

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; providing an extended period for
3 certain businesses to claim enterprise-zone tax
4 incentives; authorizing amendments to the
5 boundaries of an enterprise zone in a community
6 with a brownfield pilot project; providing for
7 individual development accounts in RECI
8 communities; providing purposes; providing
9 definitions; requiring the Department of
10 Revenue to amend the Temporary Assistance for
11 Needy Families State Plan to provide for use of
12 funds for individual development accounts;
13 specifying criteria and requirements for
14 contributions to such accounts; specifying
15 purposes for use of such accounts; providing
16 for procedures for withdrawals from such
17 accounts; specifying certain organizations to
18 act as fiduciary organizations for certain
19 purposes; providing for penalties for
20 withdrawal of moneys for certain purposes;
21 providing for resolution of certain disputes;
22 providing for transfer of ownership of such
23 accounts under certain circumstances; providing
24 for establishment of such accounts by certain
25 financial institutions under certain
26 circumstances; providing requirements;
27 providing that account funds and matching funds
28 do not affect certain program eligibility;
29 authorizing municipalities to designate
30 satellite enterprise zones; amending s.
31 218.503, F.S.; authorizing certain

1 municipalities to impose a discretionary
2 per-vehicle surcharge on the gross revenues of
3 the sale, lease, or rental of space at parking
4 facilities within the municipality that are
5 open for use to the public; providing for use
6 of surcharge proceeds; providing an effective
7 date.

8
9 Be It Enacted by the Legislature of the State of Florida:

10
11 Section 1. Effective upon this act becoming a law,
12 section 163.055, Florida Statutes, is created to read:

13 163.055 Local Government Financial Technical
14 Assistance Program.--

15 (1) Among municipalities and special districts, the
16 Legislature finds that:

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

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

21 (c) State and federal mandates will continue to place
22 additional funding demands on all municipalities and special
23 districts.

24 (d) State government lacks the specific technical
25 expertise or resources to effectively perform ongoing
26 educational support and financial emergency detection or
27 assistance.

28 (2) Recognizing the findings in subsection (1), the
29 Legislature declares that:

30 (a) The fiscal challenges confronting various
31 municipalities and special districts require an investment

1 that will facilitate efforts to improve the productivity and
2 efficiency of their financial structures and operating
3 procedures.

4 (b) Current and additional revenue enhancements
5 authorized by the Legislature should be managed and
6 administered using appropriate management practices and
7 expertise.

8 (3) The purpose of this section is to provide
9 technical assistance to municipalities and special districts
10 to enable them to implement workable solutions to financially
11 related problems.

12 (4) The Comptroller shall enter into contracts with
13 program providers who shall:

14 (a) Be a public agency or private, nonprofit
15 corporation, association, or entity.

16 (b) Use existing resources, services, and information
17 that are available from state or local agencies, universities,
18 or the private sector.

19 (c) Seek and accept funding from any public or private
20 source.

21 (d) Annually submit information to assist the
22 Legislative Committee on Intergovernmental Relations in
23 preparing a performance review that will include a analysis of
24 the effectiveness of the program.

25 (e) Assist municipalities and independent special
26 districts in developing alternative revenue sources.

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

29 (g) Provide assistance to municipalities and special
30 districts in the areas of financial management, accounting,
31 investing, budgeting, and debt issuance.

1 (h) Develop a needs assessment to determine where
2 assistance should be targeted, and to establish a priority
3 system to deliver assistance to those jurisdictions most in
4 need through the most economical means available.

5 (i) Provide financial emergency assistance upon
6 direction from the Office of the Governor pursuant to s.
7 218.503.

8 (5)(a) The Comptroller shall issue a request for
9 proposals to provide assistance to municipalities and special
10 districts. At the request of the Comptroller, the Legislative
11 Committee on Intergovernmental Relations shall assist in the
12 preparation of the request for proposals.

13 (b) The Comptroller shall review each contract
14 proposal submitted.

15 (c) The Legislative Committee on Intergovernmental
16 Relations shall review each contract proposal and submit to
17 the Comptroller, in writing, advisory comments and
18 recommendations, citing with specificity the reasons for its
19 recommendations.

20 (d) The Comptroller and the Legislative Committee on
21 Intergovernmental Relations shall consider the following
22 factors in reviewing contract proposals:

23 1. The demonstrated capacity of the provider to
24 conduct needs assessments and implement the program as
25 proposed.

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

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

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

1 5. The form and extent to which existing resources,
2 services, and information that are available from state and
3 local agencies, universities, and the private sector will be
4 used by the provider under the contract.

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

9 (7) The Comptroller may enter into contracts and
10 agreements with other state and local agencies and with any
11 person, association, corporation, or entity other than the
12 program providers, for the purpose of administering this
13 section.

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

18 (9) The Legislative Committee on Intergovernmental
19 Relations shall annually conduct a performance review of the
20 program. The findings of the review shall be presented in a
21 report submitted to the Governor, the President of the Senate,
22 the Speaker of the House of Representatives, and the
23 Comptroller by January 15 of each year.

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

27 163.01 Florida Interlocal Cooperation Act of 1969.--

28 (7)(d) Notwithstanding the provisions of paragraph
29 (c), any separate legal entity created pursuant to this
30 section and controlled by the municipalities or counties of
31 this state or by one or more municipality and one or more

1 county of this state, the membership of which consists or is
2 to consist of municipalities only, counties only, or one or
3 more municipality and one or more county, may, for the purpose
4 of financing or refinancing any capital projects, exercise all
5 powers in connection with the authorization, issuance, and
6 sale of bonds. Notwithstanding any limitations provided in
7 this section, all of the privileges, benefits, powers, and
8 terms of part I of chapter 125, part II of chapter 166, and
9 part I of chapter 159 shall be fully applicable to such
10 entity. Bonds issued by such entity shall be deemed issued on
11 behalf of the counties or municipalities which enter into loan
12 agreements with such entity as provided in this paragraph.
13 Any loan agreement executed pursuant to a program of such
14 entity shall be governed by the provisions of part I of
15 chapter 159 or, in the case of counties, part I of chapter
16 125, or in the case of municipalities and charter counties,
17 part II of chapter 166. Proceeds of bonds issued by such
18 entity may be loaned to counties or municipalities of this
19 state or a combination of municipalities and counties, whether
20 or not such counties or municipalities are also members of the
21 entity issuing the bonds. The issuance of bonds by such
22 entity to fund a loan program to make loans to municipalities
23 or counties or a combination of municipalities and counties
24 with one another for capital projects to be identified
25 subsequent to the issuance of the bonds to fund such loan
26 programs is deemed to be a paramount public purpose. Any
27 entity so created may also issue bond anticipation notes, as
28 provided by s. 215.431, in connection with the authorization,
29 issuance, and sale of such bonds. In addition, the governing
30 body of such legal entity may also authorize bonds to be
31 issued and sold from time to time and may delegate, to such

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

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

5 414.224 Retention Enhancing Communities Initiative.--

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

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

26 (3) SELECTION OF RECI COMMUNITIES.--

27 (a) By July 1, 1999, the WAGES Program State Board of
28 Directors, in consultation with local WAGES coalitions, will
29 identify 14 communities in the state's seven largest counties.
30 These communities must be compact, congruent, and contiguous
31 census tracts that have the highest concentrations of

1 residents who are current or former WAGES Program
2 participants. To the maximum extent possible, these
3 communities should coincide with federal empowerment zones,
4 enterprise zones established under chapter 290, Neighborhood
5 Improvement Districts established under chapter 163, community
6 redevelopment areas established under chapter 163, and Urban
7 High Crime Areas established under chapter 212. By August 1,
8 1999, the WAGES Program State Board of Directors must contract
9 with an independent entity to certify that these 14
10 communities comply with the requirements of this section.

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

1 statute, with the approval of the Office of Urban Opportunity,
2 the WAGES Program State Board of Directors, and the Governor,
3 to support an approved project in a RECI community. Proposals
4 should be general in nature, be no more than 20 pages long,
5 and include:

6 1. A brief plan describing how the community will
7 coordinate and incorporate the six RECI elements into the
8 community's redevelopment strategy;

9 2. Specific evidence of community support from
10 community-based organizations and local government for
11 participation in RECI;

12 3. For each RECI element, identification and commitment
13 of local resources from community-based organizations, local
14 government, and others, to be leveraged by federal and state
15 resources;

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

19 5. Identification of local administrative entities.

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

26 (4) RECI ELEMENTS.--Once a community is selected as a
27 RECI participant, the community may compete for awards in each
28 RECI element. Awards will be granted by the WAGES Program
29 State Board of Directors and will be based on a project plan
30 that must be consistent with the community's proposal
31 describing the coordination and incorporation of the RECI

1 elements. The WAGES Program State Board of Directors shall
2 develop guidelines and criteria for the application and award
3 of the funds. Criteria must provide additional weight for
4 criteria relating to community involvement, business
5 involvement, and local contributions. Unless otherwise
6 provided for, the board or its designated agents shall
7 administer the award of funds for each RECI element and must
8 provide assurances that projects are completed pursuant to
9 project plans. RECI elements include the following:

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

25 (b) WAGES Community Builders.--Funds may be awarded for
26 small community clean-up and enhancement projects that quickly
27 create visible improvements and for planning and
28 implementation of larger neighborhood revitalization and
29 economic development initiatives.

30 1. Funds for the WAGES Community Builders element may
31 be awarded for small community clean-up and enhancement

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

10 2. Funds for the WAGES Community Builders element may
11 be awarded for the planning and implementation of large
12 neighborhood revitalization or economic development
13 initiatives. Funding for planning projects may not exceed
14 \$200,000, and may not, in total, exceed 20 percent of the
15 funds available for this element. Funding for implementation
16 projects may not in total exceed 20 percent of the funds
17 available for this element and must primarily leverage
18 federal, state, local, private, or foundation resources other
19 than those provided for in this section. Planning and
20 implementation projects shall employ WAGES Program
21 participants from the RECI community to the greatest extent
22 possible.

23 (c) WAGES Community Businesses.--Funds may be awarded
24 for small business-development projects, including
25 national-franchise attraction efforts, microloans, guaranteed
26 commercial loans, technical assistance, self-employment, and
27 business incubators at educational institutions. At least 95
28 percent of funds awarded for these projects must be for the
29 benefit of WAGES Program participants in RECI communities. The
30 WAGES Program State Board of Directors shall work with the
31 Comptroller to target the linked-deposit program under s.

1 290.0075 into these communities, and the Comptroller shall, to
2 the greatest extent he or she deems practical, implement that
3 program in RECI communities. Using funds appropriated for this
4 element, the WAGES Program State Board of Directors, or its
5 designated agent, shall establish a \$10-million loan-loss
6 reserve to encourage and guarantee commercial loans made under
7 this element, and shall develop a tax-free bond fund to
8 provide and expand the secondary loan market for commercial
9 loans made in RECI communities. The WAGES Program State Board
10 of Directors, or its designated agent, shall approach and
11 propose joint ventures with national franchisers committing to
12 train individuals for and partially underwrite new franchise
13 ventures in RECI communities.

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

22 (e) WAGES Community Partnerships.--Funds may be awarded
23 for WAGES Community Partnership projects to make payments of
24 tax credits to businesses that contribute to projects in RECI
25 communities which are eligible under the community
26 contribution tax credit program under ss. 220.183 and
27 624.5105. Business contributions must benefit WAGES Program
28 participants in these communities. Funds may equal 30 percent
29 of the business's contribution and may apply to contributions
30 of any size if adequate funds are available in this RECI
31 element. The Office of Tourism, Trade, and Economic

1 Development and the Department of Revenue shall assist the
2 WAGES Program State Board of Directors in administering such
3 tax credits. Projects may also match, up to a
4 dollar-for-dollar level, any foundation awards to RECI
5 communities which will improve job retention and reduce public
6 assistance dependency as determined by the WAGES Program State
7 Board of Directors.

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

19 1. The Office of Tourism, Trade, and Economic
20 Development shall be the administrator of projects under this
21 paragraph and shall develop criteria for the award of the
22 funds. Funds available under this element must be leveraged
23 with federal, state, and local resources, including, but not
24 limited to, those available through the local unit of
25 government under the Community Development Block Grant,
26 section 108 loan guarantee program, and through state agencies
27 including the Department of Community Affairs, the Department
28 of Environmental Protection, and the Florida Housing Finance
29 Corporation.

30 2. A redevelopment finance review team including the
31 WAGES Program State Board of Directors, the Office of Tourism,

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

20 3. The Office of Tourism, Trade, and Economic
21 Development, based upon the recommendation from the team, may
22 award project funds to RECI communities for up to 30 percent
23 of the total project cost. In awarding funds, the office shall
24 consider factors including, but not limited to, the project's
25 direct employment of WAGES Program participants in planning,
26 development, or construction; eventual direct employment of
27 WAGES Program participants; residences or businesses to be
28 owned by WAGES Program participants; impact on retention in
29 employment of WAGES Program participants; impact on lowering
30 recidivism and dependency on public assistance programs;

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1 demonstrated local public and private commitment; and the
2 potential to enhance and upgrade the community.

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

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

24 6. To facilitate development of prospective sites, the
25 Office of Tourism, Trade, and Economic Development may award
26 funds for surveys, feasibility studies, project development,
27 packaging, marketing, and other activities related to the
28 identification, marketing, and preparation of sites of up to
29 \$150,000. Such funds shall require a match from local sources
30 of 33 percent and the total grants awarded under this
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1 subparagraph shall not exceed 5 percent of the total funding
2 available under this paragraph.

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

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

16 (7) FUNDING.--

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

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

1 law. It shall be the responsibility of any entity to which
2 funds are awarded to obtain the required certification prior
3 to any expenditure of funds.

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

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

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

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

26 (9) MONITORING AND REPORTING.--

27 (a) The independent entity selected by the WAGES
28 Program State Board of Directors to certify compliance by the
29 14 communities identified under paragraph (2)(a) shall also
30 identify four other similar communities to serve as a control
31 group for RECI. The entity must measure performance trends in

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

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

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

25 250.10 Appointment and duties of the Adjutant
26 General.--

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

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

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

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

31

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

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

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

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

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

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

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

31 (b) "Qualified entity" means:

1 1. A not-for-profit organization described in s.
2 501(c)(3) of the Internal Revenue Code of 1986, as amended,
3 and exempt from taxation under s. 501(a) of such code; or

4 2. A state or local government agency acting in
5 cooperation with an organization described in subparagraph 1.
6 For purposes of this section, a local WAGES coalition shall be
7 considered a government agency.

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

13 (d) "Eligible educational institution" means:

14 1. An institution described in s. 481(a)(1) or s.
15 1201(a) of the Higher Education Act of 1965, 20 U.S.C. s.
16 1088(a)(1) or s. 1141(a), as such sections are in effect on
17 the date of the enactment of the Personal Responsibility and
18 Work Opportunity Reconciliation Act of 1996, Pub. L. No.
19 104-193.

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

26 (e) "Postsecondary educational expenses" means:

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

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

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

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

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

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

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

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

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

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

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

28 3. May require the eligible individual to obtain the
29 assistance of an experienced entrepreneurial advisor.

30 (l) "Qualified principal residence" means a principal
31 residence, in a RECI community within the meaning of s. 1034

1 of the Internal Revenue Code of 1986, as amended, the
2 qualified acquisition costs of which do not exceed 100 percent
3 of the average area purchase price applicable to such
4 residence, determined in accordance with s. 143(e)(2) and (3)
5 of such code.

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

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

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

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

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

31

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

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

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

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

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

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

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

1 marketing participation, soliciting matching contributions,
2 counseling program participants, and conducting verification
3 and compliance activities.

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

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

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

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

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

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

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

10 1. By the account holder; or

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

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

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

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

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

1 218.503 Determination of financial emergency.--
2 (5)(a) The governing authority of any municipality
3 with a resident population of 300,000 or more on April 1,
4 1999, and which has been declared in a state of financial
5 emergency pursuant to this section within the previous 2
6 fiscal years may impose a discretionary per-vehicle surcharge
7 of up to 20 percent on the gross revenues of the sale, lease,
8 or rental of space at parking facilities within the
9 municipality that are open for use to the general public.
10 (b) A municipal governing authority that imposes the
11 surcharge authorized by this subsection may use the proceeds
12 of such surcharge for the following purposes only:
13 1. No less than 60 percent and no more than 80 percent
14 of the surcharge proceeds shall be used by the governing
15 authority to reduce its ad valorem tax millage rate or to
16 reduce or eliminate non-ad valorem assessments.
17 2. A portion of the balance of the surcharge proceeds
18 shall be used by the governing authority to increase its
19 budget reserves; however, the governing authority shall not
20 reduce the amount it allocates for budget reserves from other
21 sources below the amount allocated for reserves in the fiscal
22 year prior to the year in which the surcharge is initially
23 imposed. When a 15 percent budget reserve is achieved, based
24 on the average gross revenue for the most recent 3 prior
25 fiscal years, the remaining proceeds from this subparagraph
26 shall be used for the payment of annual debt service related
27 to outstanding obligations backed or secured by a covenant to
28 budget and appropriate from non-ad valorem revenues.
29 (c) This subsection is repealed on June 30, 2006.
30 Section 10. Except as otherwise provided in this act,
31 this act shall take effect July 1, 1999.