4) The Comptroller shall enter into contracts with
28 program providers who shall:

29 (a) Be a public agency or private, nonprofit
30 corporation, association, or entity.

31

1 (b) Use existing resources, services, and information
2 that are available from state or local agencies, universities,
3 or the private sector.

4 (c) Seek and accept funding from any public or private
5 source.

6 (d) Annually submit information to assist the
7 Legislative Committee on Intergovernmental Relations in
8 preparing a performance review that will include a analysis of
9 the effectiveness of the program.

10 (e) Assist municipalities and independent special
11 districts in developing alternative revenue sources.

12 (f) Provide for an annual independent financial audit
13 of the program, if the program receives funding.

14 (g) Provide assistance to municipalities and special
15 districts in the areas of financial management, accounting,
16 investing, budgeting, and debt issuance.

17 (h) Develop a needs assessment to determine where
18 assistance should be targeted, and to establish a priority
19 system to deliver assistance to those jurisdictions most in
20 need through the most economical means available.

21 (i) Provide financial emergency assistance upon
22 direction from the Office of the Governor pursuant to s.
23 218.503.

24 (5)(a) The Comptroller shall issue a request for
25 proposals to provide assistance to municipalities and special
26 districts. At the request of the Comptroller, the Legislative
27 Committee on Intergovernmental Relations shall assist in the
28 preparation of the request for proposals.

29 (b) The Comptroller shall review each contract
30 proposal submitted.

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1 (c) The Legislative Committee on Intergovernmental
2 Relations shall review each contract proposal and submit to
3 the Comptroller, in writing, advisory comments and
4 recommendations, citing with specificity the reasons for its
5 recommendations.

6 (d) The Comptroller and the Legislative Committee on
7 Intergovernmental Relations shall consider the following
8 factors in reviewing contract proposals:

9 1. The demonstrated capacity of the provider to
10 conduct needs assessments and implement the program as
11 proposed.

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

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

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

18 5. The form and extent to which existing resources,
19 services, and information that are available from state and
20 local agencies, universities, and the private sector will be
21 used by the provider under the contract.

22 (6) A decision of the Comptroller to award a contract
23 under this section is final and shall be in writing with a
24 copy provided to the Legislative Committee on
25 Intergovernmental Relations.

26 (7) The Comptroller may enter into contracts and
27 agreements with other state and local agencies and with any
28 person, association, corporation, or entity other than the
29 program providers, for the purpose of administering this
30 section.

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

5 (9) The Legislative Committee on Intergovernmental
6 Relations shall annually conduct a performance review of the
7 program. The findings of the review shall be presented in a
8 report submitted to the Governor, the President of the Senate,
9 the Speaker of the House of Representatives, and the
10 Comptroller by January 15 of each year.

11 Section 2. Effective upon this act becoming a law,
12 paragraph (d) of subsection (7) of section 163.01, Florida
13 Statutes, is amended to read:

14 163.01 Florida Interlocal Cooperation Act of 1969.--

15 (7)(d) Notwithstanding the provisions of paragraph
16 (c), any separate legal entity created pursuant to this
17 section and controlled by the municipalities or counties of
18 this state or by one or more municipality and one or more
19 county of this state, the membership of which consists or is
20 to consist of municipalities only, counties only, or one or
21 more municipality and one or more county, may, for the purpose
22 of financing or refinancing any capital projects, exercise all
23 powers in connection with the authorization, issuance, and
24 sale of bonds. Notwithstanding any limitations provided in
25 this section, all of the privileges, benefits, powers, and
26 terms of part I of chapter 125, part II of chapter 166, and
27 part I of chapter 159 shall be fully applicable to such
28 entity. Bonds issued by such entity shall be deemed issued on
29 behalf of the counties or municipalities which enter into loan
30 agreements with such entity as provided in this paragraph.
31 Any loan agreement executed pursuant to a program of such

1 entity shall be governed by the provisions of part I of
2 chapter 159 or, in the case of counties, part I of chapter
3 125, or in the case of municipalities and charter counties,
4 part II of chapter 166. Proceeds of bonds issued by such
5 entity may be loaned to counties or municipalities of this
6 state or a combination of municipalities and counties, whether
7 or not such counties or municipalities are also members of the
8 entity issuing the bonds. The issuance of bonds by such
9 entity to fund a loan program to make loans to municipalities
10 or counties or a combination of municipalities and counties
11 with one another for capital projects to be identified
12 subsequent to the issuance of the bonds to fund such loan
13 programs is deemed to be a paramount public purpose. Any
14 entity so created may also issue bond anticipation notes, as
15 provided by s. 215.431, in connection with the authorization,
16 issuance, and sale of such bonds. In addition, the governing
17 body of such legal entity may also authorize bonds to be
18 issued and sold from time to time and may delegate, to such
19 officer, official, or agent of such legal entity as the
20 governing body of such legal entity may select, the power to
21 determine the time; manner of sale, public or private;
22 maturities; rate or rates of interest, which may be fixed or
23 may vary at such time or times and in accordance with a
24 specified formula or method of determination; and other terms
25 and conditions as may be deemed appropriate by the officer,
26 official, or agent so designated by the governing body of such
27 legal entity. However, the amounts and maturities of such
28 bonds and the interest rate or rates of such bonds shall be
29 within the limits prescribed by the governing body of such
30 legal entity and its resolution delegating to such officer,
31 official, or agent the power to authorize the issuance and

1 sale of such bonds. A local government self-insurance fund
2 established under this section may financially guarantee bonds
3 or bond anticipation notes issued or loans made under this
4 subsection. Bonds issued pursuant to this paragraph may be
5 validated as provided in chapter 75. The complaint in any
6 action to validate such bonds shall be filed only in the
7 Circuit Court for Leon County. The notice required to be
8 published by s. 75.06 shall be published only in Leon County,
9 and the complaint and order of the circuit court shall be
10 served only on the State Attorney of the Second Judicial
11 Circuit and on the state attorney of each circuit in each
12 county where the public agencies which were initially a party
13 to the agreement are located. Notice of such proceedings shall
14 be published in the manner and the time required by s. 75.06
15 in Leon County and in each county where the public agencies
16 which were initially a party to the agreement are located.
17 Obligations of any county or municipality pursuant to a loan
18 agreement as described in this paragraph may be validated as
19 provided in chapter 75.

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

22 414.224 Retention Enhancing Communities Initiative.--

23 (1) LEGISLATIVE INTENT.--The Legislature finds that
24 Florida has numerous distressed urban cores with high
25 proportions of residents who are former and current WAGES
26 Program participants. The Legislature further finds that the
27 existence of strong neighborhoods and communities is crucial
28 to reduce recidivism among former WAGES Program participants,
29 and to create new jobs and promote job retention for current
30 WAGES Program participants. Therefore, it is the intent of the
31 Legislature to create a program designed to develop these

1 communities with the help of, and for the benefit of, current
2 and former WAGES Program participants.

3 (2) CREATION.-- The Retention Enhancing Communities
4 Initiative (RECI) is created to leverage federal, state, and
5 local resources for community redevelopment initiatives that
6 promote job retention among WAGES Program participants.

7 Selected communities will identify and compete for projects
8 coordinated around the six community-enhancing elements of
9 community safety, community builders, community businesses,
10 community schools, community partnerships, and community
11 redevelopment.

12 (3) SELECTION OF RECI COMMUNITIES.--

13 (a) By July 1, 1999, the WAGES Program State Board of
14 Directors, in consultation with local WAGES coalitions, will
15 identify 14 communities in the state's seven largest counties.
16 These communities must be compact, congruent, and contiguous
17 census tracts that have the highest concentrations of
18 residents who are current or former WAGES Program
19 participants. To the maximum extent possible, these
20 communities should coincide with federal empowerment zones,
21 enterprise zones established under chapter 290, Neighborhood
22 Improvement Districts established under chapter 163, community
23 redevelopment areas established under chapter 163, and Urban
24 High Crime Areas established under chapter 212. By August 1,
25 1999, the WAGES Program State Board of Directors must contract
26 with an independent entity to certify that these 14
27 communities comply with the requirements of this section.

28 (b) By July 10, 1999, the WAGES Program State Board of
29 Directors shall solicit proposals from the communities
30 identified in paragraph (a) for participation in RECI. The
31 Governor shall appoint a liaison from a state agency to assist

1 with each proposal and their implementation. These liaisons
2 shall have the full assistance of the Executive Office of the
3 Governor, the agencies of state government, and their
4 employees. If a state employee is not able to assist a liaison
5 because of state law or regulation, the liaison shall notify
6 the Governor, the Office of Urban Opportunity, and the Office
7 of Program Policy Analysis and Government Accountability
8 concerning the impasse and prepare proposals to resolve them.
9 Upon a written request of a liaison, the Governor may by
10 executive order or emergency rule address regulatory or
11 procedural impasses to enable prompt implementation of a
12 community's proposal. Any federal TANF funding appropriated by
13 the state to benefit WAGES participants, to assist needy
14 families, or to promote job placement and employment retention
15 of WAGES participants that is in excess of revenues necessary
16 to fulfill the appropriated purpose may, upon a written
17 request of a liaison, be redirected, notwithstanding any other
18 statute, with the approval of the Office of Urban Opportunity,
19 the WAGES Program State Board of Directors, and the Governor,
20 to support an approved project in a RECI community. Proposals
21 should be general in nature, be no more than 20 pages long,
22 and include:

- 23 1. A brief plan describing how the community will
24 coordinate and incorporate the six RECI elements into the
25 community's redevelopment strategy;
- 26 2. Specific evidence of community support from
27 community-based organizations and local government for
28 participation in RECI;
- 29 3. For each RECI element, identification and commitment
30 of local resources from community-based organizations, local
31

1 government, and others, to be leveraged by federal and state
2 resources;

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

6 5. Identification of local administrative entities.

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

13 (4) RECI ELEMENTS.--Once a community is selected as a
14 RECI participant, the community may compete for awards in each
15 RECI element. Awards will be granted by the WAGES Program
16 State Board of Directors and will be based on a project plan
17 that must be consistent with the community's proposal
18 describing the coordination and incorporation of the RECI
19 elements. The WAGES Program State Board of Directors shall
20 develop guidelines and criteria for the application and award
21 of the funds. Criteria must provide additional weight for
22 criteria relating to community involvement, business
23 involvement, and local contributions. Unless otherwise
24 provided for, the board or its designated agents shall
25 administer the award of funds for each RECI element and must
26 provide assurances that projects are completed pursuant to
27 project plans. RECI elements include the following:

28 (a) WAGES Community Safety.--Funds may be awarded for
29 projects that increase the safety and reduce crime in RECI
30 communities. Funds may be used to train and employ WAGES
31 Program participants in public safety jobs; establish security

1 businesses and services; train residents in safety practices
2 and organize safety networks; improve lighting, alarms, and
3 law enforcement equipment; improve the safety of homes,
4 buildings, and streets; and provide community police. Local
5 law enforcement agencies must be a contributing partner in
6 safety projects. The Department of Community Affairs and the
7 Florida Department of Law Enforcement shall assign a
8 representative of their departments to assist these
9 communities with public safety issues and, notwithstanding any
10 other provision in law, may award public safety grants to
11 these communities.

12 (b) WAGES Community Builders.--Funds may be awarded for
13 small community clean-up and enhancement projects that quickly
14 create visible improvements and for planning and
15 implementation of larger neighborhood revitalization and
16 economic development initiatives.

17 1. Funds for the WAGES Community Builders element may
18 be awarded for small community clean-up and enhancement
19 projects. Projects must include WAGES Program participants,
20 must last less than 3 weeks, and must be endorsed by the local
21 unit of government. Funding may not exceed \$5,000 per project
22 without a waiver from the WAGES Program State Board of
23 Directors. The board shall enlist the Department of State's
24 Main Street program, Keep Florida Beautiful, Inc., and, when
25 approved by the Governor, the Florida National Guard, to
26 advise and assist with these projects and to redirect
27 resources to these communities.

28 2. Funds for the WAGES Community Builders element may
29 be awarded for the planning and implementation of large
30 neighborhood revitalization or economic development
31 initiatives. Funding for planning projects may not exceed

1 \$200,000, and may not, in total, exceed 20 percent of the
2 funds available for this element. Funding for implementation
3 projects may not in total exceed 20 percent of the funds
4 available for this element and must primarily leverage
5 federal, state, local, private, or foundation resources other
6 than those provided for in this section. Planning and
7 implementation projects shall employ WAGES Program
8 participants from the RECI community to the greatest extent
9 possible.

10 (c) WAGES Community Businesses.--Funds may be awarded
11 for small business-development projects, including
12 national-franchise attraction efforts, microloans, guaranteed
13 commercial loans, technical assistance, self-employment, and
14 business incubators at educational institutions. At least 95
15 percent of funds awarded for these projects must be for the
16 benefit of WAGES Program participants in RECI communities. The
17 WAGES Program State Board of Directors shall work with the
18 Comptroller to target the linked-deposit program under s.
19 290.0075 into these communities, and the Comptroller shall, to
20 the greatest extent he or she deems practical, implement that
21 program in RECI communities. Using funds appropriated for this
22 element, the WAGES Program State Board of Directors, or its
23 designated agent, shall establish a \$10-million loan-loss
24 reserve to encourage and guarantee commercial loans made under
25 this element, and shall develop a tax-free bond fund to
26 provide and expand the secondary loan market for commercial
27 loans made in RECI communities. The WAGES Program State Board
28 of Directors, or its designated agent, shall approach and
29 propose joint ventures with national franchisers committing to
30 train individuals for and partially underwrite new franchise
31 ventures in RECI communities.

1 (d) WAGES Community Schools.--Funds may be awarded for
2 WAGES Community School projects that upgrade schools through
3 construction, repair, or renovation, or which provide training
4 and employment to WAGES Program participants to assist with
5 transportation, school services, and security. Schools
6 accepting this assistance must offer before, after, and summer
7 school programs for students who are WAGES Program
8 participants.

9 (e) WAGES Community Partnerships.--Funds may be awarded
10 for WAGES Community Partnership projects to make payments of
11 tax credits to businesses that contribute to projects in RECI
12 communities which are eligible under the community
13 contribution tax credit program under ss. 220.183 and
14 624.5105. Business contributions must benefit WAGES Program
15 participants in these communities. Funds may equal 30 percent
16 of the business's contribution and may apply to contributions
17 of any size if adequate funds are available in this RECI
18 element. The Office of Tourism, Trade, and Economic
19 Development and the Department of Revenue shall assist the
20 WAGES Program State Board of Directors in administering such
21 tax credits. Projects may also match, up to a
22 dollar-for-dollar level, any foundation awards to RECI
23 communities which will improve job retention and reduce public
24 assistance dependency as determined by the WAGES Program State
25 Board of Directors.

26 (f) WAGES Community Redevelopment.--Funds may be
27 awarded for WAGES Community Redevelopment projects to
28 facilitate the planning, preparing, marketing, and financing
29 of residential, mixed-use, and commercial development
30 projects, as well as residential and business infrastructure
31 redevelopment projects in RECI communities. Projects that

1 would mainly result in gentrification of the community, that
2 would not employ a preponderance of WAGES Program
3 participants, and that predominately create residences or
4 business sites that are beyond the anticipated income level of
5 working WAGES Program participants are not eligible.

6 1. The Office of Tourism, Trade, and Economic
7 Development shall be the administrator of projects under this
8 paragraph and shall develop criteria for the award of the
9 funds. Funds available under this element must be leveraged
10 with federal, state, and local resources, including, but not
11 limited to, those available through the local unit of
12 government under the Community Development Block Grant,
13 section 108 loan guarantee program, and through state agencies
14 including the Department of Community Affairs, the Department
15 of Environmental Protection, and the Florida Housing Finance
16 Corporation.

17 2. A redevelopment finance review team including the
18 WAGES Program State Board of Directors, the Office of Tourism,
19 Trade, and Economic Development, Enterprise Florida, Inc., the
20 appropriate local WAGES coalition, the appropriate local unit
21 of government, the Department of Community Affairs, the
22 Department of Environmental Protection, and the Florida
23 Housing Finance Corporation shall review all project plans and
24 coordinate available resources, matching expenditures to
25 eligible and available revenues that may be invested in the
26 project. The team shall seek federal funding assistance in
27 these projects and may identify and recommend projects for
28 award under the WAGES Targeted Employment and WAGES
29 transportation projects established by law. The team shall
30 recommend appropriate projects to the State Board of
31 Administration for public investment. Their collaborative

1 project package shall constitute a recommended public
2 financing commitment that shall serve to induce private
3 developers to finance the remaining costs of the project.

4 Notwithstanding the provisions of s. 216.301, funds
5 appropriated for the purpose of this paragraph shall not be
6 subject to reversion.

7 3. The Office of Tourism, Trade, and Economic
8 Development, based upon the recommendation from the team, may
9 award project funds to RECI communities for up to 30 percent
10 of the total project cost. In awarding funds, the office shall
11 consider factors including, but not limited to, the project's
12 direct employment of WAGES Program participants in planning,
13 development, or construction; eventual direct employment of
14 WAGES Program participants; residences or businesses to be
15 owned by WAGES Program participants; impact on retention in
16 employment of WAGES Program participants; impact on lowering
17 recidivism and dependency on public assistance programs;
18 demonstrated local public and private commitment; and the
19 potential to enhance and upgrade the community.

20 4. To facilitate timely response and induce the
21 development of site opportunities where a community-based or
22 private-sector partner exists, the Office of Tourism, Trade,
23 and Economic Development may award funds for infrastructure
24 feasibility studies, design and engineering activities,
25 project development and packaging, or other infrastructure
26 planning and preparation activities. Such funds may not exceed
27 \$300,000 per project, and may not exceed 5 percent of the
28 total funding available under this paragraph.

29 5. The Office of Tourism, Trade, and Economic
30 Development shall pursue execution of a memorandum of
31 agreement with the Department of Housing and Urban Development

1 and other federal or state partners under which state funds
2 available through this element may be advanced, in excess of
3 the prescribed state share, for a project that has received
4 from the department or partner a preliminary determination of
5 eligibility for financial support. State funds in excess of
6 the prescribed state share which are advanced pursuant to this
7 paragraph and a memorandum of agreement shall be reimbursed
8 when funds are awarded under an application for other
9 financing.

10 6. To facilitate development of prospective sites, the
11 Office of Tourism, Trade, and Economic Development may award
12 funds for surveys, feasibility studies, project development,
13 packaging, marketing, and other activities related to the
14 identification, marketing, and preparation of sites of up to
15 \$150,000. Such funds shall require a match from local sources
16 of 33 percent and the total grants awarded under this
17 subparagraph shall not exceed 5 percent of the total funding
18 available under this paragraph.

19 (5) The Governor shall name by July 15, 1999, a
20 coordinator in the Office of Urban Opportunity with the
21 authority, established by executive order, to work with the
22 WAGES Program State Board of Directors to direct agency
23 assistance, solve problems, and commit resources to RECI
24 communities.

25 (6) By August 15, 1999, working with the Workforce
26 Development Board, the WAGES Program State Board of Directors
27 shall establish a center for community excellence, affiliated
28 with an educational institution or group of educational
29 institutions, which will provide research, consulting,
30 technical assistance, capacity building, training, and program
31 assistance services to RECI communities.

1 (7) FUNDING.--

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

7 (b) Any expenditure from the Temporary Assistance for
8 Needy Families block grant shall be expended in accordance
9 with the requirements and limitations of Title IV of the
10 Social Security Act, as amended, or any other applicable
11 federal requirement or limitation in law. Prior to any
12 expenditure of such funds, the WAGES Program State Board of
13 Directors and the Secretary of Children and Family Services,
14 or his or her designee, shall certify that controls are in
15 place to ensure that such funds are expended and reported in
16 accordance with the requirements and limitations of federal
17 law. It shall be the responsibility of any entity to which
18 funds are awarded to obtain the required certification prior
19 to any expenditure of funds.

20 (c) Unexpended proceeds derived from a project
21 completed with the use of program funds, beyond the operating
22 costs and debt service, shall be restricted to further
23 expenditures within the element. Use of such unexpended
24 proceeds for purposes other than those authorized by this act
25 is prohibited.

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

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

1 (8) The Governor shall notify the President of the
2 United States and the Florida Congressional Delegation of any
3 delays by the federal government affecting the prompt
4 implementation of this section, and enlist their assistance in
5 resolution of such delays. By budget amendment, the Governor
6 shall identify and transfer funds to continue this initiative
7 on schedule, notwithstanding federal delays. With the
8 assistance of the Secretary of Children and Family Services
9 and the Attorney General, the Governor shall then explore
10 administrative and judicial options to gain reimbursement.

11 (9) MONITORING AND REPORTING.--

12 (a) The independent entity selected by the WAGES
13 Program State Board of Directors to certify compliance by the
14 14 communities identified under paragraph (2)(a) shall also
15 identify four other similar communities to serve as a control
16 group for RECI. The entity must measure performance trends in
17 the control group communities, the communities that applied
18 for RECI designation but were not selected, and the
19 communities selected to participate in RECI. The four control
20 communities shall be known only to the entity until the
21 completion of the initiative. The entity shall develop,
22 working with the Office of Program Policy Analysis and
23 Government Accountability and the WAGES Program State Board of
24 Directors, criteria by October 1, 1999, to measure the impact
25 of the initiative. Such criteria must include the total
26 revenues generated and invested in RECI communities, and the
27 amount of revenue saved from the retention of WAGES Program
28 participants.

29 (b) In addition to a comprehensive final report due
30 February 15, 2002, the WAGES Program State Board of Directors
31 must report to the Governor and Legislature every 6 months

1 beginning January 1, 2000, on the progress of RECI. Reports
2 must include tangible impacts of the initiative. The final
3 report shall include recommendations relating to the potential
4 development of a RECI program for communities in mid-sized
5 counties. The report must additionally recognize the three
6 most successful RECI communities and designate these
7 communities Florida's "come-back communities."

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

10 250.10 Appointment and duties of the Adjutant
11 General.--

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

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

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

1 2. The Adjutant General shall provide job-readiness
2 services in the Forward March program for WAGES program
3 participants who are directed to Forward March by local WAGES
4 coalitions. The Forward March program shall provide training
5 on topics that directly relate to the skills required for
6 real-world success. The program shall emphasize functional
7 life skills, computer literacy, interpersonal relationships,
8 critical-thinking skills, business skills, preemployment and
9 work maturity skills, job-search skills, exploring careers
10 activities, how to be a successful and effective employee, and
11 some job-specific skills. The program also shall provide
12 extensive opportunities for participants to practice generic
13 job skills in a supervised work setting. Upon completion of
14 the program, Forward March shall return participants to the
15 local WAGES coalition for placement in a job-placement pool.

16 Section 5. Notwithstanding the time limitations
17 contained in chapters 212 and 220, Florida Statutes, relating
18 to enterprise-zone tax incentives, a business that was
19 purchased in February 1992 within an area of Tampa that
20 received a designation as an enterprise zone under section
21 290.0065, Florida Statutes, effective July 1, 1995, and that
22 was eligible to receive enterprise-zone tax incentives from
23 July 1, 1995, to July 1, 1998, must submit an application for
24 the tax incentives by December 1, 1999. All other requirements
25 of the enterprise zone program apply to such a business.

26 Section 6. Notwithstanding any provision of law to the
27 contrary, the governing body of a municipality or a county
28 containing a U.S. Environmental Protection Agency brownfield
29 pilot project that was designated as of May 1, 1997, may apply
30 to the Office of Tourism, Trade, and Economic Development
31 before December 31, 1999, to amend the boundaries of an

1 enterprise zone designated in a municipality or a county
2 containing such brownfield pilot project. The office shall
3 approve the application to amend the boundaries of the
4 enterprise zone if the added area does not increase the
5 overall size of the expanded zone more than its original size
6 or 20 square miles, whichever is larger.

7 Section 7. Before December 31, 1999, any municipality
8 an area of which has previously received designation as an
9 Enterprise Zone in the population category described in
10 section 290.0065(3)(a)3., Florida Statutes, may create a
11 satellite enterprise zone not exceeding 1.5 square miles in
12 area outside of and, notwithstanding anything contained in
13 section 290.0055(4), Florida Statutes, or any other law, in
14 addition to the previously designated enterprise zone
15 boundaries. The Office of Tourism, Trade, and Economic
16 Development shall amend the boundaries of the areas previously
17 designated by any such municipality as enterprise zones upon
18 receipt of a resolution adopted by the municipality describing
19 the satellite enterprise zone areas, as long as the additional
20 areas are consistent with the categories, criteria, and
21 limitations imposed by section 290.0055, Florida Statutes.
22 However, the requirements imposed by section 290.0055(4)(d),
23 Florida Statutes, do not apply to such satellite enterprise
24 zone areas.

25 Section 8. (1) The purpose of this section is to
26 provide for the establishment of individual development
27 accounts (IDAs) in communities targeted by the Retention
28 Enhancing Communities Initiative (RECI) designed to provide
29 families with limited means in these communities an
30 opportunity to accumulate assets, to facilitate and mobilize
31 savings, to promote education, homeownership, and

1 microenterprise development, and to stabilize families and
2 build communities. This section implements the provisions of
3 s. 404(h) of the Social Security Act, as amended, 42 U.S.C. s.
4 604(h), related to individual development accounts. Nothing
5 in this section is intended to conflict with the provisions of
6 federal law.

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

8 (a) "Individual development account" means an account
9 exclusively for the purpose of paying the qualified expenses
10 of an eligible individual or family in RECI communities. The
11 account is a trust created or organized in this state and
12 funded through periodic contributions by the establishing
13 individual and matched by or through a qualified entity for a
14 qualified purpose.

15 (b) "Qualified entity" means:

16 1. A not-for-profit organization described in s.
17 501(c)(3) of the Internal Revenue Code of 1986, as amended,
18 and exempt from taxation under s. 501(a) of such code; or

19 2. A state or local government agency acting in
20 cooperation with an organization described in subparagraph 1.
21 For purposes of this section, a local WAGES coalition shall be
22 considered a government agency.

23 (c) "Financial institution" means an organization
24 authorized to do business under state or federal laws relating
25 to financial institutions, and includes a bank, trust company,
26 savings bank, building and loan association, savings and loan
27 company or association, and credit union.

28 (d) "Eligible educational institution" means:

29 1. An institution described in s. 481(a)(1) or s.
30 1201(a) of the Higher Education Act of 1965, 20 U.S.C. s.
31 1088(a)(1) or s. 1141(a), as such sections are in effect on

1 the date of the enactment of the Personal Responsibility and
2 Work Opportunity Reconciliation Act of 1996, Pub. L. No.
3 104-193.

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

10 (e) "Postsecondary educational expenses" means:

11 1. Tuition and fees required for the enrollment or
12 attendance of a student at an eligible educational
13 institution.

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

16 (f) "Qualified acquisition costs" means the costs of
17 acquiring, constructing, or reconstructing a residence. The
18 term includes any usual or reasonable settlement, financing,
19 or other closing costs in a RECI community.

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

22 (h) "Qualified business capitalization expenses" means
23 qualified expenditures for the capitalization of a qualified
24 business pursuant to a qualified plan.

25 (i) "Qualified expenditures" means expenditures
26 included in a qualified plan, including capital, plant,
27 equipment, working capital, and inventory expenses.

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

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

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

8 1. Is approved by a financial institution, a
9 microenterprise development organization, or a nonprofit loan
10 fund having demonstrated fiduciary integrity.

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

13 3. May require the eligible individual to obtain the
14 assistance of an experienced entrepreneurial advisor.

15 (l) "Qualified principal residence" means a principal
16 residence, in a RECI community within the meaning of s. 1034
17 of the Internal Revenue Code of 1986, as amended, the
18 qualified acquisition costs of which do not exceed 100 percent
19 of the average area purchase price applicable to such
20 residence, determined in accordance with s. 143(e)(2) and (3)
21 of such code.

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

28 (4)(a) Any family in a RECI community subject to time
29 limits and fully complying with work requirements of the WAGES
30 Program that enters into an agreement with an approved
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1 fiduciary organization is eligible for participation in an
2 individual development account.

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

7 (c) The individual or family shall enter into an
8 individual development account agreement with a certified
9 fiduciary organization or community-based organization.

10 (d) Eligible participants may receive matching funds
11 for contributions to the individual development account,
12 pursuant to the WAGES State Plan and the plan of the local
13 WAGES coalition. When not restricted to the contrary, matching
14 funds may be paid from state and federal funds under the
15 control of the local WAGES coalition, from local agencies, or
16 from private donations.

17 (e) Eligible participants may receive bonus payments
18 for program compliance, to the extent provided in the WAGES
19 State Plan and the plan of the local WAGES coalition. Such
20 bonus payments may provide for a matching proportion higher
21 than matching funds described in paragraph (d).

22 (5) Individual development accounts may be available
23 once the family no longer receives cash assistance for any of
24 the following uses:

25 (a) Postsecondary educational expenses paid from an
26 individual development account directly to an eligible
27 educational institution;

28 (b) Qualified acquisition costs with respect to a
29 qualified principal residence in a RECI community for a
30 qualified first-time homebuyer, if paid from an individual
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1 development account directly to the persons to whom the
2 amounts are due; or

3 (c) Amounts paid from an individual development
4 account directly to a business capitalization account which is
5 established in a federally insured financial institution and
6 is restricted to use solely for qualified business
7 capitalization in a RECI community.

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

13 (7) Fiduciary organizations shall be the local WAGES
14 coalition or other organizations designated by the local WAGES
15 coalition to serve as an intermediary between individual
16 account holders and financial institutions holding accounts.
17 Responsibilities of such fiduciary organizations may include
18 marketing participation, soliciting matching contributions,
19 counseling program participants, and conducting verification
20 and compliance activities.

21 (8) The WAGES Program State Board of Directors shall
22 establish penalties and procedures for enforcing compliance
23 with such penalties for the withdrawal of moneys from
24 individual development accounts under false pretenses or for
25 the use of such moneys for other than approved purposes. The
26 fiduciary organization shall make arrangements with the
27 financial institution to impose any penalties or loss of
28 matching funds as specified by the WAGES Program State Board
29 of Directors on moneys withdrawn. The WAGES Program State
30 Board of Directors may, at its discretion, specify conditions
31 under which an account shall be closed.

1 (9) The fiduciary organization shall establish a
2 grievance committee and a procedure to hear, review, and
3 decide in writing any grievance made by a holder of an
4 individual development account who disputes a decision of the
5 operating organization that a withdrawal is subject to
6 penalty.

7 (10) In the event of an account holder's death, the
8 account may be transferred to the ownership of a contingent
9 beneficiary. An account holder shall name contingent
10 beneficiaries at the time the account is established and may
11 change such beneficiaries at any time.

12 (11) Financial institutions approved by the WAGES
13 Program State Board of Directors shall be permitted to
14 establish individual development accounts pursuant to this
15 section. The financial institution shall certify to the local
16 WAGES coalition on forms prescribed by the WAGES Program State
17 Board of Directors and accompanied by any documentation
18 required by the WAGES Program State Board of Directors that
19 such accounts have been established pursuant to all provisions
20 of this act and that deposits have been made on behalf of the
21 account holder. A financial institution establishing an
22 individual development account shall:

23 (a) Keep the account in the name of the account
24 holder.

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

27 1. By the account holder; or

28 2. By means of contributions made on behalf of the
29 account holder. Such deposits may include moneys to match the
30 account holder's deposits.

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1 (c) Require the account to earn the market rate of
2 interest.

3 (d) Permit the account holder to withdraw moneys from
4 the account for any of the permissible uses pursuant to
5 procedures adopted by the WAGES Program State Board of
6 Directors.

7 (12) In accordance with s. 404(h)(4) of the Social
8 Security Act, as amended, 42 U.S.C. s. 604(h)(4), and
9 notwithstanding any other provision of law, other than the
10 Internal Revenue Code of 1986, as amended, funds in an
11 individual development account, including interest accruing in
12 such account, shall be disregarded in determining eligibility
13 for any federal or state program. Matching contributions paid
14 directly into such account and contributions by an individual
15 from earnings shall similarly be disregarded in determining
16 eligibility for any state or federal program.

17 Section 9. Subsection (5) is added to section 218.503,
18 Florida Statutes, to read:

19 218.503 Determination of financial emergency.--

20 (5)(a) The governing authority of any municipality
21 with a resident population of 300,000 or more on April 1,
22 1999, and which has been declared in a state of financial
23 emergency pursuant to this section within the previous 2
24 fiscal years may impose a discretionary per-vehicle surcharge
25 of up to 20 percent on the gross revenues of the sale, lease,
26 or rental of space at parking facilities within the
27 municipality that are open for use to the general public.

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

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

5 2. A portion of the balance of the surcharge proceeds
6 shall be used by the governing authority to increase its
7 budget reserves; however, the governing authority shall not
8 reduce the amount it allocates for budget reserves from other
9 sources below the amount allocated for reserves in the fiscal
10 year prior to the year in which the surcharge is initially
11 imposed. When a 15 percent budget reserve is achieved, based
12 on the average gross revenue for the most recent 3 prior
13 fiscal years, the remaining proceeds from this subparagraph
14 shall be used for the payment of annual debt service related
15 to outstanding obligations backed or secured by a covenant to
16 budget and appropriate from non-ad valorem revenues.

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

18 Section 10. Except as otherwise provided in this act,
19 this act shall take effect July 1, 1999.
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