

By the Committee on Community Colleges & Career Prep and Representatives Hart, Bradley, Feeney, Bense, Lynn, Harrington, Goodlette, Johnson, Alexander, Greenstein, Turnbull, Boyd, Kelly, Byrd, Fasano, Henriquez, J. Miller, Maygarden, Kilmer and Morroni

1                                   A bill to be entitled  
2           An act relating to workforce innovation;  
3           creating s. 445.001, F.S.; designating chapter  
4           445, F.S., as the "Workforce Innovation Act of  
5           2000"; creating s. 445.002, F.S.; providing  
6           definitions; transferring, renumbering, and  
7           amending s. 288.9956, F.S.; revising provisions  
8           implementing the federal Workforce Investment  
9           Act of 1998 to conform to changes made by the  
10          act; revising the investment act principles;  
11          revising funding requirements; deleting  
12          obsolete provisions; transferring, renumbering,  
13          and amending s. 288.9952, F.S.; redesignating  
14          the Workforce Development Board as "Workforce  
15          Florida, Inc."; providing for Workforce  
16          Florida, Inc., to function as a not-for-profit  
17          corporation and be the principal workforce  
18          policy organization for the state; providing  
19          for a board of directors; providing for the  
20          appointment of a president of Workforce  
21          Florida, Inc.; providing duties of the board of  
22          directors; specifying programs to be under the  
23          oversight of Workforce Florida, Inc.; requiring  
24          reports and measures of outcomes; providing for  
25          Workforce Florida, Inc., to develop the state's  
26          workforce development strategy; authorizing the  
27          granting of charters to regional workforce  
28          boards; creating s. 445.005, F.S.; requiring  
29          the chairperson of Workforce Florida, Inc., to  
30          establish the First Jobs/First Wages Council,  
31          the Better Jobs/Better Wages Council, and the

1 High Skills/High Wages Council; providing for  
2 council members; providing for the councils to  
3 advise the board of directors of Workforce  
4 Florida, Inc., and make recommendations for  
5 implementing workforce strategies; creating s.  
6 445.006, F.S.; requiring Workforce Florida,  
7 Inc., to develop a strategic plan for workforce  
8 development; requiring updates of the plan;  
9 requiring a marketing plan as part of the  
10 strategic plan; providing for performance  
11 measures and contract guidelines; requiring  
12 that the plan include a teen pregnancy  
13 prevention component; transferring,  
14 renumbering, and amending s. 288.9953, F.S.;  
15 redesignating the regional workforce  
16 development boards as the "regional workforce  
17 boards"; providing requirements for contracts  
18 with an organization or individual represented  
19 on the board; transferring duties for  
20 overseeing the regional workforce boards to  
21 Workforce Florida, Inc.; requiring the  
22 workforce boards to establish certain  
23 committees; specifying that regional workforce  
24 boards and their entities are not state  
25 agencies; providing for procurement procedures;  
26 creating s. 445.008, F.S.; authorizing  
27 Workforce Florida, Inc., to create the  
28 Workforce Training Institute; providing for the  
29 institute to include Internet-based modules;  
30 requiring Workforce Florida, Inc., to adopt  
31 policies for operating the institute;

1 authorizing the acceptance of grants and  
2 donations; transferring, renumbering, and  
3 amending s. 288.9951, F.S.; redesignating  
4 one-stop career centers as the "one-stop  
5 delivery system"; providing for the system to  
6 be the state's primary strategy for providing  
7 workforce development services; providing a  
8 procedure for designating one-stop delivery  
9 system operators; authorizing a lease agreement  
10 with the Agency for Workforce Innovation for  
11 employment services; requiring Workforce  
12 Florida, Inc., to review the delivery of  
13 employment services and report to the Governor  
14 and Legislature; providing legislative intent  
15 with respect to the transfer of programs and  
16 administrative responsibilities for the state's  
17 workforce development system; providing for a  
18 transition period; requiring that the Governor  
19 appoint a representative to coordinate the  
20 transition plan; requiring that the Governor  
21 submit information and obtain waivers as  
22 required by federal law; providing for the  
23 transfer of records, balances of  
24 appropriations, and other funds; providing for  
25 the Office of Tourism, Trade, and Economic  
26 Development within the Executive Office of the  
27 Governor to contract with Workforce Florida,  
28 Inc., as the state's principal workforce policy  
29 organization; transferring the records,  
30 personnel, appropriations, and other funds of  
31 the WAGES Program and the Workforce Development

1 Board of Enterprise Florida, Inc., to Workforce  
2 Florida, Inc., as created by the act;  
3 transferring the employees of the Jobs and  
4 Education Partnership to the Agency for  
5 Workforce Innovation; transferring the programs  
6 and functions of the Division of Workforce and  
7 Employment Opportunities and the Office of  
8 Labor Market and Performance Information of the  
9 Department of Labor and Employment Security to  
10 the Agency for Workforce Innovation; providing  
11 certain exceptions; transferring certain vacant  
12 positions to the Agency for Workforce  
13 Innovation for allocation to regional workforce  
14 boards; authorizing Workforce Florida, Inc., to  
15 contract with the Agency for Workforce  
16 Innovation for the lease of employees; creating  
17 s. 445.010, F.S.; providing principles for  
18 developing and managing information technology  
19 for the workforce system; requiring the sharing  
20 of information between agencies within the  
21 workforce system; creating s. 445.011, F.S.;  
22 requiring Workforce Florida, Inc., to implement  
23 a workforce information system, subject to  
24 legislative appropriation; specifying  
25 information systems to be included; providing  
26 requirements for procurement and validation  
27 services; requiring that the system be  
28 compatible with the state's information system;  
29 creating s. 445.013, F.S.; providing for  
30 challenge grants in support of welfare-to-work  
31 initiatives; requiring Workforce Florida, Inc.,

1 to establish the grant program, subject to  
2 legislative appropriation; specifying types of  
3 organizations that are eligible to receive a  
4 grant under the program; providing requirements  
5 for matching funds; providing requirements for  
6 administering and evaluating the grant program;  
7 transferring, renumbering, and amending s.  
8 288.9955, F.S., relating to the Untried Worker  
9 Placement and Employment Incentive Act;  
10 conforming provisions to changes made by the  
11 act; transferring, renumbering, and amending s.  
12 414.15, F.S.; providing certain diversion  
13 services under the one-stop delivery system;  
14 providing for regional workforce boards to  
15 determine eligibility for diversion services;  
16 deleting certain limitations on diversion  
17 payments; creating s. 445.018, F.S.; providing  
18 for a diversion program to strengthen families;  
19 specifying services that may be offered under  
20 the program; providing that such services are  
21 not assistance under federal law or guidelines;  
22 requiring families that receive services to  
23 agree not to apply for temporary cash  
24 assistance for a specified period unless an  
25 emergency arises; providing requirements for  
26 repaying the value of services provided;  
27 transferring, renumbering, and amending s.  
28 414.159, F.S., relating to the teen parent and  
29 pregnancy prevention diversion program;  
30 conforming cross references to changes made by  
31 the act; creating s. 445.020, F.S.; providing

1           for certain criteria for establishing  
2           eligibility for diversion programs;  
3           transferring, renumbering, and amending s.  
4           414.155, F.S., relating to the relocation  
5           assistance program; providing duties of the  
6           regional workforce boards; revising eligibility  
7           requirements for services under the program;  
8           requiring the board of directors of Workforce  
9           Florida, Inc., to determine eligibility  
10          criteria and relocation plans; transferring,  
11          renumbering, and amending s. 414.223, F.S.,  
12          relating to Retention Incentive Training  
13          Accounts; authorizing the board of directors of  
14          Workforce Florida, Inc., to establish such  
15          accounts; transferring, renumbering, and  
16          amending s. 414.18, F.S., relating to a program  
17          for dependent care for families with children  
18          with special needs; conforming provisions to  
19          changes made by the act; creating s. 445.024,  
20          F.S.; specifying the activities that satisfy  
21          the work requirements for a participant in the  
22          welfare transition program; providing for  
23          regional workforce boards to administer various  
24          subsidized employment programs formerly  
25          administered by the local WAGES coalitions;  
26          including GED preparation and literacy  
27          education within the activities that satisfy  
28          work requirements under the welfare transition  
29          program; providing requirements for  
30          participating in work activities; providing for  
31          certain individuals to be exempt from such

1 requirements; requiring regional workforce  
2 boards to prioritize work requirements if funds  
3 are insufficient; requiring regional workforce  
4 boards to contract for work activities,  
5 training, and other services; transferring,  
6 renumbering, and amending s. 414.20, F.S.;  
7 authorizing the regional workforce boards to  
8 prioritize or limit certain support services;  
9 providing requirements for the boards in  
10 providing for counseling and therapy services;  
11 transferring, renumbering, and amending s.  
12 414.1525, F.S.; providing for a severance  
13 benefit in lieu of cash assistance payments;  
14 requiring the regional workforce boards to  
15 determine eligibility for such a benefit;  
16 creating s. 445.028, F.S.; requiring the  
17 Department of Children and Family Services, in  
18 cooperation with Workforce Florida, Inc., to  
19 provide for certain transitional benefits and  
20 services for families leaving the temporary  
21 cash assistance program; transferring,  
22 renumbering, and amending s. 414.21, F.S.,  
23 relating to transitional medical benefits;  
24 clarifying requirements for notification;  
25 transferring, renumbering, and amending s.  
26 414.22, F.S.; authorizing the board of  
27 directors of Workforce Florida, Inc., to  
28 prioritize transitional education and training;  
29 providing for regional workforce boards to  
30 authorize child care or other services;  
31 transferring, renumbering, and amending s.

1 414.225, F.S.; providing for transitional  
2 transportation services administered by  
3 regional workforce boards; expanding the period  
4 such services may be available; creating s.  
5 445.032, F.S.; providing for transitional child  
6 care services; authorizing regional workforce  
7 boards to prioritize such services;  
8 transferring, renumbering, and amending s.  
9 414.23, F.S.; providing for the evaluation of  
10 programs funded under Temporary Assistance for  
11 Needy Families; creating s. 445.034, F.S.;  
12 providing requirements for expenditures from  
13 the Temporary Assistance for Needy Families  
14 block grant; transferring, renumbering, and  
15 amending s. 414.44, F.S.; requiring the board  
16 of directors of Workforce Florida, Inc., to  
17 collect data and make reports; amending s.  
18 414.025, F.S.; revising legislative intent with  
19 respect to the programs administered under  
20 chapter 414, F.S., to conform to changes made  
21 by the act; amending s. 414.0252, F.S.;  
22 revising definitions; amending s. 414.045,  
23 F.S., relating to the cash assistance program;  
24 specifying families that are considered to be  
25 work eligible cases; providing for the regional  
26 workforce boards to provide for service  
27 delivery for work eligible cases; amending s.  
28 414.065, F.S.; deleting provisions governing  
29 work activities to conform to changes made by  
30 the act; providing an additional exception to  
31 certain noncompliance penalties; amending s.



1 414.085, F.S.; specifying eligibility standards  
2 for the temporary cash assistance program;  
3 amending s. 414.095, F.S.; revising  
4 requirements for determining eligibility for  
5 temporary cash assistance; conforming cross  
6 references to changes made by the act; revising  
7 eligibility requirements for noncitizens;  
8 amending s. 414.105, F.S.; revising procedures  
9 for reviewing exemptions from the requirements  
10 for eligibility for temporary cash assistance;  
11 deleting certain limitations on the period of  
12 such exemptions; providing an extension of  
13 certain time limitations with respect to an  
14 applicant for supplemental security disability  
15 income (SSDI); providing for the regional  
16 workforce boards to review the prospects of  
17 certain participants for employment; amending  
18 s. 414.157, F.S., relating to the diversion  
19 program for victims of domestic violence;  
20 conforming provisions to changes made by the  
21 act; amending s. 414.158, F.S.; providing for a  
22 diversion program to prevent or reduce child  
23 abuse and neglect; providing for eligibility;  
24 amending ss. 414.35 and 414.36, F.S., relating  
25 to emergency relief and the recovery of  
26 overpayments; deleting obsolete provisions;  
27 amending ss. 414.39 and 414.41, F.S., relating  
28 to case screening and the recovery of certain  
29 payments; conforming provisions to changes made  
30 by the act; amending s. 414.55, F.S.; deleting  
31 provisions authorizing a delay in the

1 implementation of certain programs; providing  
2 for Workforce Florida, Inc., to implement the  
3 community work program; amending s. 414.70,  
4 F.S.; revising certain provisions of a  
5 drug-testing and drug-screening program to  
6 conform to changes made by the act; deleting  
7 obsolete provisions; repealing ss. 239.249,  
8 288.9950, 288.9954, 288.9957, 288.9958,  
9 288.9959, 414.015, 414.026, 414.0267, 414.027,  
10 414.028, 414.029, 414.030, 414.055, 414.125,  
11 414.25, and 414.38, F.S., relating to funding  
12 for vocational and technical education  
13 programs, the Workforce Florida Act of 1996,  
14 the Workforce Development Board, the WAGES  
15 Program State Board of Directors, the WAGES  
16 Program, matching grants, local WAGES  
17 coalitions, the WAGES Program business  
18 registry, WAGES Program Employment Projects,  
19 one-stop career centers, the Learnfare Program,  
20 exemptions from requirements for certain leases  
21 of real property, and certain pilot programs;  
22 conforming provisions to changes made by the  
23 act; amending s. 14.2015, F.S.; providing  
24 additional duties of the Office of Tourism,  
25 Trade, and Economic Development within the  
26 Executive Office of the Governor with respect  
27 to workforce development; requiring that the  
28 office cooperate and contract with Workforce  
29 Florida, Inc., in performing certain functions;  
30 amending s. 20.171, F.S.; revising duties of  
31 the Assistant Secretary for Programs and

1           Operations within the Department of Labor and  
2           Employment Security; abolishing the Division of  
3           Workforce and Employment Opportunities within  
4           the department to conform to changes made by  
5           the act; creating s. 20.50, F.S.; creating the  
6           Agency for Workforce Innovation in the  
7           Department of Management Services; specifying  
8           duties of the agency; providing for the agency  
9           to administer the Office of One-Stop Workforce  
10          Services, the Office of Workforce  
11          Accountability, and the Office of Workforce  
12          Information Services; specifying the federal  
13          grants and other funds assigned to the agency  
14          for administration; amending s. 212.08, F.S.,  
15          relating to sales tax exemptions; deleting a  
16          requirement that a business register with the  
17          WAGES Program Business Registry for purposes of  
18          qualifying for certain exemptions; amending s.  
19          212.096, F.S.; redefining the term "new  
20          employee" to include participants in the  
21          welfare transition program for purposes of  
22          certain tax credits; amending ss. 212.097 and  
23          212.098, F.S., relating to job tax credits;  
24          providing eligibility for tax credits to  
25          certain businesses that hire participants in  
26          the welfare transition program; amending s.  
27          216.136, F.S.; redesignating the Occupational  
28          Forecasting Conference as the "Workforce  
29          Estimating Conference"; specifying additional  
30          duties of the conference with respect to  
31          developing forecasts for employment demands and

1 occupational trends; amending s. 220.181, F.S.,  
2 relating to the enterprise zone jobs credit;  
3 providing for businesses that hire participants  
4 in the welfare transition program to be  
5 eligible for the credit; amending s. 230.2305,  
6 F.S., relating to the prekindergarten early  
7 intervention program; providing eligibility for  
8 children whose parents participate in the  
9 welfare transition program; amending s. 232.17,  
10 F.S.; revising requirements for administering  
11 the Child Labor Law to conform to changes made  
12 by the act; amending s. 234.01, F.S.; providing  
13 for school boards to provide transportation  
14 services to participants in the welfare  
15 transition program; amending s. 234.211, F.S.,  
16 relating to the use of school buses; conforming  
17 provisions to changes made by the act; amending  
18 s. 239.105, F.S.; redefining the term "degree  
19 vocational education program" for purposes of  
20 ch. 239, F.S.; amending s. 239.115, F.S.;  
21 providing for a program to be used to provide  
22 customized training for businesses; providing  
23 for remaining balances to carry over; providing  
24 for performance funds to be distributed to  
25 certain workforce programs; conforming  
26 provisions to changes made by the act; amending  
27 s. 239.117, F.S.; providing for school  
28 districts or community colleges to pay the fees  
29 of students enrolled in a program under the  
30 welfare transition program; amending s.  
31 239.229, F.S.; requiring the Department of

1 Education to update certain vocational, adult,  
2 and community education programs; amending s.  
3 239.301, F.S.; providing for literacy  
4 assessments and other specialized services for  
5 participants in the welfare transition program;  
6 amending s. 239.514, F.S., relating to the  
7 Workforce Development Capitalization Incentive  
8 Grant Program; conforming provisions to changes  
9 made by the act; amending s. 240.209, F.S.;  
10 requiring that the Board of Regents consider  
11 industry-driven competencies in certain program  
12 reviews; amending s. 240.312, F.S.; revising  
13 requirements for reviewing certificate career  
14 education programs and certain degree programs;  
15 amending s. 240.35, F.S.; providing for  
16 students enrolled in employment and training  
17 programs under the welfare transition program  
18 to be exempt from certain fees; amending ss.  
19 240.40207 and 240.40685, F.S., relating to the  
20 Florida Gold Seal Vocational Scholars award and  
21 the Certified Education Paraprofessional  
22 Welfare Transition Program; conforming  
23 provisions to changes made by the act; amending  
24 s. 240.61, F.S., relating to college reach-out  
25 programs; providing for including temporary  
26 cash assistance in determining eligibility;  
27 amending s. 246.50, F.S.; providing for  
28 recipients of temporary cash assistance to be  
29 eligible for the Teacher-Aide Welfare  
30 Transition Program; amending ss. 288.046,  
31 288.047, and 288.0656, F.S., relating to

1 quick-response training; deleting a reference  
2 to targeted industrial clusters; providing for  
3 the program to be administered by Workforce  
4 Florida, Inc., in conjunction with Enterprise  
5 Florida, Inc.; abolishing the advisory  
6 committee; revising requirements for the grant  
7 agreements; providing for a Quick-Response  
8 Training Program for participants in the  
9 welfare transition program; amending s.  
10 288.901, F.S.; providing for the chair of  
11 Workforce Florida, Inc., to be a member of the  
12 board of directors of Enterprise Florida, Inc.;  
13 amending ss. 288.904, 288.905, and 288.906,  
14 F.S.; revising the duties and functions of  
15 Enterprise Florida, Inc., to conform to changes  
16 made by the act; amending s. 320.20, F.S.;  
17 providing for employing participants in the  
18 welfare transition program for certain projects  
19 of the Department of Transportation and the  
20 Florida Seaport Transportation and Economic  
21 Development Council; amending ss. 322.34 and  
22 341.052, F.S., relating to proceeds from the  
23 sale of seized motor vehicles and a public  
24 transit block grant program; conforming  
25 provisions to changes made by the act; amending  
26 s. 402.3015, F.S.; including children who  
27 participate in certain diversion programs under  
28 ch. 445, F.S., in the subsidized child care  
29 program; providing for certain needy families  
30 to be eligible to participate in the subsidized  
31 child care program; amending s. 402.33, F.S.;

1 defining the term "state and federal aid" to  
2 include temporary cash assistance; amending s.  
3 402.40, F.S.; revising membership requirements  
4 of the Child Welfare Standards and Training  
5 Council to reflect changes made by the act;  
6 amending s. 402.45, F.S., relating to the  
7 community resource mother or father program;  
8 providing for eligibility for recipients of  
9 temporary cash assistance; amending s. 403.973,  
10 F.S.; providing for expedited permitting of  
11 projects that employ participants in the  
12 welfare transition program; amending ss.  
13 409.2554 and 409.259, F.S., relating to the  
14 child support enforcement program; conforming  
15 provisions to changes made by the act; amending  
16 s. 409.2564, F.S.; correcting a cross  
17 reference, to conform; amending s. 409.903,  
18 F.S., relating to payments for medical  
19 assistance; conforming provisions; amending s.  
20 409.942, F.S.; requiring Workforce Florida,  
21 Inc., to establish an electronic benefit  
22 transfer program; requiring that the program be  
23 compatible with the benefit transfer program of  
24 the Department of Children and Family Services;  
25 amending ss. 411.01, 411.232, and 411.242,  
26 F.S., relating to the Florida Partnership for  
27 School Readiness, the Children's Early  
28 Investment Program, and the Education Now and  
29 Babies Later Program; conforming provisions and  
30 revising eligibility for such programs;  
31 amending s. 413.82, F.S., relating to

1 occupational access and opportunity; conforming  
2 a definition to changes made by the act;  
3 amending s. 421.10, F.S., relating to housing  
4 authorities; conforming income requirements;  
5 amending ss. 427.013, 427.0155, and 427.0157,  
6 F.S., relating to the Commission for the  
7 Transportation Disadvantaged and community  
8 transportation programs; providing for the  
9 Division of Workforce Development within the  
10 Department of Education to perform duties with  
11 respect to apprenticeship training which were  
12 formerly performed by the Division of Jobs and  
13 Benefits within the Department of Labor and  
14 Employment Security; providing for the Division  
15 of Workforce Development within the Department  
16 of Education to perform duties with respect to  
17 apprenticeship training which were formerly  
18 performed by the Division of Jobs and Benefits  
19 within the Department of Labor and Employment  
20 Security; redesignating the State  
21 Apprenticeship Council as the "State  
22 Apprenticeship Advisory Council"; revising the  
23 method of appointing members to the council;  
24 amending ss. 443.091, 443.151, 443.181,  
25 443.211, 443.221, 443.231, 446.011, 446.021,  
26 446.032, 446.041, 446.045, 446.052, 446.061,  
27 446.071, and 446.075, F.S., to conform;  
28 amending ss. 446.40, 446.41, 446.42, 446.43,  
29 and 446.44, F.S.; redesignating the Rural  
30 Manpower Services Program as the "Rural  
31 Workforce Services Program"; providing for the



1 Division of Workforce Administrative Support of  
2 the Department of Management Services to  
3 administer the program under the direction of  
4 Workforce Florida, Inc.; amending s. 446.50,  
5 F.S.; requiring the Agency for Workforce  
6 Innovation to administer services for displaced  
7 homemakers under the direction of Workforce  
8 Florida, Inc.; requiring Workforce Florida,  
9 Inc., to develop the plan for the program;  
10 amending ss. 447.02, 447.04, 447.041, 447.045,  
11 447.06, 447.12, and 447.16, F.S.; providing for  
12 part I of ch. 447, F.S., relating to the  
13 regulation of labor organizations, to be  
14 administered by the Department of Labor and  
15 Employment Security; deleting references to the  
16 Division of Jobs and Benefits; amending s.  
17 447.305, F.S., relating to the registration of  
18 employee organizations; providing for  
19 administration by the Department of Labor and  
20 Employment Security; amending ss. 450.012,  
21 450.061, 450.081, 450.095, 450.121, 450.132,  
22 and 450.141, F.S.; providing for part I of ch.  
23 450, F.S., relating to child labor, to be  
24 administered by the Department of Labor and  
25 Employment Security; deleting references to the  
26 Division of Jobs and Benefits; amending s.  
27 450.191, F.S., relating to the duties of the  
28 Executive Office of the Governor with respect  
29 to migrant labor; conforming provisions to  
30 changes made by the act; amending ss. 450.28,  
31 450.30, 450.31, 450.33, 450.35, 450.36, 450.37,

1 and 450.38, F.S., relating to farm labor  
2 registration; providing for part III of ch.  
3 450, F.S., to be administered by the Department  
4 of Labor and Employment Security; deleting  
5 references to the Division of Jobs and  
6 Benefits; amending s. 497.419, F.S., relating  
7 to preneed contracts; conforming provisions to  
8 changes made by the act; amending s. 240.3341,  
9 F.S.; encouraging community colleges to  
10 establish incubator facilities for digital  
11 media content and technology development;  
12 requiring the Workforce Development Board to  
13 reserve funds for digital media industry  
14 training; providing direction on training;  
15 creating s. 240.710, F.S.; requiring the Board  
16 of Regents to create a Digital Media Education  
17 Coordination Group; providing for membership;  
18 providing purposes; requiring the group to  
19 develop a plan and submit the plan to the  
20 Legislature; authorizing Workforce Florida,  
21 Inc., to use certain funds for certain  
22 purposes; providing appropriations; providing  
23 that no entitlement is created by the act;  
24 providing for expiration of specified sections;  
25 providing for severability; providing effective  
26 dates.

27  
28 Be It Enacted by the Legislature of the State of Florida:

29  
30 Section 1. Section 445.001, Florida Statutes, is  
31 created to read:

1           445.001 Short title.--This chapter may be cited as the  
2 "Workforce Innovation Act of 2000."

3           Section 2. Section 445.002, Florida Statutes, is  
4 created to read:

5           445.002 Definitions.--As used in this chapter, the  
6 term:

7           (1) "Agency" means the Agency for Workforce  
8 Innovation.

9           (2) "Services and one-time payments" or "services,"  
10 when used in reference to individuals who are not receiving  
11 temporary cash assistance, means nonrecurrent, short-term  
12 benefits designed to deal with a specific crisis situation or  
13 episode of need and other services; work subsidies; supportive  
14 services such as child care and transportation; services such  
15 as counseling, case management, peer support, and child care  
16 information and referral; transitional services, job  
17 retention, job advancement, and other employment-related  
18 services; nonmedical treatment for substance abuse or mental  
19 health problems; teen pregnancy prevention; two-parent family  
20 support, including noncustodial parent employment;  
21 court-ordered supervised visitation, and responsible  
22 fatherhood services; and any other services that are  
23 reasonably calculated to further the purposes of the welfare  
24 transition program. Such terms do not include assistance as  
25 defined in federal regulations at 45 C.F.R. s. 260.31(a).

26           (3) "Welfare transition services" means those  
27 workforce services provided to current or former recipients of  
28 temporary cash assistance under chapter 414.

29           Section 3. Section 288.9956, Florida Statutes, is  
30 transferred, renumbered as section 445.003, Florida Statutes,  
31 and amended to read:

1           445.003 ~~288.9956~~ Implementation of the federal  
2 Workforce Investment Act of 1998.--  
3           (1) WORKFORCE INVESTMENT ACT PRINCIPLES.--The state's  
4 approach to implementing the federal Workforce Investment Act  
5 of 1998, Pub. L. No. 105-220, should have six elements:  
6           (a) Streamlining Services.--Florida's employment and  
7 training programs must be coordinated and consolidated at  
8 locally managed one-stop delivery system ~~Career~~ centers.  
9           (b) Empowering Individuals.--Eligible participants  
10 will make informed decisions, choosing the qualified training  
11 program that best meets their needs.  
12           (c) Universal Access.--Through a one-stop delivery  
13 system ~~Career Centers~~, every Floridian will have access to  
14 employment services.  
15           (d) Increased Accountability.--The state, localities,  
16 and training providers will be held accountable for their  
17 performance.  
18           (e) Local Board and Private Sector Leadership.--Local  
19 boards will focus on strategic planning, policy development,  
20 and oversight of the local system, choosing local managers to  
21 direct the operational details of their one-stop delivery  
22 system centers ~~Career Centers~~.  
23           (f) Local Flexibility and Integration.--Localities  
24 will have exceptional flexibility to build on existing  
25 reforms. Unified planning will free local groups from  
26 conflicting micromanagement, while waivers and WorkFlex will  
27 allow local innovations.  
28           (2) FIVE-YEAR PLAN.--~~The~~ Workforce Florida, Inc.,  
29 ~~Development Board~~ shall prepare and submit a 5-year plan,  
30 which includes secondary vocational education, to fulfill the  
31 early implementation requirements of Pub. L. No. 105-220 and

1 applicable state statutes. Mandatory federal partners and  
2 optional federal partners, ~~including the WAGES Program State~~  
3 ~~Board of Directors~~, shall be fully involved in designing the  
4 plan's one-stop delivery ~~Career Center~~ system strategy. The  
5 plan shall detail a process to clearly define each program's  
6 statewide duties and role relating to the system. Any optional  
7 federal partner may immediately choose to fully integrate its  
8 program's plan with this plan, which shall, notwithstanding  
9 any other state provisions, fulfill all their state planning  
10 and reporting requirements as they relate to the one-stop  
11 delivery system ~~Career Centers~~. The plan shall detail a  
12 process that would fully integrate all federally mandated and  
13 optional partners by the second year of the plan. All optional  
14 federal program partners in the planning process shall be  
15 mandatory participants in the second year of the plan.

16 (3) FUNDING.--

17 (a) Title I, Workforce Investment Act of 1998 funds;  
18 Wagner-Peyser funds; and NAFTA/Trade Act funds will be  
19 expended based on the ~~Workforce Development Board's~~ 5-year  
20 plan of Workforce Florida, Inc. The plan shall outline and  
21 direct the method used to administer and coordinate various  
22 funds and programs that are operated by various agencies. The  
23 following provisions shall also apply to these funds:

24 1. At least 50 percent of the Title I funds for Adults  
25 and Dislocated Workers that are passed through to regional  
26 workforce ~~development~~ boards shall be allocated to Individual  
27 Training Accounts unless a regional workforce ~~development~~  
28 board obtains a waiver from the Workforce Florida, Inc.  
29 ~~Development Board~~. Tuition, fees, and performance-based  
30 incentive awards paid in compliance with Florida's  
31 Performance-Based Incentive Fund Program qualify as an

1 Individual Training Account expenditure, as do other programs  
2 developed by regional workforce ~~development~~ boards in  
3 compliance with ~~the Workforce Development Board's~~ policies of  
4 Workforce Florida, Inc.

5         2. Fifteen percent of Title I funding shall be  
6 retained at the state level and shall be dedicated to state  
7 administration and used to design, develop, induce, and fund  
8 innovative Individual Training Account pilots, demonstrations,  
9 and programs. Of such funds retained at the state level, \$2  
10 million shall be reserved for the Incumbent Worker Training  
11 Program, created under subparagraph 3.Eligible state  
12 administration costs include the costs of: funding ~~for~~ of the  
13 ~~Workforce Development~~ board and ~~Workforce Development Board's~~  
14 staff of Workforce Florida, Inc.; operating fiscal,  
15 compliance, and management accountability systems through ~~the~~  
16 Workforce Florida, Inc.~~Development Board~~; conducting  
17 evaluation and research on workforce development activities;  
18 and providing technical and capacity building assistance to  
19 regions at the direction of ~~the~~ Workforce Florida, Inc.  
20 ~~Development Board.~~Notwithstanding s. 445.004 ~~288.9952~~, such  
21 administrative costs shall not exceed 25 percent of these  
22 funds. An amount not to exceed 75 ~~Seventy~~ percent of these  
23 funds shall be allocated to Individual Training Accounts and  
24 other workforce development strategies for: the Minority  
25 Teacher Education Scholars program, the Certified Teacher-Aide  
26 program, the Self-Employment Institute, and other training  
27 ~~Individual Training Accounts~~ designed and tailored by ~~the~~  
28 Workforce Florida, Inc.~~Development Board~~, including, but not  
29 limited to, programs for incumbent workers, displaced  
30 homemakers, nontraditional employment, empowerment zones, and  
31 enterprise zones. ~~The~~ Workforce Florida, Inc.,~~Development~~

1 ~~Board~~ shall design, adopt, and fund Individual Training  
2 Accounts for distressed urban and rural communities. ~~The~~  
3 ~~remaining 5 percent shall be reserved for the Incumbent Worker~~  
4 ~~Training Program.~~

5           3. The Incumbent Worker Training Program is created  
6 for the purpose of providing grant funding for continuing  
7 education and training of incumbent employees at existing  
8 Florida businesses. The program will provide reimbursement  
9 grants to businesses that pay for preapproved, direct,  
10 training-related costs.

11           a. The Incumbent Worker Training Program will be  
12 administered by ~~a private business organization, known as the~~  
13 ~~grant administrator, under contract with the Workforce~~  
14 ~~Florida, Inc. Development Board. Workforce Florida, Inc., at~~  
15 its discretion, may contract with a private business  
16 organization to serve as grant administrator.

17           b. To be eligible for the program's grant funding, a  
18 business must have been in operation in Florida for a minimum  
19 of 1 year prior to the application for grant funding; have at  
20 least one full-time employee; demonstrate financial viability;  
21 and be current on all state tax obligations. Priority for  
22 funding shall be given to businesses with 25 employees or  
23 fewer, businesses in rural areas, businesses in distressed  
24 inner-city areas, businesses in a qualified targeted industry,  
25 ~~or~~ businesses whose grant proposals represent a significant  
26 upgrade in employee skills, or businesses whose grant  
27 proposals represent a significant layoff avoidance strategy.

28           c. All costs reimbursed by the program must be  
29 preapproved by Workforce Florida, Inc., or the grant  
30 administrator. The program will not reimburse businesses for  
31 trainee wages, the purchase of capital equipment, or the

1 purchase of any item or service that may possibly be used  
2 outside the training project. A business approved for a grant  
3 may be reimbursed for preapproved, direct, training-related  
4 costs including tuition and fees; books and classroom  
5 materials; and overhead or indirect ~~administrative~~ costs not  
6 to exceed 5 percent of the grant amount.

7 d. A business that is selected to receive grant  
8 funding must provide a matching contribution to the training  
9 project, including, but not limited to, wages paid to trainees  
10 or the purchase of capital equipment used in the training  
11 project; must sign an agreement with Workforce Florida, Inc.,  
12 or the grant administrator to complete the training project as  
13 proposed in the application; must keep accurate records of the  
14 project's implementation process; and must submit monthly or  
15 quarterly reimbursement requests with required documentation.

16 e. All Incumbent Worker Training Program grant  
17 projects shall be performance-based with specific measurable  
18 performance outcomes, including completion of the training  
19 project and job retention. Workforce Florida, Inc., or the  
20 grant administrator shall withhold the final payment to the  
21 grantee until a final grant report is submitted and all  
22 performance criteria specified in the grant contract have been  
23 achieved.

24 f. ~~The~~ Workforce Florida, Inc., ~~may~~ ~~Development Board~~  
25 ~~is authorized to~~ establish guidelines necessary to implement  
26 the Incumbent Worker Training Program.

27 g. No more than 10 percent of the Incumbent Worker  
28 Training Program's total appropriation may be used for  
29 overhead or indirect ~~administrative~~ purposes.

30 h. Workforce Florida, Inc., shall ~~The grant~~  
31 ~~administrator is required to~~ submit a report to the ~~Workforce~~



1 ~~Development Board~~ and the Legislature on the financial and  
2 general operations of the Incumbent Worker Training Program.  
3 Such report will be due before October ~~December~~ 1 of any  
4 fiscal year for which the program is funded by the  
5 Legislature.

6           4. At least 50 percent of Rapid Response funding shall  
7 be dedicated to Intensive Services Accounts and Individual  
8 Training Accounts for dislocated workers and incumbent workers  
9 who are at risk of dislocation. ~~The Workforce~~ Florida, Inc.,  
10 ~~Development Board~~ shall also maintain an Emergency  
11 Preparedness Fund from Rapid Response funds which will  
12 immediately issue Intensive Service Accounts and Individual  
13 Training Accounts as well as other federally authorized  
14 assistance to eligible victims of natural or other disasters.  
15 At the direction of the Governor, for events that qualify  
16 under federal law, these Rapid Response funds shall be  
17 released to regional workforce ~~development~~ boards for  
18 immediate use. Funding shall also be dedicated to maintain a  
19 unit at the state level to respond to Rapid Response  
20 emergencies around the state, to work with state emergency  
21 management officials, and to work with regional workforce  
22 ~~development~~ boards. All Rapid Response funds must be expended  
23 based on a plan developed by ~~the Workforce~~ Florida, Inc.,  
24 ~~Development Board~~ and approved by the Governor.

25           (b) The administrative entity for Title I, Workforce  
26 Investment Act of 1998 funds, and Rapid Response activities,  
27 shall will be the Agency for Workforce Innovation, which shall  
28 provide ~~determined by the Workforce Development Board, except~~  
29 ~~that the administrative entity for Rapid Response for fiscal~~  
30 ~~year 1999-2000 must be the Department of Labor and Employment~~  
31 ~~Security. The administrative entity will provide services~~

1 ~~through a contractual agreement with the Workforce Development~~  
2 ~~Board. The terms and conditions of the agreement may include,~~  
3 ~~but are not limited to, the following:~~

4       ~~1. All policy~~ direction to regional workforce  
5 ~~development boards regarding Title I programs and Rapid~~  
6 ~~Response activities pursuant to the direction of shall emanate~~  
7 ~~from the Workforce Florida, Inc Development Board.~~

8       ~~2. Any policies by a state agency acting as an~~  
9 ~~administrative entity which may materially impact local~~  
10 ~~workforce boards, local governments, or educational~~  
11 ~~institutions must be promulgated under chapter 120.~~

12       ~~3. The administrative entity will operate under a~~  
13 ~~procedures manual, approved by the Workforce Development~~  
14 ~~Board, addressing: financial services including cash~~  
15 ~~management, accounting, and auditing; procurement; management~~  
16 ~~information system services; and federal and state compliance~~  
17 ~~monitoring, including quality control.~~

18       ~~4. State Career Service employees in the Department of~~  
19 ~~Labor and Employment Security may be leased or assigned to the~~  
20 ~~administrative entity to provide administrative and~~  
21 ~~professional functions.~~

22       (4) FEDERAL REQUIREMENTS, EXCEPTIONS AND REQUIRED  
23 MODIFICATIONS.--

24       (a) ~~The Workforce Florida, Inc., Development Board~~ may  
25 provide indemnification from audit liabilities to regional  
26 workforce ~~development~~ boards that act in full compliance with  
27 state law and the board's policies.

28       (b) ~~The Workforce Florida, Inc., Development Board~~ may  
29 negotiate and settle all outstanding issues with the United  
30 States Department of Labor relating to decisions made by ~~the~~  
31 Workforce Florida, Inc., any predecessor workforce

1 organization, Development Board and the Legislature with  
2 regard to the Job Training Partnership Act, making settlements  
3 and closing out all JTPA program year grants ~~before the repeal~~  
4 ~~of the act June 30, 2000.~~

5 (c) ~~The Workforce Florida, Inc., Development Board~~ may  
6 make modifications to the state's plan, policies, and  
7 procedures to comply with federally mandated requirements that  
8 in its judgment must be complied with to maintain funding  
9 provided pursuant to Pub. L. No. 105-220. The board shall  
10 notify in writing the Governor, the President of the Senate,  
11 and the Speaker of the House of Representatives within 30 days  
12 after ~~of~~ any such changes or modifications.

13 (5) The Department of Labor and Employment Security  
14 shall phase-down JTPA duties before the federal program is  
15 abolished July 1, 2000. Outstanding accounts and issues shall  
16 be completed prior to transfer to the Agency for Workforce  
17 Innovation ~~promptly closed out after this date.~~

18 (6) LONG-TERM CONSOLIDATION OF WORKFORCE  
19 DEVELOPMENT.--

20 ~~(a) The Workforce Florida, Inc., Development Board~~ may  
21 recommend workforce-related divisions, bureaus, units,  
22 programs, duties, commissions, boards, and councils that can  
23 be eliminated, consolidated, or privatized.

24 (b) ~~By December 31, 1999,~~ The Office of Program Policy  
25 Analysis and Government Accountability shall review the  
26 workforce development system, as established by this act  
27 ~~identifying divisions, bureaus, units, programs, duties,~~  
28 ~~commissions, boards, and councils that could be eliminated,~~  
29 ~~consolidated, or privatized.~~ The office shall submit  
30 ~~preliminary findings by December 31, 1999,~~ and its final  
31 report and recommendations by December ~~January~~ 31, 2002 ~~2000,~~

1 to the President of the Senate and the Speaker of the House of  
2 Representatives. ~~As part of the report, the Office of Program~~  
3 ~~Policy Analysis and Government Accountability shall~~  
4 ~~specifically identify, by funding stream, indirect,~~  
5 ~~administrative, management information system, and overhead~~  
6 ~~costs of the Department of Labor and Employment Security.~~

7 ~~(7) TERMINATION OF SET-ASIDE.--For those state and~~  
8 ~~federal set-asides terminated by the federal Workforce~~  
9 ~~Investment Act of 1998, the Department of Education, the~~  
10 ~~Office of Tourism, Trade, and Economic Development within the~~  
11 ~~Executive Office of the Governor, and the Department of Elder~~  
12 ~~Affairs shall keep all unexpended JTPA 123 (Education~~  
13 ~~Coordination), JTPA III (Dislocated Workers), or JTPA IIA~~  
14 ~~(Services for Older Adults) funds to closeout their education~~  
15 ~~and coordination activities. The Workforce Development Board~~  
16 ~~shall develop guidelines under which the departments may~~  
17 ~~negotiate with the regional workforce development boards to~~  
18 ~~provide continuation of activities and services currently~~  
19 ~~conducted with the JTPA Section 123 or JTPA IIA funds.~~

20 Section 4. Section 288.9952, Florida Statutes, is  
21 transferred, renumbered as section 445.004, Florida Statutes,  
22 and amended to read:

23 445.004 288.9952 Workforce Florida, Inc.; creation;  
24 purpose; membership; duties and powers Development Board.--

25 (1) There is created ~~within the not-for-profit~~  
26 ~~corporate structure of Enterprise Florida, Inc., a~~  
27 not-for-profit corporation, to be known as "Workforce Florida,  
28 Inc.," which shall be registered, incorporated, organized, and  
29 operated in compliance with chapter 617, and which shall not  
30 be a unit or entity of state government. Workforce Florida,  
31 Inc., shall be administratively housed within the Agency for

1 Workforce Innovation; however, Workforce Florida, Inc., shall  
2 not be subject to control, supervision, or direction by the  
3 Agency for Workforce Innovation in any manner. The Legislature  
4 determines, however, that public policy dictates that  
5 Workforce Florida, Inc., operate in the most open and  
6 accessible manner consistent with its public purpose. To this  
7 end, the Legislature specifically declares that Workforce  
8 Florida, Inc., its board, councils, and any advisory  
9 committees or similar groups created by Workforce Florida,  
10 Inc., are subject to the provisions of chapter 119 relating to  
11 public records, and those provisions of chapter 286 relating  
12 to public meetings ~~public-private Workforce Development Board.~~

13 (2) Workforce Florida, Inc., is the principal  
14 workforce policy organization for the state. The purpose of  
15 the Workforce Florida, Inc., ~~Development Board~~ is to design  
16 and implement strategies that help Floridians enter, remain  
17 in, and advance in the workplace, becoming more highly skilled  
18 and successful, benefiting these Floridians, Florida  
19 businesses, and the entire state, and to assist in developing  
20 the state's business climate.

21 (3)(2)(a) The Workforce Florida, Inc., ~~Development~~  
22 Board shall be governed by a ~~25-voting-member~~ board of  
23 directors, the number of directors to be determined by the  
24 Governor, whose membership and appointment must be consistent  
25 with Pub. L. No. 105-220, Title I, s. 111(b), and contain one  
26 member representing the licensed nonpublic postsecondary  
27 educational institutions authorized as individual training  
28 account providers and five ~~three~~ representatives of organized  
29 labor who shall be appointed by the Governor. Two of the labor  
30 representatives shall be chosen from among five nominees  
31 provided by the President of the Senate, in consultation with

1 the Minority Office, and two of the labor representatives  
2 shall be chosen from among five nominees chosen by the Speaker  
3 of the House of Representatives, in consultation with the  
4 Minority Office. Notwithstanding s. 114.05(1)(f)~~s. 114.05(f)~~,  
5 the Governor may appoint remaining members to Workforce  
6 Florida, Inc., from of the current Workforce Development Board  
7 and the WAGES Program State Board of Directors, established  
8 pursuant to chapter 96-175, Laws of Florida, to serve on the  
9 reconstituted board as required by this section. By July 1,  
10 2000 ~~June 1, 1999~~, the Workforce Development Board will  
11 provide to the Governor a transition plan to incorporate the  
12 changes required by this act and Pub. L. No. 105-220,  
13 specifying the ~~timeframe~~ and manner of changes to the board.  
14 This plan shall govern the transition, unless otherwise  
15 notified by the Governor. The importance of minority, ~~and~~  
16 gender, and geographic representation shall be considered when  
17 making appointments to the board. ~~Additional members may be~~  
18 ~~appointed when necessary to conform to the requirements of~~  
19 ~~Pub. L. No. 105-220.~~

20 (b) The board of directors of ~~the~~ Workforce Florida,  
21 Inc., ~~Development Board~~ shall be chaired by a board member  
22 designated by the Governor pursuant to Pub. L. No. 105-220.

23 (c) ~~Private-sector~~ Members appointed by the Governor  
24 must be appointed for 2-year ~~4-year, staggered~~ terms.  
25 ~~Public-sector members appointed by the Governor must be~~  
26 ~~appointed to 4-year terms.~~ Private sector representatives of  
27 businesses, appointed by the Governor pursuant to Pub. L. No.  
28 105-220, shall constitute a majority of the membership of the  
29 board. Private sector representatives shall be appointed from  
30 nominations received by the Governor from any member of the  
31 Legislature. A member of the Legislature may submit more than

1 one board nomination to the Governor. Private sector  
2 appointments to the board shall be representative of the  
3 business community of this state and no less than one-half of  
4 the appointments to the board must be representative of small  
5 businesses. Members appointed by the Governor serve at the  
6 pleasure of the Governor and are eligible for reappointment.

7 (d) The Governor shall appoint members to the board of  
8 directors of ~~the~~ Workforce Florida, Inc., Development Board  
9 within 30 days after the receipt of a sufficient number of  
10 nominations.

11 (e) A member of the board of directors of ~~the~~  
12 Workforce Florida, Inc., Development Board may be removed by  
13 the Governor for cause. Absence from three consecutive  
14 meetings results in automatic removal. The chair of ~~the~~  
15 Workforce Florida, Inc., Development Board shall notify the  
16 Governor of such absences.

17 (f) Representatives of businesses appointed to the  
18 board of directors may not include providers of workforce  
19 services.

20 ~~(4)(3)~~(a) The president of ~~the~~ Workforce Florida,  
21 Inc., Development Board shall be hired by the board of  
22 directors of Workforce ~~president of Enterprise~~ Florida, Inc.,  
23 and shall serve at the pleasure of the Governor in the  
24 capacity of an executive director and secretary of ~~the~~  
25 Workforce Florida, Inc. Development Board.

26 (b) The board of directors of ~~the~~ Workforce Florida,  
27 Inc., Development Board shall meet at least quarterly and at  
28 other times upon call of its chair.

29 (c) A majority of the total current membership of the  
30 board of directors of ~~the~~ Workforce Florida, Inc., Development  
31 Board comprises a quorum of the board.

1 (d) A majority of those voting is required to organize  
2 and conduct the business of the ~~Workforce Development~~ board,  
3 except that a majority of the entire board of directors ~~of the~~  
4 ~~Workforce Development Board~~ is required to adopt or amend the  
5 operational plan.

6 (e) Except as delegated or authorized by the board of  
7 directors of ~~the Workforce Florida, Inc. Development Board~~,  
8 individual members have no authority to control or direct the  
9 operations of ~~the Workforce Florida, Inc. Development Board~~  
10 or the actions of its officers and employees, including the  
11 president.

12 ~~(f) The board of directors of the Workforce~~  
13 ~~Development Board may delegate to its president those powers~~  
14 ~~and responsibilities it deems appropriate.~~

15 ~~(f)(g)~~ Members of the board of directors of ~~the~~  
16 ~~Workforce Florida, Inc. Development Board~~ and its committees  
17 shall serve without compensation, but these members, the  
18 president, and all employees of ~~the Workforce Florida, Inc.,~~  
19 ~~Development Board~~ may be reimbursed for all reasonable,  
20 necessary, and actual expenses pursuant to s. 112.061, ~~as~~  
21 ~~determined by the board of directors of Enterprise Florida,~~  
22 ~~Inc.~~

23 ~~(g)(h)~~ The board of directors of ~~the Workforce~~  
24 ~~Florida, Inc. Development Board~~ may establish an executive  
25 committee consisting of the chair and at least six ~~two~~  
26 additional board members selected by the board of directors,  
27 one of whom must be a representative of organized labor. The  
28 executive committee and the president shall have such  
29 authority as the board ~~of directors of the Workforce~~  
30 ~~Development Board~~ delegates to it, except that the board of  
31 directors may not delegate to the executive committee



1 authority to take action that requires approval by a majority  
2 of the entire board of directors.

3 (h)~~(i)~~ The chair ~~board of directors of the Workforce~~  
4 ~~Development Board~~ may appoint committees to fulfill its  
5 responsibilities, to comply with federal requirements, or to  
6 obtain technical assistance, and must incorporate members of  
7 regional workforce development boards into its structure. At a  
8 minimum, the chair shall establish the following standing  
9 councils: the First Jobs/First Wages Council, the Better  
10 Jobs/Better Wages Council, and the High Skills/High Wages  
11 Council. For purposes of Pub. L. No. 105-220, the First  
12 Jobs/First Wages Council shall serve as the state's youth  
13 council.

14 (i)~~(j)~~ Each member of the board of directors ~~of the~~  
15 ~~Workforce Development Board~~ who is not otherwise required to  
16 file a financial disclosure pursuant to s. 8, Art. II of the  
17 State Constitution or s. 112.3144 must file disclosure of  
18 financial interests pursuant to s. 112.3145.

19 (5)~~(4)~~ The Workforce Florida, Inc., Development Board  
20 shall have all the powers and authority, not explicitly  
21 prohibited by statute, necessary or convenient to carry out  
22 and effectuate the purposes as determined by statute, Pub. L.  
23 No. 105-220, and the Governor, as well as its functions,  
24 duties, and responsibilities, including, but not limited to,  
25 the following:

26 (a) Serving as the state's Workforce Investment Board  
27 pursuant to Pub. L. No. 105-220. Unless otherwise required by  
28 federal law, at least 90 percent of the workforce development  
29 funding must go into direct customer service costs. ~~Of the~~  
30 ~~allowable administrative overhead, appropriate amounts shall~~  
31 ~~be expended to procure independent job-placement evaluations.~~

1           (b) Providing oversight and policy direction to ensure  
2 that the following programs are administered by the Agency for  
3 Workforce Innovation in compliance with approved plans and  
4 under contract with Workforce Florida, Inc.:

5           1. Programs authorized under Title I of the Workforce  
6 Investment Act of 1998, Pub. L. No. 105-220, with the  
7 exception of programs funded directly by the United States  
8 Department of Labor under Title I, s. 167.

9           2. Programs authorized under the Wagner-Peyser Act of  
10 1933, as amended, 29 U.S.C. ss. 49 et seq.

11           3. Welfare-to-work grants administered by the United  
12 States Department of Labor under Title IV, s. 403, of the  
13 Social Security Act, as amended.

14           4. Activities authorized under Title II of the Trade  
15 Act of 1974, as amended, 2 U.S.C. ss. 2271 et seq., and the  
16 Trade Adjustment Assistance Program.

17           5. Activities authorized under 38 U.S.C., chapter 41,  
18 including job counseling, training, and placement for  
19 veterans.

20           6. Employment and training activities carried out  
21 under the Community Services Block Grant Act, 42 U.S.C. ss.  
22 9901 et seq.

23           7. Employment and training activities carried out  
24 under funds awarded to this state by the United States  
25 Department of Housing and Urban Development.

26           8. Welfare transition services funded by the Temporary  
27 Assistance for Needy Families Program, created under the  
28 Personal Responsibility and Work Opportunity Reconciliation  
29 Act of 1996, as amended, Pub. L. No. 104-193, and Title IV, s.  
30 403, of the Social Security Act, as amended.

31

- 1           9. Displaced homemaker programs, provided under s.  
2 446.50.
- 3           10. The Florida Bonding Program, provided under Pub.  
4 L. No. 97-300, s. 164(a)(1).
- 5           11. The Food Stamp Employment and Training Program,  
6 provided under the Food Stamp Act of 1977, U.S.C. ss.  
7 2011-2032, the Food Security Act of 1988, Pub. L. No. 99-198,  
8 and the Hunger Prevention Act, Pub. L. No. 100-435.
- 9           12. The Quick-Response Training Program, provided  
10 under ss. 288.046-288.047. Matching funds and in-kind  
11 contributions that are provided by clients of the  
12 Quick-Response Training Program shall count toward the  
13 requirements of s. 299.90151(5)(d), pertaining to the return  
14 on investment from activities of Enterprise Florida, Inc.
- 15           13. The Work Opportunity Tax Credit, provided under  
16 the Tax and Trade Relief Extension Act of 1998, Pub. L. No.  
17 105-277, and the Taxpayer Relief Act of 1997, Pub. L. 105-34.
- 18           14. Offender placement services, provided under ss.  
19 944.707-944.708.
- 20           15. Programs authorized under the National and  
21 Community Service Act of 1990, 42 U.S.C. ss. 12501 et seq.,  
22 and the Service-America programs, the National Service Trust  
23 programs, the Civilian Community Corps, the Corporation for  
24 National and Community Service, the American Conservation and  
25 Youth Service Corps, and the Points of Light Foundation  
26 programs, if such programs are awarded to the state.
- 27           (c)(b) Contracting with public and private entities as  
28 necessary to further the directives of this section. All  
29 contracts executed by Workforce Florida, Inc., must include  
30 specific performance expectations and deliverables.~~except~~  
31 ~~that any contract made with an organization represented on the~~

1 ~~board of directors of Enterprise Florida, Inc., or on the~~  
2 ~~board of directors of the Workforce Development Board must be~~  
3 ~~approved by a two-thirds vote of the entire board of directors~~  
4 ~~of the Workforce Development Board, and, if applicable, the~~  
5 ~~board member representing such organization shall abstain from~~  
6 ~~voting. No more than 65 percent of the dollar value of all~~  
7 ~~contracts or other agreements entered into in any fiscal year,~~  
8 ~~exclusive of grant programs, shall be made with an~~  
9 ~~organization represented on the board of directors of~~  
10 ~~Enterprise Florida, Inc., or the board of directors of the~~  
11 ~~Workforce Development Board. An organization represented on~~  
12 ~~the board of directors of the Workforce Development Board or~~  
13 ~~on the board of directors of Enterprise Florida, Inc., may not~~  
14 ~~enter into a contract to receive a state-funded economic~~  
15 ~~development incentive or similar grant unless such incentive~~  
16 ~~award is specifically endorsed by a two-thirds vote of the~~  
17 ~~entire board of directors of the Workforce Development Board.~~  
18 ~~The member of the board of directors of the Workforce~~  
19 ~~Development Board representing such organization, if~~  
20 ~~applicable, shall abstain from voting and refrain from~~  
21 ~~discussing the issue with other members of the board. No more~~  
22 ~~than 50 percent of the dollar value of grants issued by the~~  
23 ~~board in any fiscal year may go to businesses associated with~~  
24 ~~members of the board of directors of the Workforce Development~~  
25 ~~Board.~~

26 ~~(c) Providing an annual report to the board of~~  
27 ~~directors of Enterprise Florida, Inc., by November 1 that~~  
28 ~~includes a copy of an annual financial and compliance audit of~~  
29 ~~its accounts and records conducted by an independent certified~~  
30 ~~public accountant and performed in accordance with rules~~  
31 ~~adopted by the Auditor General.~~

1           (d) Notifying the Governor, the President of the  
2 Senate, and the Speaker of the House of Representatives of  
3 noncompliance by the Agency for Workforce Innovation or other  
4 agencies or obstruction of the board's efforts by such  
5 agencies. Upon such notification, the Executive Office of the  
6 Governor shall assist agencies to bring them into compliance  
7 with board objectives.

8           (e) Ensuring that the state does not waste valuable  
9 training resources. Thus, the board shall direct that all  
10 resources, including equipment purchased for training  
11 Workforce Investment Act clients, be available for use at all  
12 times by eligible populations as first priority users. At  
13 times when eligible populations are not available, such  
14 resources shall be used for any other state authorized  
15 education and training purpose.

16           (f) Archiving records with the Bureau of Archives and  
17 Records Management of the Division of Library and Information  
18 Services of the Department of State.

19           ~~(5) Notwithstanding s. 216.351, to allow time for~~  
20 ~~documenting program performance, funds allocated for the~~  
21 ~~incentives in s. 239.249 must be carried forward to the next~~  
22 ~~fiscal year and must be awarded for the current year's~~  
23 ~~performance, unless federal law requires the funds to revert~~  
24 ~~at the year's end.~~

25           (6) ~~The Workforce~~ Florida, Inc., ~~Development Board~~ may  
26 take action that it deems necessary to achieve the purposes of  
27 this section, including, but not limited to: ~~and consistent~~  
28 ~~with the policies of the board of directors of Enterprise~~  
29 ~~Florida, Inc., in partnership with private enterprises, public~~  
30 ~~agencies, and other organizations. The Workforce Development~~  
31 ~~Board shall advise and make recommendations to the board of~~

1 ~~directors of Enterprise Florida, Inc., and through that board~~  
2 ~~of directors to the State Board of Education and the~~  
3 ~~Legislature concerning action needed to bring about the~~  
4 ~~following benefits to the state's social and economic~~  
5 ~~resources:~~

6 (a) Creating a state employment, education, and  
7 training policy that ensures that programs to prepare workers  
8 are responsive to present and future business and industry  
9 needs and complement the initiatives of Enterprise Florida,  
10 Inc.

11 (b) Establishing policy direction for a funding system  
12 that provides incentives to improve the outcomes of vocational  
13 education programs, and of registered apprenticeship and  
14 work-based learning programs, and that focuses resources on  
15 occupations related to new or emerging industries that add  
16 greatly to the value of the state's economy.

17 (c) Establishing a comprehensive policy related  
18 ~~approach~~ to the education and training of target populations  
19 such as those who have disabilities, are economically  
20 disadvantaged, receive public assistance, are not proficient  
21 in English, or are dislocated workers. This approach should  
22 ensure the effective use of federal, state, local, and private  
23 resources in reducing the need for public assistance.

24 (d) Designating ~~The designation of~~ Institutes of  
25 Applied Technology composed of public and private  
26 postsecondary institutions working together with business,  
27 labor, and industry to ensure that technical and vocational  
28 education programs use the most advanced technology and  
29 instructional methods available and respond to the changing  
30 needs of business and industry. ~~Of the funds reserved for~~  
31 ~~activities of the Workforce Investment Act at the state level,~~

1 ~~§500,000 shall be reserved for an institute of applied~~  
2 ~~technology in construction excellence, which shall be a~~  
3 ~~demonstration project on the development of such institutes.~~  
4 ~~The institute, once established, shall contract with the~~  
5 ~~Workforce Development Board to provide a coordinated approach~~  
6 ~~to workforce development in this industry.~~

7       (e) Providing policy direction for a system to project  
8 and evaluate labor market supply and demand using the results  
9 of the Workforce Estimating Occupational Forecasting  
10 Conference created in s. 216.136 and the career education  
11 performance standards identified under s. 239.233.

12       (f) Reviewing ~~A review~~ of the performance of public  
13 programs that are responsible for economic development,  
14 education, employment, and training. The review must include  
15 an analysis of the return on investment of these programs.

16       (g) Expanding the occupations identified by the  
17 Workforce Estimating Conference to meet needs created by local  
18 emergencies or plant closings or to capture occupations within  
19 emerging industries.

20       (7) By December 1 of each year, Workforce Enterprise  
21 Florida, Inc., shall submit to the Governor, the President of  
22 the Senate, the Speaker of the House of Representatives, the  
23 Senate Minority Leader, and the House Minority Leader a  
24 complete and detailed annual report ~~by the Workforce~~  
25 ~~Development Board~~ setting forth:

26       (a) All audits, including the audit in subsection (8),  
27 if conducted.

28       (b) The operations and accomplishments of the  
29 partnership including the programs or entities listed in  
30 subsection (6).  
31

1           (8) The Auditor General may, pursuant to his or her  
2 own authority or at the direction of the Legislative Auditing  
3 Committee, conduct an audit of ~~the~~ Workforce Florida, Inc.,  
4 ~~Development Board~~ or the programs or entities created by ~~the~~  
5 Workforce Florida, Inc. ~~Development Board.~~ The Office of  
6 Program Policy Analysis and Government Accountability,  
7 pursuant to its authority or at the direction of the  
8 Legislative Auditing Committee, may review the systems and  
9 controls related to performance outcomes and quality of  
10 services of Workforce Florida, Inc.

11           (9) ~~The~~ Workforce Florida, Inc. ~~Development Board~~, in  
12 collaboration with the regional workforce ~~development~~ boards  
13 and appropriate state agencies and local public and private  
14 service providers, and in consultation with the Office of  
15 Program Policy Analysis and Government Accountability, shall  
16 establish uniform measures and standards to gauge the  
17 performance of the workforce development strategy. These  
18 measures and standards must be organized into three outcome  
19 tiers.

20           (a) The first tier of measures must be organized to  
21 provide benchmarks for systemwide outcomes. ~~The~~ Workforce  
22 Florida, Inc., ~~Development Board~~ must, in collaboration with  
23 the Office of Program Policy Analysis and Government  
24 Accountability, establish goals for the tier-one outcomes.  
25 Systemwide outcomes may include employment in occupations  
26 demonstrating continued growth in wages; continued employment  
27 after 3, 6, 12, and 24 months; reduction in and elimination of  
28 public assistance reliance; job placement; employer  
29 satisfaction; and positive return on investment of public  
30 resources.

31



1           (b) The second tier of measures must be organized to  
2 provide a set of benchmark outcomes for the initiatives of the  
3 First Jobs/First Wages Council, the Better Jobs/Better Wages  
4 Council, and the High Skills/High Wages Council ~~one-stop~~  
5 ~~Career Centers~~ and for each of the strategic components of the  
6 workforce development strategy. ~~A set of standards and~~  
7 ~~measures must be developed for one-stop Career Centers, youth~~  
8 ~~employment activities, WAGES, and High Skills/High Wages,~~  
9 ~~targeting the specific goals of each particular strategic~~  
10 ~~component.~~ Cost per entered employment, earnings at placement,  
11 retention in employment, job placement, and entered employment  
12 rate must be included among the performance outcome measures.

13           ~~1. Appropriate measures for one-stop Career Centers~~  
14 ~~may include direct job placements at minimum wage, at a wage~~  
15 ~~level established by the Occupational Forecasting Conference,~~  
16 ~~and at a wage level above the level established by the~~  
17 ~~Occupational Forecasting Conference.~~

18           ~~2. Appropriate measures for youth employment~~  
19 ~~activities may include the number of students enrolling in and~~  
20 ~~completing work-based programs, including apprenticeship~~  
21 ~~programs; job placement rate; job retention rate; wage at~~  
22 ~~placement; and wage growth.~~

23           ~~3. WAGES measures may include job placement rate, job~~  
24 ~~retention rate, wage at placement, wage growth, reduction and~~  
25 ~~elimination of reliance on public assistance, and savings~~  
26 ~~resulting from reduced reliance on public assistance.~~

27           ~~4. High Skills/High Wages measures may include job~~  
28 ~~placement rate, job retention rate, wage at placement, and~~  
29 ~~wage growth.~~

30           (c) The third tier of measures must be the operational  
31 output measures to be used by the agency implementing

1 programs, and it may be specific to federal requirements. The  
2 tier-three measures must be developed by the agencies  
3 implementing programs, and ~~the~~ Workforce Florida, Inc.,  
4 ~~Development Board~~ may be consulted in this effort. Such  
5 measures must be reported to ~~the~~ Workforce Florida, Inc.,  
6 ~~Development Board~~ by the appropriate implementing agency.

7 (d) Regional differences must be reflected in the  
8 establishment of performance goals and may include job  
9 availability, unemployment rates, average worker wage, and  
10 available employable population. ~~All performance goals must be~~  
11 ~~derived from the goals, principles, and strategies established~~  
12 ~~in the Workforce Florida Act of 1996.~~

13 (e) Job placement must be reported pursuant to s.  
14 229.8075. Positive outcomes for providers of education and  
15 training must be consistent with ss. 239.233 and 239.245.

16 (f) The uniform measures of success that are adopted  
17 by ~~the~~ Workforce Florida, Inc., ~~Development Board~~ or the  
18 regional workforce ~~development~~ boards must be developed in a  
19 manner that provides for an equitable comparison of the  
20 relative success or failure of any service provider in terms  
21 of positive outcomes.

22 (g) By December 1 ~~October 15~~ of each year, ~~the~~  
23 Workforce Florida, Inc., ~~Development Board~~ shall provide the  
24 Legislature with a report detailing the performance of  
25 Florida's workforce development system, as reflected in the  
26 three-tier measurement system. Additionally, this report must  
27 benchmark Florida outcomes, at all tiers, against other states  
28 that collect data similarly.

29 (10) The workforce development strategy for the state  
30 shall be designed by Workforce Florida, Inc., and shall be  
31

1 centered around the strategies of First Jobs/First Wages,  
2 Better Jobs/Better Wages, and High Skills/High Wages.

3 (a) First Jobs/First Wages is the state's strategy to  
4 promote successful entry into the workforce through education  
5 and workplace experience that lead to self-sufficiency and  
6 career advancement. The components of the strategy include  
7 efforts that enlist business, education, and community support  
8 for students to achieve long-term career goals, ensuring that  
9 young people have the academic and occupational skills  
10 required to succeed in the workplace.

11 (b) Better Jobs/Better Wages is the state's strategy  
12 for assisting employers in upgrading or updating the skills of  
13 their employees and for assisting incumbent workers in  
14 improving their performance in their current jobs or acquiring  
15 the education or training needed to secure a better job with  
16 better wages.

17 (c) High Skills/High Wages is the state's strategy for  
18 aligning education and training programs with high-paying,  
19 high-demand occupations that advance individuals' careers,  
20 build a more skilled workforce, and enhance Florida's efforts  
21 to attract and expand job-creating businesses.

22 (11) The workforce development system shall use a  
23 charter-process approach aimed at encouraging local design and  
24 control of service delivery and targeted activities. Workforce  
25 Florida, Inc., shall be responsible for granting charters to  
26 regional workforce boards that have a membership consistent  
27 with the requirements of federal and state law and that have  
28 developed a plan consistent with the state's workforce  
29 development strategy. The plan must specify methods for  
30 allocating the resources and programs in a manner that  
31 eliminates unwarranted duplication, minimizes administrative

1 costs, meets the existing job market demands and the job  
2 market demands resulting from successful economic development  
3 activities, ensures access to quality workforce development  
4 services for all Floridians, allows for pro rata or partial  
5 distribution of benefits and services, prohibits the creation  
6 of a waiting list or other indication of an unserved  
7 population, serves as many individuals as possible within  
8 available resources, and maximizes successful outcomes. As  
9 part of the charter process, Workforce Florida, Inc., shall  
10 establish incentives for effective coordination of federal and  
11 state programs, outline rewards for successful job placements,  
12 and institute collaborative approaches among local service  
13 providers. Local decisionmaking and control shall be important  
14 components for inclusion in this charter application.

15 Section 5. Section 445.005, Florida Statutes, is  
16 created to read:

17 445.005 First Jobs/First Wages, Better Jobs/Better  
18 Wages, and High Skills/High Wages Councils of Workforce  
19 Florida, Inc.--

20 (1) The chair of Workforce Florida, Inc., shall  
21 establish by October 1, 2000, three standing councils, which  
22 shall be known as the First Jobs/First Wages Council, the  
23 Better Jobs/Better Wages Council, and the High Skills/High  
24 Wages Council.

25 (a) The chair of Workforce Florida, Inc., shall  
26 determine the number of members to serve on each council.

27 (b) Each council shall be composed of individuals  
28 appointed by the chair of Workforce Florida, Inc., from the  
29 membership of the board of directors and individuals from  
30 outside Workforce Florida, Inc., who possess relevant  
31 experience or expertise in the subject area of the council. A

1 majority of the membership of each council must be members of  
2 the board of directors of Workforce Florida, Inc.  
3 (c) The chair of Workforce Florida, Inc., shall name a  
4 chair for each council from among the members of the council  
5 who are also members of the board of directors.  
6 (d) Each council may meet at the call of its chair or  
7 at the direction of the board of directors of Workforce  
8 Florida, Inc., but shall meet at least quarterly.  
9 (2) The First Jobs/First Wages Council shall develop  
10 strategies for approval by the board of directors of Workforce  
11 Florida, Inc., which promote the successful entry of  
12 individuals, including young people and adults working for the  
13 first time, into the workforce. The council shall advise the  
14 board of directors and make recommendations on implementing  
15 programs and expending funds in support of the First  
16 Jobs/First Wages Program's strategies. The council shall serve  
17 as the state's youth council for purposes of Pub. L. No.  
18 105-220.  
19 (3) The Better Jobs/Better Wages Council shall develop  
20 strategies for approval by the board of directors of Workforce  
21 Florida, Inc., which promote the ability of adult workers to  
22 build careers by obtaining and retaining jobs with potential  
23 for advancement. The mission of the council includes  
24 developing strategies that promote the ability of participants  
25 in the welfare transition program to succeed in the workforce  
26 and avoid a return to dependence upon cash assistance from the  
27 government. The council shall advise the board of directors  
28 and make recommendations on implementing programs and  
29 expending funds in support of the Better Jobs/Better Wages  
30 Program's strategies.  
31

1       (4) The High Skills/High Wages Council shall develop  
2 strategies for approval by the board of directors of Workforce  
3 Florida, Inc., which align the education and training programs  
4 with high-paying, high-demand occupations that advance  
5 individuals' careers, build a more skilled workforce, and  
6 enhance the state's efforts to attract and expand job-creating  
7 businesses. The council shall advise the board of directors  
8 and make recommendations on implementing programs and  
9 expending funds in support of the High-Skills/High-Wages  
10 Program's strategies.

11           Section 6. Section 445.006, Florida Statutes, is  
12 created to read:

13           445.006 Strategic plan for workforce development.--

14           (1) Workforce Florida, Inc., in conjunction with state  
15 and local partners in the workforce system, shall develop a  
16 strategic plan for workforce, with the goal of producing  
17 skilled employees for employers in the state. The strategic  
18 plan shall be submitted to the Governor, the President of the  
19 Senate, and the Speaker of the House of Representatives by  
20 February 1, 2001. The strategic plan shall be updated or  
21 modified by January 1 of each year thereafter. The plan must  
22 include, but need not be limited to, strategies for:

23           (a) Fulfilling the workforce system goals and  
24 strategies prescribed in s. 445.004;

25           (b) Aggregating, integrating, and leveraging workforce  
26 system resources;

27           (c) Coordinating the activities of federal, state, and  
28 local workforce system partners;

29           (d) Addressing the workforce needs of small  
30 businesses; and

31

1           (e) Fostering the participation of rural communities  
2 and distressed urban cores in the workforce system.

3           (2) As a component of the strategic plan required  
4 under this section, Workforce Florida, Inc., shall develop a  
5 workforce marketing plan, with the goal of educating  
6 individuals inside and outside the state about the employment  
7 market and employment conditions in the state. The marketing  
8 plan must include, but need not be limited to, strategies for:

9           (a) Distributing information to secondary and  
10 postsecondary education institutions about the diversity of  
11 businesses in the state, specific clusters of businesses or  
12 business sectors in the state, and occupations by industry  
13 which are in demand by employers in the state;

14           (b) Distributing information about and promoting use  
15 of the Internet-based job matching and labor market  
16 information system authorized under s. 445.011; and

17           (c) Coordinating with Enterprise Florida, Inc., to  
18 ensure that workforce marketing efforts complement the  
19 economic development marketing efforts of the state.

20           (3) The strategic plan must include performance  
21 measures, standards, measurement criteria, and contract  
22 guidelines in the following areas with respect to participants  
23 in the welfare transition program:

24           (a) Work participation rates, by type of activity;

25           (b) Caseload trends;

26           (c) Recidivism;

27           (d) Participation in diversion and relocation  
28 assistance programs;

29           (e) Employment retention;

30           (f) Wage growth; and

31

1       (g) Other issues identified by the board of directors  
2 of Workforce Florida, Inc.

3       (4) The strategic plan must include criteria for  
4 allocating workforce resources to regional workforce boards.  
5 With respect to allocating funds to serve customers of the  
6 welfare transition program, such criteria may include  
7 weighting factors that indicate the relative degree of  
8 difficulty associated with securing and retaining employment  
9 placements for specific subsets of the welfare transition  
10 caseload.

11       (5)(a) The strategic plan must include a  
12 performance-based payment structure to be used for all welfare  
13 transition program customers which takes into account:

14           1. The degree of difficulty associated with placement  
15 and retention;

16           2. The quality of the placement with respect to  
17 salary, benefits, and opportunities for advancement; and

18           3. The employee's retention in the placement.

19       (b) The payment structure must provide for bonus  
20 payments of up to 10 percent of the contract amount to  
21 providers that achieve notable success in achieving contract  
22 objectives, including, but not limited to, success in  
23 diverting families in which there is an adult who is subject  
24 to work requirements from receiving cash assistance and in  
25 achieving long-term job retention and wage growth with respect  
26 to welfare transition program customers. A service provider  
27 shall be paid a maximum of one payment per service for each  
28 participant during any given 6-month period.

29       (6)(a) The strategic plan must include strategies that  
30 are designed to prevent or reduce the need for a person to  
31 receive public assistance. These strategies must include:



1           1. A teen pregnancy prevention component that  
2 includes, but is not limited to, a plan for implementing the  
3 Florida Education Now and Babies Later (ENABL) program under  
4 s. 411.242 and the Teen Pregnancy Prevention Community  
5 Initiative within each county of the services area in which  
6 the teen birth rate is higher than the state average;

7           2. A component that encourages creation of  
8 community-based welfare prevention and reduction initiatives  
9 that increase support provided by noncustodial parents to  
10 their welfare-dependent children and are consistent with  
11 program and financial guidelines developed by Workforce  
12 Florida, Inc., and the Commission on Responsible Fatherhood.  
13 These initiatives may include, but are not limited to,  
14 improved paternity establishment, work activities for  
15 noncustodial parents, programs aimed at decreasing  
16 out-of-wedlock pregnancies, encouraging involvement of fathers  
17 with their children including court-ordered supervised  
18 visitation, and increasing child support payments;

19           3. A component that encourages formation and  
20 maintenance of two-parent families through, among other  
21 things, court-ordered supervised visitation;

22           4. A component that fosters responsible fatherhood in  
23 families receiving assistance; and

24           5. A component that fosters provision of services that  
25 reduce the incidence and effects of domestic violence on women  
26 and children in families receiving assistance.

27           (b) Specifications for welfare transition program  
28 services that are to be delivered include, but are not limited  
29 to:

30           1. Initial assessment services prior to an individual  
31 being placed in an employment service, to determine whether

- 1 the individual should be referred for relocation, up-front  
2 diversion, education, or employment placement. Assessment  
3 services shall be paid on a fixed unit rate and may not  
4 provide educational or employment placement services.
- 5 2. Referral of participants to diversion and  
6 relocation programs.
- 7 3. Preplacement services, including assessment,  
8 staffing, career plan development, work orientation, and  
9 employability skills enhancement.
- 10 4. Services necessary to secure employment for a  
11 welfare transition program participant.
- 12 5. Services necessary to assist participants in  
13 retaining employment, including, but not limited to, remedial  
14 education, language skills, and personal and family  
15 counseling.
- 16 6. Desired quality of job placements with regard to  
17 salary, benefits, and opportunities for advancement.
- 18 7. Expectations regarding job retention.
- 19 8. Strategies to ensure that transition services are  
20 provided to participants for the mandated period of  
21 eligibility.
- 22 9. Services that must be provided to the participant  
23 throughout an education or training program, such as  
24 monitoring attendance and progress in the program.
- 25 10. Services that must be delivered to welfare  
26 transition program participants who have a deferral from work  
27 requirements but wish to participate in activities that meet  
28 federal participation requirements.
- 29 11. Expectations regarding continued participant  
30 awareness of available services and benefits.
- 31

1           Section 7. Section 288.9953, Florida Statutes, is  
2 transferred, renumbered as section 445.007, Florida Statutes,  
3 and amended to read:

4           445.007 ~~288.9953~~ Regional Workforce ~~Development~~  
5 Boards.--

6           (1) One regional workforce ~~development~~ board shall be  
7 appointed in each designated service delivery area and shall  
8 serve as the local workforce investment board pursuant to Pub.  
9 L. No. 105-220. The membership of the board shall be  
10 consistent with Pub. L. No. 105-220, Title I, s. 117(b), and  
11 contain one representative from a nonpublic postsecondary  
12 educational institution that is an authorized individual  
13 training account provider within the region and confers  
14 certificates and diplomas, one representative from a nonpublic  
15 postsecondary educational institution that is an authorized  
16 individual training account provider within the region and  
17 confers degrees, and three representatives of organized labor.  
18 Individuals serving as members of regional workforce  
19 development boards or local WAGES coalitions, as of June 30,  
20 2000, are eligible for appointment to regional workforce  
21 boards, pursuant to this section. The importance of minority  
22 and gender representation shall be considered when making  
23 appointments to the board. If the regional workforce board  
24 enters into a contract with an organization or individual  
25 represented on the board of directors, the contract must be  
26 approved by a two-thirds vote of the entire board, and the  
27 board member who could benefit financially from the  
28 transaction must abstain from voting on the contract. A board  
29 member must disclose any such conflict in a manner that is  
30 consistent with the procedures outlined in s. 112.3143.~~A~~  
31 ~~member of a regional workforce development board may not vote~~

1 ~~on a matter under consideration by the board regarding the~~  
2 ~~provision of services by such member, or by an entity that~~  
3 ~~such member represents; vote on a matter that would provide~~  
4 ~~direct financial benefit to such member or the immediate~~  
5 ~~family of such member; or engage in any other activity~~  
6 ~~determined by the Governor to constitute a conflict of~~  
7 ~~interest as specified in the state plan.~~

8 (2) ~~The Workforce Florida, Inc., Development Board~~  
9 will determine the timeframe and manner of changes to the  
10 regional workforce ~~development~~ boards as required by this  
11 chapter act and Pub. L. No. 105-220.

12 (3) ~~The Workforce Florida, Inc., Development Board~~  
13 shall assign staff to meet with each regional workforce  
14 ~~development~~ board annually to review the board's performance  
15 and to certify that the board is in compliance with applicable  
16 state and federal law.

17 (4) In addition to the duties and functions specified  
18 by ~~the Workforce Florida, Inc., Development Board~~ and by the  
19 interlocal agreement approved by the local county or city  
20 governing bodies, the regional workforce ~~development~~ board  
21 shall have the following responsibilities:

22 (a) Develop, submit, ratify, or amend the local plan  
23 pursuant to Pub. L. No. 105-220, Title I, s. 118 and the  
24 provisions of this act.

25 (b) Conclude agreements necessary to designate the  
26 fiscal agent and administrative entity. A public or private  
27 entity, other than an entity established pursuant to s.  
28 163.01, which makes a majority of the appointments to a  
29 regional workforce board may serve as the board's  
30 administrative entity if approved by Workforce Florida, Inc.,  
31

1 upon a showing that a fair and competitive process was used to  
2 select the administrative entity.

3 (c) Complete assurances required for the ~~Workforce~~  
4 ~~Development Board~~ charter process of Workforce Florida, Inc.,  
5 and provide ongoing oversight related to administrative costs,  
6 duplicated services, career counseling, economic development,  
7 equal access, compliance and accountability, and performance  
8 outcomes.

9 (d) Oversee the one-stop delivery system ~~Career~~  
10 ~~Centers~~ in its local area.

11 (5) ~~The~~ Workforce Florida, Inc., ~~Development Board~~  
12 shall implement a training program for the regional workforce  
13 ~~development~~ boards to familiarize board members with the  
14 state's workforce development goals and strategies. The  
15 regional workforce ~~development~~ board shall designate all local  
16 service providers and shall not transfer this authority to a  
17 third party. In order to exercise independent oversight, the  
18 regional workforce ~~development~~ board shall not be a direct  
19 provider of intake, assessment, eligibility determinations, or  
20 other direct provider services.

21 (6) Regional workforce ~~development~~ boards may appoint  
22 local committees to obtain technical assistance on issues of  
23 importance, including those issues affecting older workers.

24 (7) Each regional workforce ~~development~~ board shall  
25 establish by October 1, 2000, a High Skills/High Wages  
26 committee consisting of at least five private-sector business  
27 representatives appointed in consultation with local chambers  
28 of commerce by the primary county economic development  
29 organization within the region, as identified by Enterprise  
30 Florida, Inc.; a representative of each primary county  
31 economic development organization within the region;

1 ~~including~~ the regional workforce ~~development~~ board chair; the  
2 presidents of all community colleges within the board's  
3 region; those district school superintendents with authority  
4 for conducting postsecondary educational programs within the  
5 region; two representatives of organized labor; and two  
6 representatives ~~a representative~~ from a nonpublic  
7 postsecondary educational institutions ~~institution~~ that are ~~is~~  
8 ~~an~~ authorized individual training account providers ~~provider~~  
9 within the region, appointed by the chair of the regional  
10 workforce board. If possible, one of the nonpublic educational  
11 institutions represented must be accredited by the Southern  
12 Association of Colleges and Schools. The business  
13 representatives appointed by the primary county economic  
14 development organizations ~~other than the board chair~~ need not  
15 be members of the regional workforce ~~development~~ board and  
16 shall represent those industries that are of primary  
17 importance to the region's current and future economy. In a  
18 multicounty region, each primary county economic development  
19 organization within the region shall appoint at least one  
20 business representative and shall consult with the other  
21 primary county economic development organizations within the  
22 region to make joint appointments when necessary.

23 (a) At least annually ~~During fiscal year 1999-2000,~~  
24 each High Skills/High Wages committee shall submit, ~~quarterly,~~  
25 recommendations to ~~the~~ Workforce Florida, Inc., ~~Development~~  
26 ~~Board~~ related to:

27 1. Policies to enhance the responsiveness of High  
28 Skills/High Wages programs in its region to business and  
29 economic development opportunities.

30 2. Integrated use of state education and federal  
31 workforce development funds to enhance the training and

1 placement of designated population individuals with local  
2 businesses and industries.

3       (b) The committees shall also make reports to  
4 Workforce Florida, Inc., annually, on dates specified by  
5 Workforce Florida, Inc., that identify occupations in the  
6 region deemed critical to business retention, expansion, and  
7 recruitment activities, based on guidelines set by Workforce  
8 Florida, Inc. Such guidelines shall include research of the  
9 workforce needs of private employers in the region, in  
10 consultation with local chambers of commerce and economic  
11 development organizations. Occupations identified pursuant to  
12 this paragraph shall be considered by Workforce Florida, Inc.,  
13 for inclusion in the region's targeted occupation list.~~After~~  
14 ~~fiscal year 1999-2000, the Workforce Development Board has the~~  
15 ~~discretion to decrease the frequency of reporting by the High~~  
16 ~~Skills/High Wages committees, but the committees shall meet~~  
17 ~~and submit any recommendations at least annually.~~

18       (c) ~~Annually, the Workforce Development Board shall~~  
19 ~~compile all the recommendations of the High Skills/High Wages~~  
20 ~~committees, research their feasibility, and make~~  
21 ~~recommendations to the Governor, the President of the Senate,~~  
22 ~~and the Speaker of the House of Representatives.~~

23       (8) Each regional workforce board shall establish a  
24 Better Jobs/Better Wages committee consisting of at least five  
25 members. Initial appointments to this committee shall include  
26 at least three members of the local WAGES coalition,  
27 established pursuant to chapter 96-175, Laws of Florida.  
28 Membership shall also include at least one representative of  
29 organized labor.

30       (9) Each regional workforce board shall establish a  
31 First Jobs/First Wages committee consisting of at least five

1 members, including at least one representative of organized  
2 labor. This committee shall serve as the youth council for  
3 purposes of Pub. L. No. 105-220.

4 (10) The importance of minority and gender  
5 representation shall be considered when appointments are made  
6 to any committee established by the regional workforce board.

7 (11) For purposes of procurement, regional workforce  
8 boards and their administrative entities are not state  
9 agencies, but the boards and their administrative entities  
10 must comply with state procurement laws and procedures until  
11 Workforce Florida, Inc., adopts the provisions or alternative  
12 procurement procedures that meet the requirements of federal  
13 law. All contracts executed by regional workforce boards must  
14 include specific performance expectations and deliverables.

15 Section 8. Section 445.008, Florida Statutes, is  
16 created to read:

17 445.008 Workforce Training Institute.--

18 (1) Workforce Florida, Inc., may create the Workforce  
19 Training Institute, which shall be a comprehensive program of  
20 workforce training courses designed to meet the unique needs  
21 of and shall include Internet-based training modules suitable  
22 for, and made available to, professionals integral to the  
23 workforce system, including advisors and counselors in  
24 educational institutions.

25 (2) Workforce Florida, Inc., may enter into a contract  
26 for the provision of administrative support services for the  
27 institute. Workforce Florida, Inc., shall adopt policies for  
28 the administration and operation of the institute and  
29 establish admission fees in an amount which, in the aggregate,  
30 does not exceed the cost of the program. Workforce Florida,  
31



1 Inc., may accept donations or grants of any type for any  
2 function or purpose of the institute.

3 (3) All moneys, fees, donations, or grants collected  
4 by Workforce Florida, Inc., under this section shall be  
5 applied to cover all costs incurred in establishing and  
6 conducting the workforce training programs authorized under  
7 this section, including, but not limited to, salaries for  
8 instructors and costs of materials connected to such programs.

9 Section 9. Section 288.9951, Florida Statutes, is  
10 transferred, renumbered as section 445.009, Florida Statutes,  
11 and amended to read:

12 445.009 ~~288.9951~~ One-stop delivery system Career  
13 Centers.--

14 (1) The one-stop delivery system is Career Centers  
15 comprise the state's primary initial customer-service strategy  
16 delivery system for offering every Floridian access, through  
17 service sites or telephone or computer networks, to the  
18 following services:

19 (a) Job search, referral, and placement assistance.

20 (b) Career counseling and educational planning.

21 (c) Consumer reports on service providers.

22 (d) Recruitment and eligibility determination.

23 (e) Support services, including child care and  
24 transportation assistance to gain employment.

25 (f) Employability skills training.

26 (g) Adult education and basic skills training.

27 (h) Technical training leading to a certification and  
28 degree.

29 (i) Claim filing for unemployment compensation  
30 services.

31

1           (j) Temporary income, health, nutritional, and housing  
2 assistance.

3           (k) Other appropriate and available workforce  
4 development services.

5           ~~(2) In addition to the mandatory partners identified~~  
6 ~~in Pub. L. No. 105-220, Food Stamp Employment and Training,~~  
7 ~~Food Stamp work programs, and WAGES/TANF programs shall, upon~~  
8 ~~approval by the Governor of a transition plan prepared by the~~  
9 ~~Workforce Development Board in collaboration with the WAGES~~  
10 ~~Program State Board of Directors, participate as partners in~~  
11 ~~each one-stop Career Center. Based on this plan, each partner~~  
12 ~~is prohibited from operating independently from a One-Stop~~  
13 ~~Career Center unless approved by the regional workforce~~  
14 ~~development board. Services provided by partners who are not~~  
15 ~~physically located in a One-Stop Career Center must be~~  
16 ~~approved by the regional workforce development board.~~

17           (2)(a)(3) Subject to a process designed by the  
18 Workforce Florida, Inc.~~Development Board~~, and in compliance  
19 with Pub. L. No. 105-220, regional workforce ~~development~~  
20 boards shall designate one-stop delivery system ~~Career Center~~  
21 operators.

22           (b) A regional workforce board may designate as its  
23 one-stop delivery system operator any public or private entity  
24 that is eligible to provide services under any state or  
25 federal workforce program that is a mandatory or discretionary  
26 partner in the region's one-stop delivery system if approved  
27 by Workforce Florida, Inc., upon a showing by the regional  
28 workforce board that a fair and competitive process was used  
29 in the selection. As a condition of authorizing a regional  
30 workforce board to designate such an entity as its one-stop  
31 delivery system operator, Workforce Florida, Inc., must

1 require the regional workforce board to demonstrate that  
2 safeguards are in place to ensure that the one-stop delivery  
3 system operator will not exercise an unfair competitive  
4 advantage or unfairly refer or direct customers of the  
5 one-stop delivery system to services provided by that one-stop  
6 delivery system operator.A regional workforce ~~development~~  
7 board may retain its current One-Stop Career Center operator  
8 without further procurement action where the board has  
9 established a One-Stop Career Center that has complied with  
10 federal and state law.

11 (3)(4) Notwithstanding any other provision of law, any  
12 memorandum of understanding in effect on June 30, 2000,  
13 between a regional workforce board and the Department of Labor  
14 and Employment Security governing the delivery of workforce  
15 services shall remain in effect until September 30, 2000.  
16 Beginning October 1, 2000, regional workforce boards shall  
17 enter into a memorandum of understanding with the Agency for  
18 Workforce Innovation for the delivery of employment services  
19 authorized by the federal Wagner-Peyser Act. This memorandum  
20 of understanding must be performance based.~~effective July 1,~~  
21 ~~1999, regional workforce development boards shall enter into a~~  
22 ~~memorandum of understanding with the Department of Labor and~~  
23 ~~Employment Security for the delivery of employment services~~  
24 ~~authorized by Wagner-Peyser. For fiscal year 1999-2000, the~~  
25 ~~memorandum of understanding with the Department of Labor and~~  
26 ~~Employment Security must be performance-based, dedicating 15~~  
27 ~~percent of the funds to performance payments. Performance~~  
28 ~~payments shall be based on performance measures developed by~~  
29 ~~the Workforce Development Board.~~

30  
31

1 (a) Unless otherwise required by federal law, at least  
2 90 percent of the Wagner-Peyser funding must go into direct  
3 customer service costs.

4 (b) Employment services must be provided through the  
5 one-stop delivery system ~~Career Centers~~, under the guidance of  
6 one-stop delivery system ~~Career Center~~ operators. One-stop  
7 delivery system operators shall have overall authority for  
8 directing the staff of the workforce system. Personnel matters  
9 shall remain under the ultimate authority of the Agency for  
10 Workforce Innovation. However, the one-stop delivery system  
11 operator shall submit to the agency information concerning the  
12 job performance of agency employees who deliver employment  
13 services. The agency shall consider any such information  
14 submitted by the one-stop delivery system operator in  
15 conducting performance appraisals of the employees.

16 (c) Notwithstanding any provision of chapter 110 to  
17 the contrary, an agency employee shall retain his or her  
18 position classification as a state employee, as well as any  
19 state employee personnel rights or benefits associated with  
20 that position classification. The agency shall retain fiscal  
21 responsibility and accountability for the administration of  
22 funds allocated to the state under the Wagner-Peyser Act. An  
23 agency employee who is providing services authorized under the  
24 Wagner-Peyser Act shall be paid using Wagner-Peyser Act funds.

25 (d) The Office of Program Policy Analysis and  
26 Government Accountability, in consultation with Workforce  
27 Florida, Inc., shall review the delivery of employment  
28 services under the Wagner-Peyser Act and the integration of  
29 those services with other activities performed through the  
30 one-stop delivery system and shall provide recommendations to  
31 the Legislature for improving the effectiveness of the

1 delivery of employment services in this state. The Office of  
2 Program Policy Analysis and Government Accountability shall  
3 submit a report and recommendations to the Governor, the  
4 President of the Senate, and the Speaker of the House of  
5 Representatives by December 31, 2002.

6 (4)(5) One-stop delivery system Career Center partners  
7 ~~identified in subsection (2)~~ shall enter into a memorandum of  
8 understanding pursuant to Pub. L. No. 105-220, Title I, s.  
9 121, with the regional workforce ~~development~~ board. Failure of  
10 a local partner to participate cannot unilaterally block the  
11 majority of partners from moving forward with their one-stop  
12 delivery system Career Centers, and the Workforce Florida,  
13 Inc. Development Board, pursuant to s. 445.004(5)(d) s.  
14 ~~288.9952(4)(d)~~, may make notification of a local partner that  
15 fails to participate.

16 (5)(a)(6) To the extent possible, core services, as  
17 defined by Pub. L. No. 105-220, shall be provided  
18 electronically, using ~~utilizing~~ existing systems ~~and public~~  
19 ~~libraries.~~ These electronic systems shall be linked and  
20 integrated into a comprehensive service system to simplify  
21 access to core services by:

22 1. Maintaining staff to serve as the first point of  
23 contact with the public seeking access to employment services  
24 who are knowledgeable about each program located in each  
25 one-stop delivery system center as well as related services.  
26 An initial determination of the programs for which a customer  
27 is likely to be eligible and any referral for a more thorough  
28 eligibility determination must be made at this first point of  
29 contact; and

30 2. Establishing an automated, integrated intake  
31 screening and eligibility process where customers will provide

1 information through a self-service intake process that may be  
2 accessed by staff from any participating program.

3 (b) To expand electronic capabilities, ~~the~~ Workforce  
4 Florida, Inc. ~~Development Board~~, working with regional  
5 workforce ~~development~~ boards, shall develop a centralized help  
6 center to assist regional workforce ~~development~~ boards in  
7 fulfilling core services, minimizing the need for fixed-site  
8 one-stop ~~delivery system~~ ~~Career~~ centers.

9 (c) To the extent feasible, core services shall be  
10 accessible through the Internet. Through this technology, core  
11 services shall be made available at public libraries, public  
12 and private educational institutions, community centers,  
13 kiosks, neighborhood facilities, and satellite one-stop  
14 delivery system sites. Each regional workforce board's web  
15 page shall serve as a portal for contacting potential  
16 employees by integrating the placement efforts of universities  
17 and private companies, including staffing services firms, into  
18 the existing one-stop delivery system.

19 (6)(7) Intensive services and training provided  
20 pursuant to Pub. L. No. 105-220, shall be provided to  
21 individuals through Intensive Service Accounts and Individual  
22 Training Accounts. ~~The~~ Workforce Florida, Inc., ~~Development~~  
23 ~~Board~~ shall develop, ~~by July 1, 1999,~~ an implementation plan,  
24 including identification of initially eligible training  
25 providers, transition guidelines, and criteria for use of  
26 these accounts. Individual Training Accounts must be  
27 compatible with Individual Development Accounts for education  
28 allowed in federal and state welfare reform statutes.

29 (7)(8)(a) Individual Training Accounts must be  
30 expended on programs that prepare people to enter high-wage  
31 occupations identified by the Workforce Estimating

1 ~~Occupational Forecasting~~ Conference created by s. 216.136, and  
2 on other programs as approved by ~~the~~ Workforce Florida, Inc.  
3 ~~Development Board.~~

4 (b) For each approved training program, regional  
5 workforce ~~development~~ boards, in consultation with training  
6 providers, shall establish a fair-market purchase price to be  
7 paid through an Individual Training Account. The purchase  
8 price must be based on prevailing costs and reflect local  
9 economic factors, program complexity, and program benefits,  
10 including time to beginning of training and time to  
11 completion. The price shall ensure the fair participation of  
12 public and nonpublic postsecondary educational institutions as  
13 authorized service providers and shall prohibit the use of  
14 unlawful remuneration to the student in return for attending  
15 an institution. Unlawful remuneration does not include student  
16 financial assistance programs.

17 (c) ~~The~~ Workforce Florida, Inc., ~~Development Board~~  
18 shall periodically review Individual Training Account pricing  
19 schedules developed by regional workforce ~~development~~ boards  
20 and present findings and recommendations for process  
21 improvement to the President of the Senate and the Speaker of  
22 the House of Representatives ~~by January 1, 2000.~~

23 (d) To the maximum extent possible, training providers  
24 shall use funding sources other than the funding provided  
25 under Pub. L. No. 105-220. A performance outcome related to  
26 alternative financing obtained by the training provider shall  
27 be established by ~~the~~ Workforce Florida, Inc., ~~Development~~  
28 ~~Board~~ and used for performance evaluation purposes. The  
29 performance evaluation must take into consideration the number  
30 of alternative funding sources.

31

1 (e) Training services provided through Individual  
2 Training Accounts must be performance-based, with successful  
3 job placement triggering full payment.

4 (f) The accountability measures to be used in  
5 documenting competencies acquired by the participant during  
6 training shall be literacy completion points and occupational  
7 completion points. Literacy completion points refers to the  
8 academic or workforce readiness competencies that qualify a  
9 person for further basic education, vocational education, or  
10 for employment. Occupational completion points refers to the  
11 vocational competencies that qualify a person to enter an  
12 occupation that is linked to a vocational program.

13 ~~(8)(9)~~(a) Workforce Florida, Inc.~~The Department of~~  
14 ~~Management Services~~, working with the Agency for Workforce  
15 Innovation Workforce Development Board, shall coordinate among  
16 the agencies a plan for a One-Stop ~~Career Center~~ Electronic  
17 Network made up of one-stop delivery system ~~Career~~ centers and  
18 other partner agencies that are operated by authorized public  
19 or private for-profit or not-for-profit agents. The plan shall  
20 identify resources within existing revenues to establish and  
21 support this electronic network for service delivery that  
22 includes Government Services Direct. If necessary, the plan  
23 shall identify additional funding needed to achieve the  
24 provisions of this subsection.

25 (b) The network shall assure that a uniform method is  
26 used to determine eligibility for and management of services  
27 provided by agencies that conduct workforce development  
28 activities. The Department of Management Services shall  
29 develop strategies to allow access to the databases and  
30 information management systems of the following systems in  
31



- 1 order to link information in those databases with the one-stop  
2 delivery system ~~Career Centers~~:
- 3 1. The Unemployment Compensation System of the  
4 Department of Labor and Employment Security.
  - 5 2. The Job Service System of the Department of Labor  
6 and Employment Security.
  - 7 3. The FLORIDA System and the components related to  
8 WAGES, food stamps, and Medicaid eligibility.
  - 9 4. The Workers' Compensation System of the Department  
10 of Labor and Employment Security.
  - 11 5. The Student Financial Assistance System of the  
12 Department of Education.
  - 13 6. Enrollment in the public postsecondary education  
14 system.
  - 15 7. Other information systems determined appropriate by  
16 Workforce Florida, Inc.

17  
18 The systems shall be fully coordinated at both the state and  
19 local levels by July ~~January~~ 1, 2001 ~~2000~~.

20 (9) The one-stop delivery system may use private  
21 sector staffing services firms in the provision of workforce  
22 services to individuals and employers in the state. Regional  
23 workforce boards may collaborate with staffing services firms  
24 in order to facilitate the provision of workforce services.  
25 Regional workforce boards may contract with private sector  
26 staffing services firms to design programs that meet the  
27 employment needs of the region. All such contracts must be  
28 performance-based and require a specific period of job tenure  
29 prior to payment.

30 (10) To avoid any delay or disruption of services, a  
31 participant or an individual redirected through up-front

1 diversion is presumed to be eligible for transitional services  
2 except transitional Medicaid, which must be determined in  
3 accordance with federal policy. Upon notification that a  
4 participant or diverted individual has obtained employment,  
5 the regional workforce board shall provide all transitional  
6 benefits and services until the designated administering  
7 department or entity confirms eligibility or advises the  
8 regional workforce board that the individual does not meet the  
9 eligibility requirements. Regardless, the regional workforce  
10 board is responsible for payment of any child care  
11 registration fees and sick child care for all eligible  
12 participants or redirected individuals.

13       Section 10. (1) It is the intent of the Legislature  
14 that the changes to the workforce system made by this act,  
15 including, but not limited to, the transfer of any workforce  
16 policy, program, or administrative responsibility to Workforce  
17 Florida, Inc., or to the Agency for Workforce Innovation, be  
18 accomplished with minimal disruption of services provided to  
19 the public and with minimal disruption to employees of any  
20 organization in the workforce system. To that end, the  
21 Legislature directs all applicable units of state government  
22 to contribute to the successful implementation of this act,  
23 and the Legislature believes that a transition period between  
24 the effective date of this act and October 1, 2000, is  
25 appropriate and warranted.

26       (2) Workforce Florida, Inc., shall coordinate the  
27 development and implementation of a transition plan that  
28 supports the implementation of this act. The Department of  
29 Management Services, the Department of Labor and Employment  
30 Security, and all other state agencies identified by Workforce  
31 Florida, Inc., shall cooperate fully in developing and

1 implementing the plan and shall dedicate the financial and  
2 staff resources that are necessary to implement the plan.  
3 (3) The Governor shall designate a staff member of the  
4 Office of Planning and Budgeting to serve as the Governor's  
5 primary representative on matters related to implementing this  
6 act and the transition plan required under this section. The  
7 representative shall report to the Governor, the President of  
8 the Senate, and the Speaker of the House of Representatives on  
9 the progress being made in implementing this act and the  
10 transition plan, including, but not limited to, the adverse  
11 impact on workforce services provided to the public, or any  
12 other negative consequence, of meeting any deadline imposed by  
13 this act, any difficulties experienced by Workforce Florida,  
14 Inc., in securing the full participation and cooperation of  
15 applicable state agencies. The representative shall also  
16 coordinate the submission of any budget amendments, in  
17 accordance with chapter 216, Florida Statutes, that may be  
18 necessary to implement this act.  
19 (4) Upon the recommendation and guidance from  
20 Workforce Florida, Inc., in order to carry out the changes  
21 made by this act to the workforce system, the Governor shall  
22 submit in a timely manner to the applicable departments or  
23 agencies of the Federal Government any necessary amendments or  
24 supplemental information concerning plans that the state is  
25 required to submit to the Federal Government in connection  
26 with any federal or state workforce program. The Governor  
27 shall seek any waivers from the requirements of federal law or  
28 rules which may be necessary to administer the provisions of  
29 this act.  
30 (5) The transfer of any program, activity, or function  
31 under this act includes the transfer of any records and

1 unexpended balances of appropriations, allocations, or other  
2 funds related to such program, activity, or function. Unless  
3 otherwise provided, the successor organization to any program,  
4 activity, or function transferred under this act shall become  
5 the custodian of any property of the organization that was  
6 responsible for the program, activity, or function immediately  
7 prior to the transfer.

8 (6) Workforce Florida, Inc., may contract with the  
9 Office of Tourism, Trade, and Economic Development within the  
10 Executive Office of the Governor to take any necessary initial  
11 steps in preparing to become the state's principal workforce  
12 policy organization on October 1, 2000, consistent with the  
13 provisions of this act.

14 Section 11. (1) Effective July 1, 2000, the following  
15 programs and functions are assigned and transferred to  
16 Workforce Florida, Inc.:

17 (a) The WAGES Program State Board of Directors support  
18 staff, data, records, contract personnel, property, and  
19 unexpended balances of appropriations, allocations, and other  
20 funds from the Executive Office of the Governor.

21 (b) The programs, activities, and functions of the  
22 Workforce Development Board of Enterprise Florida, Inc.,  
23 including records, personnel, property, and unexpended  
24 balances of funds. To reduce administrative cost, Workforce  
25 Florida, Inc., may contract with Enterprise Florida, Inc., for  
26 the provision of personnel, property management, and other  
27 support services.

28 (2) Effective July 1, 2000, the Bureau of  
29 Apprenticeship of the Division of Jobs and Benefits is  
30 transferred by a type two transfer, as defined in s. 20.06(2),  
31 Florida Statutes, from the Department of Labor and Employment

1 Security to the Division of Workforce Development in the  
2 Department of Education.

3 (3) Effective October 1, 2000, employees of the  
4 Workforce Development Board of Enterprise Florida, Inc., who  
5 are leased from the Department of Management Services are  
6 transferred by a type two transfer, as defined in section  
7 20.06(2), Florida Statutes, to the Agency for Workforce  
8 Innovation.

9 (4) Effective October 1, 2000, the following programs  
10 and functions are transferred to the Agency for Workforce  
11 Innovation:

12 (a) The Division of Workforce and Employment  
13 Opportunities and the Office of Labor Market Statistics are  
14 transferred by a type two transfer, as defined in section  
15 20.06(2), Florida Statutes, from the Department of Labor and  
16 Employment Security. Employees who are responsible for  
17 licensing and permitting business agents and labor  
18 organizations under chapter 447, Florida Statutes, and  
19 employees who are responsible for regulations relating to  
20 minority labor groups under chapter 450, Florida Statutes, are  
21 not included in this transfer.

22 (b) The resources, staff, data, records, personnel,  
23 property, and unexpended balances of appropriations,  
24 allocations, and other funds and information systems within  
25 the Office of the Secretary, Office of Information Systems, or  
26 any other division, office, bureau, or unit within the  
27 Department of Labor and Employment Security that support the  
28 Division of Workforce and Employment Opportunities are  
29 transferred by a type two transfer, as defined in section  
30 20.06(2), Florida Statutes, from the Department of Labor and  
31 Employment Security.

1       (c) Staff of the displaced homemaker program are  
2 transferred by a type two transfer, as defined in section  
3 20.06(2), Florida Statutes, from the Department of Education.

4       (d) Staff of the WAGES Contracting Division are  
5 transferred by a type two transfer, as defined in s. 20.06  
6 (2), Florida Statutes, from the Department of Management  
7 Services.

8       (5) Unless already met or exceeded by reductions  
9 required by the General Appropriations Act, prior to effecting  
10 the transfer of staff required by paragraphs (3)(a) and (b),  
11 the Department of Labor and Employment Security shall reduce  
12 by 25 percent within the Division of Workforce and Employment  
13 Opportunities the number of positions not engaged in directly  
14 providing workforce development services to customers or in  
15 supervising the direct provision of workforce development  
16 services. Prior to January 15, 2001, Workforce Florida, Inc.,  
17 in cooperation with the Agency for Workforce Innovation, shall  
18 submit to the Governor, the President of the Senate, and the  
19 Speaker of the House of Representatives a plan for  
20 reorganizing and further reducing the number of staff members  
21 transferred pursuant to paragraphs (3)(a) and (b).

22       Section 12. Section 445.010, Florida Statutes, is  
23 created to read:

24       445.010 Workforce system information technology;  
25 principles and information sharing.--

26       (1) The following principles shall guide the  
27 development and management of workforce system information  
28 resources:

29       (a) Workforce system entities should be committed to  
30 information sharing.

31

- 1       (b) Cooperative planning by workforce system entities  
2 is a prerequisite for the effective development of systems to  
3 enable the sharing of data.
- 4       (c) Workforce system entities should maximize public  
5 access to data, while complying with legitimate security,  
6 privacy, and confidentiality requirements.
- 7       (d) When the capture of data for the mutual benefit of  
8 workforce system entities can be accomplished, the costs for  
9 capturing, managing, and disseminating those data should be  
10 shared.
- 11       (e) The redundant capture of data should, insofar as  
12 possible, be eliminated.
- 13       (f) Only data that are auditable, or that otherwise  
14 can be determined to be accurate, valid, and reliable, should  
15 be maintained in workforce information systems.
- 16       (g) The design of workforce information systems should  
17 support technological flexibility for users without  
18 compromising system integration or data integrity, be based  
19 upon open standards, and use platform-independent technologies  
20 to the fullest extent possible.
- 21       (2) Information that is essential to the integrated  
22 delivery of services through the one-stop delivery system must  
23 be shared between partner agencies within the workforce system  
24 to the full extent permitted under state and federal law. In  
25 order to enable the full integration of services for a  
26 specific workforce system customer, that customer must be  
27 offered the opportunity to provide written consent prior to  
28 sharing any information concerning that customer between the  
29 workforce system partners which is subject to confidentiality  
30 under state or federal law.
- 31

1           Section 13. Section 445.011, Florida Statutes, is  
2 created to read:

3           445.011 Workforce information systems.--

4           (1) Workforce Florida, Inc., shall implement, subject  
5 to legislative appropriation, automated information systems  
6 that are necessary for the efficient and effective operation  
7 and management of the workforce development system. These  
8 information systems shall include, but need not be limited to,  
9 the following:

10           (a) An integrated management system for the one-stop  
11 service delivery system, which includes, at a minimum, common  
12 registration and intake, screening for needs and benefits,  
13 case planning and tracking, training benefits management,  
14 service and training provider management, performance  
15 reporting, executive information and reporting, and  
16 customer-satisfaction tracking and reporting.

17           1. The system should report current budgeting,  
18 expenditure, and performance information for assessing  
19 performance related to outcomes, service delivery, and  
20 financial administration for workforce programs pursuant to  
21 ss. 445.004(5) and 445.004(9).

22           2. The information system should include auditable  
23 systems and controls to ensure financial integrity and valid  
24 and reliable performance information.

25           3. The system should support service integration and  
26 case management by providing for case tracking for  
27 participants in welfare transition programs.

28           (b) An automated job-matching information system that  
29 is accessible to employers, job seekers, and other users via  
30 the Internet, and that includes, at a minimum:

31



1           1. Skill match information, including skill gap  
2 analysis; resume creation; job order creation; skill tests;  
3 job search by area, employer type, and employer name; and  
4 training provider linkage;

5           2. Job market information based on surveys, including  
6 local, state, regional, national, and international  
7 occupational and job availability information; and

8           3. Service provider information, including education  
9 and training providers, child care facilities and related  
10 information, health and social service agencies, and other  
11 providers of services that would be useful to job seekers.

12           (2) In procuring workforce information systems,  
13 Workforce Florida, Inc., shall employ competitive processes,  
14 including requests for proposals, competitive negotiation, and  
15 other competitive processes to ensure that the procurement  
16 results in the most cost-effective investment of state funds.

17           (3) Workforce Florida, Inc., may procure independent  
18 verification and validation services associated with  
19 developing and implementing any workforce information system.

20           (4) Workforce Florida, Inc., shall coordinate  
21 development and implementation of workforce information  
22 systems with the state's Chief Information Officer in the  
23 State Technology Office to ensure compatibility with the  
24 state's information system strategy and enterprise  
25 architecture.

26           Section 14. (1) By December 15, 2000, the  
27 Postsecondary Education Planning Commission, in close  
28 consultation with Workforce Florida, Inc., and in consultation  
29 with the Division of Community Colleges and the Division of  
30 Workforce Development in the Department of Education, the  
31 State Board of Independent Colleges and Universities, and the

1 State Board of Nonpublic Career Education, shall submit a  
2 report to the Governor, the President of the Senate, and the  
3 Speaker of the House of Representatives, recommending  
4 strategies to expand access to and production of certificates  
5 and degrees in programs that provide the skilled workforce  
6 needed for Florida's economy.

7 (2) The report shall address the following issues and  
8 options:

9 (a) New and innovative targeted financial aid  
10 programs.

11 (b) Initiatives to encourage the restructuring of  
12 curriculum to provide a better response to the needs of  
13 Florida's businesses and industries.

14 (c) Performance-based incentive funding to state  
15 universities for increased production of graduates from  
16 targeted programs.

17 (d) Performance-based incentive funding to state  
18 universities and other initiatives for providing accelerated  
19 articulation options to students awarded an Associate of  
20 Science degree.

21 (e) Innovative uses of federal Workforce Investment  
22 Act and Welfare to Work funds to provide the broadest  
23 eligibility for and promote access to targeted high priority  
24 educational programs.

25 Section 15. Section 445.013, Florida Statutes, is  
26 created to read:

27 445.013 Challenge grants in support of welfare-to-work  
28 initiatives.--

29 (1) Workforce Florida, Inc., shall establish a  
30 "Step-Up Challenge Grant Program" designed to maximize the use  
31 of federal welfare-to-work funds that are available to the

1 state. The purpose of this challenge grant program is to  
2 ensure that needy Floridians obtain training and education to  
3 support retention of employment and achievement of  
4 self-sufficiency through career advancement.

5 (2) Workforce Florida, Inc., shall solicit the  
6 participation of not-for-profit organizations, for-profit  
7 organizations, educational institutions, and units of  
8 government in this program. Eligible organizations include,  
9 but are not limited to:

10 (a) Public and private educational institutions, as  
11 well as their associations and scholarship funds;

12 (b) Faith-based organizations;

13 (c) Community development or community improvement  
14 organizations;

15 (d) College or university alumni organizations or  
16 fraternities or sororities;

17 (e) Community-based organizations dedicated to  
18 addressing the challenges of inner city, rural, or minority  
19 youth;

20 (f) Chambers of commerce or similar business or civic  
21 organizations;

22 (g) Neighborhood groups or associations, including  
23 communities receiving a "Front Porch Florida" designation;

24 (h) Municipalities, counties, or other units of  
25 government;

26 (i) Private businesses; and

27 (j) Other organizations deemed appropriate by

28 Workforce Florida, Inc.

29 (3) If an eligible organization pledges to sponsor an  
30 individual in postemployment education or training approved by  
31 Workforce Florida, Inc., by providing the match of nonfederal

1 funds required under the federal welfare-to-work grant  
2 program, Workforce Florida, Inc., shall earmark  
3 welfare-to-work funds in support of the sponsored individual  
4 and the designated training or education project. Workforce  
5 Florida, Inc., and the eligible organization shall enter into  
6 an agreement governing the disbursement of funds which  
7 specifies the services to be provided for the benefit of the  
8 eligible participant. Individuals receiving training or  
9 education under this program must meet the eligibility  
10 criteria of the federal welfare-to-work grant program, and  
11 Workforce Florida, Inc., must disperse funds in compliance  
12 with regulations or other requirements of the federal  
13 welfare-to-work grant program.

14 (4) Workforce Florida, Inc., shall establish  
15 guidelines governing the administration of the program  
16 provided under this section and shall establish criteria to be  
17 used in evaluating funding proposals. One of the evaluation  
18 criteria must be a determination that the education or  
19 training provided under the grant will enhance the ability of  
20 the individual to retain employment and achieve  
21 self-sufficiency through career advancement.

22 (5) Federal welfare-to-work funds appropriated by the  
23 Legislature which are not fully expended in support of this  
24 program may be used by Workforce Florida, Inc., in support of  
25 other activities authorized under the welfare-to-work grant.

26 Section 16. Section 288.9955, Florida Statutes, is  
27 transferred, renumbered as section 445.016, Florida Statutes,  
28 and amended to read:

29 445.016 ~~288.9955~~ Untried Worker Placement and  
30 Employment Incentive Act.--

31

1           (1) This section may be cited as the "Untried Worker  
2 Placement and Employment Incentive Act."

3           (2) For purposes of this section, the term "untried  
4 worker" means a person who is a hard-to-place participant in  
5 the welfare transition program ~~Work and Gain Economic~~  
6 ~~Self-sufficiency Program (WAGES)~~ because he or she has  
7 limitations associated with the long-term receipt of welfare  
8 and difficulty in sustaining employment, particularly because  
9 of physical or mental disabilities.

10           (3) Incentive payments may be made to for-profit or  
11 not-for-profit agents selected by regional workforce boards  
12 ~~local WAGES coalitions~~ who successfully place untried workers  
13 in full-time employment for 6 months with an employer after  
14 the employee successfully completes a probationary placement  
15 of no more than 6 months with that employer. Full-time  
16 employment that includes health care benefits will receive an  
17 additional incentive payment.

18           (4) The for-profit and not-for-profit agents shall  
19 contract to provide services for no more than 1 year.  
20 Contracts may be renewed upon successful review by the  
21 contracting agent.

22           (5) Incentives must be paid according to the incentive  
23 schedule developed by Workforce Florida, Inc., the Agency for  
24 Workforce Development, ~~the Department of Labor and Employment~~  
25 ~~Security~~ and the Department of Children and Family Services  
26 which costs the state less per placement than the state's  
27 12-month expenditure on a welfare recipient.

28           (6) During an untried worker's probationary placement,  
29 the for-profit or not-for-profit agent shall be the employer  
30 of record of that untried worker, and shall provide workers'  
31 compensation and unemployment compensation coverage as

1 provided by law. The business employing the untried worker  
2 through the agent may be eligible to apply for any tax  
3 credits, wage supplementation, wage subsidy, or employer  
4 payment for that employee that are authorized in law or by  
5 agreement with the employer. After satisfactory completion of  
6 such a probationary period, an untried worker shall not be  
7 considered an untried worker.

8 (7) This section shall not be used for the purpose of  
9 displacing or replacing an employer's regular employees, and  
10 shall not interfere with executed collective bargaining  
11 agreements. Untried workers shall be paid by the employer at  
12 the same rate as similarly situated and assessed workers in  
13 the same place of employment.

14 (8) An employer that demonstrates a pattern of  
15 unsuccessful placements shall be disqualified from  
16 participation in these pilots because of poor return on the  
17 public's investment.

18 (9) Any employer that chooses to employ untried  
19 workers is eligible to receive such incentives and benefits  
20 that are available and provided in law, as long as the  
21 long-term, cost savings can be quantified with each such  
22 additional inducement.

23 Section 17. Section 414.15, Florida Statutes, is  
24 transferred, renumbered as section 445.017, Florida Statutes,  
25 and amended to read:

26 445.017 ~~414.15~~ Diversion.--

27 (1) Many customers of the one-stop delivery system ~~A~~  
28 ~~segment of applicants~~ do not need ongoing temporary cash  
29 assistance, but, due to an unexpected circumstance or  
30 emergency situation, require some immediate assistance to  
31 secure or retain in meeting a financial obligation while they

1 ~~are securing~~ employment or child support. These immediate  
2 obligations may include a shelter or utility payment, a car  
3 repair to continue employment, or other services that  
4 ~~assistance which~~ will alleviate the applicant's emergency  
5 financial need and allow the person to focus on obtaining or  
6 continuing employment.

7 (2) Up-front diversion shall involve four steps:

8 (a) Linking applicants with job opportunities as the  
9 first option ~~to meet the assistance group's need.~~

10 (b) ~~Where possible,~~ Offering services, such as child  
11 care or transportation, one-time help as an alternative to  
12 welfare.

13 (c) Screening applicants to respond to emergency  
14 needs.

15 (d) Offering a one-time payment of up to \$1,000 per  
16 family. ~~Performing up-front fraud prevention investigations,~~  
17 ~~if appropriate.~~

18 (3) Before finding an applicant family eligible for  
19 up-front diversion services funds, the regional workforce  
20 board department must determine that all requirements of  
21 eligibility for diversion services would likely be met.

22 (4) The regional workforce board department shall  
23 screen each ~~applicant~~ family on a case-by-case basis for  
24 barriers to obtaining or retaining employment. The screening  
25 shall identify barriers that, if corrected, may prevent the  
26 family from receiving temporary cash assistance on a regular  
27 basis. Assistance to overcome a barrier to employment is not  
28 limited to cash, but may include vouchers or other in-kind  
29 benefits.

30  
31

1           ~~(5) The diversion payment shall be limited to an~~  
2 ~~amount not to exceed 2 months' temporary cash assistance,~~  
3 ~~based on family size.~~

4           (5)(6) The family receiving up-front diversion must  
5 sign an agreement restricting the family from applying for  
6 temporary cash assistance for 3 months, unless an emergency is  
7 demonstrated to the regional workforce board ~~department~~. If a  
8 demonstrated emergency forces the family to reapply for  
9 temporary cash assistance within 3 months after receiving a  
10 diversion payment, the diversion payment shall be prorated  
11 over an 8-month ~~the 2-month~~ period and deducted ~~subtracted~~  
12 from any ~~regular payment of~~ temporary cash assistance for  
13 which the family is ~~applicant may be~~ eligible.

14           Section 18. Section 445.018, Florida Statutes, is  
15 created to read:

16           445.018 Diversion program to strengthen Florida's  
17 families.--

18           (1) The diversion program to strengthen families in  
19 this state is intended to provide services that assist  
20 families in avoiding welfare dependency by gaining and  
21 retaining employment.

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

25           (a) The family includes a pregnant woman or a parent  
26 with one or more minor children or a caretaker relative with  
27 one or more minor children.

28           (b) The family is at risk of welfare dependency  
29 because the family's income does not exceed 200 percent of the  
30 federal poverty level.

31



1       (c) The provision of services related to employment,  
2 including assessment, service planning and coordination, job  
3 placement, employment-related education or training, child  
4 care services, transportation services, relocation services,  
5 workplace employment support services, individual or family  
6 counseling, or a Retention Incentive Training Account (RITA),  
7 are likely to prevent the family from becoming dependent on  
8 welfare by enabling employable adults in the family to become  
9 employed, remain employed, or pursue career advancement.

10       (3) The services provided under this section are not  
11 considered assistance under federal law or guidelines.

12       (4) Each family that receives services under this  
13 section must sign an agreement not to apply for temporary cash  
14 assistance for 6 months following the receipt of services,  
15 unless an unanticipated emergency situation arises. If a  
16 family applies for temporary cash assistance without a  
17 documented emergency, the family must repay the value of the  
18 diversion services provided. Repayment may be prorated over 8  
19 months and shall be paid through a reduction in the amount of  
20 any monthly temporary cash assistance payment received by the  
21 family.

22       (5) Notwithstanding any provision to the contrary, a  
23 family that meets the requirements of subsection (2) is  
24 considered a needy family and is eligible for services under  
25 this section.

26       Section 19. Section 414.159, Florida Statutes, is  
27 transferred, renumbered as section 445.019, Florida Statutes,  
28 and amended to read:

29       445.019 ~~414.159~~ Teen parent and pregnancy prevention  
30 diversion program; eligibility for services.--The Legislature  
31 recognizes that teen pregnancy is a major cause of dependency

1 on government assistance that often extends through more than  
2 one generation. The purpose of the teen parent and pregnancy  
3 prevention diversion program is to provide services to reduce  
4 and avoid welfare dependency by reducing teen pregnancy,  
5 reducing the incidence of multiple pregnancies to teens, and  
6 by assisting teens in completing educational programs.

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

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

14 (3) Receipt of services under this section does ~~shall~~  
15 not preclude eligibility for, or receipt of, other assistance  
16 or services under ~~this~~ chapter 414.

17 Section 20. Section 445.020, Florida Statutes, is  
18 created to read:

19 445.020 Diversion programs; determination of need.--If  
20 federal regulations require a determination of needy families  
21 or needy parents to be based on financial criteria, such as  
22 income or resources, for individuals or families who are  
23 receiving services, one-time payments, or nonrecurring  
24 short-term benefits, the Department of Children and Family  
25 Services shall adopt rules to define such criteria. In such  
26 rules, the department shall use the income level established  
27 for Temporary Assistance for Needy Families funds which are  
28 transferred for use under Title XX of the Social Security Act.  
29 If federal regulations do not require a financial  
30 determination for receipt of such benefits, payments, or  
31

1 services, the criteria otherwise established in this chapter  
2 shall be used.

3 Section 21. Section 414.155, Florida Statutes, is  
4 transferred, renumbered as section 445.021, Florida Statutes,  
5 and amended to read:

6 445.021 ~~414.155~~ Relocation assistance program.--

7 (1) The Legislature recognizes that the need for  
8 public assistance may arise because a family is located in an  
9 area with limited employment opportunities, because of  
10 geographic isolation, because of formidable transportation  
11 barriers, because of isolation from their extended family, or  
12 because domestic violence interferes with the ability of a  
13 parent to maintain self-sufficiency. Accordingly, there is  
14 established a program to assist families in relocating to  
15 communities with greater opportunities for self-sufficiency.

16 (2) The relocation assistance program shall involve  
17 five steps by the regional workforce board, in cooperation  
18 with the Department of Children and Family Services ~~or a local~~  
19 ~~WAGES coalition:~~

20 (a) A determination that the family is receiving  
21 temporary cash assistance ~~a WAGES Program participant~~ or that  
22 all requirements of eligibility for diversion services ~~the~~  
23 ~~WAGES Program~~ would likely be met.

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

28 1. Is unlikely to achieve economic self-sufficiency  
29 ~~independence~~ at the current community of residence;

30  
31

- 1           2. Has secured a job that provides an increased salary  
2 or improved benefits and that requires relocation to another  
3 community;
- 4           3. Has a family support network that will contribute  
5 to job retention in another community; ~~or~~
- 6           4. Is determined, pursuant to criteria or procedures  
7 established by the ~~WAGES Program State~~ board of directors of  
8 Workforce Florida, Inc., to be a victim of domestic violence  
9 who would experience reduced probability of further incidents  
10 through relocation; ~~or-~~
- 11           5. Must relocate in order to receive education or  
12 training that is directly related to the applicant's  
13 employment or career advancement.
- 14           (c) Establishment of a relocation plan that ~~which~~  
15 includes such requirements as are necessary to prevent abuse  
16 of the benefit and provisions to protect the safety of victims  
17 of domestic violence and avoid provisions that place them in  
18 anticipated danger. The payment to defray relocation expenses  
19 shall be determined based on criteria ~~a rule~~ approved by the  
20 ~~WAGES Program State~~ board of directors of Workforce  
21 Inc. ~~and adopted by the department.~~ Participants in the  
22 relocation program shall be eligible for diversion or  
23 transitional benefits.
- 24           (d) A determination, pursuant to criteria adopted by  
25 the ~~WAGES Program State~~ board of directors of Workforce  
26 Florida, Inc., that a ~~Florida~~ community receiving a relocated  
27 family has the capacity to provide needed services and  
28 employment opportunities.
- 29           (e) Monitoring the relocation.
- 30           (3) A family receiving relocation assistance for  
31 reasons other than domestic violence must sign an agreement

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

13 ~~(4) The department shall have authority to adopt rules~~  
14 ~~pursuant to the Administrative Procedure Act to determine that~~  
15 ~~a community has the capacity to provide services and~~  
16 ~~employment opportunities for a relocated family.~~

17 (4)(5) The board of directors of Workforce Florida,  
18 Inc., may establish criteria for developing and implementing  
19 ~~department shall have authority to adopt rules pursuant to the~~  
20 ~~Administrative Procedure Act to develop and implement~~  
21 relocation plans and for drafting agreements to restrict to  
22 ~~draft an agreement restricting~~ a family from applying for  
23 temporary cash assistance for a specified period after  
24 receiving a relocation assistance payment.

25 Section 22. Section 414.223, Florida Statutes, is  
26 transferred, renumbered as section 445.022, Florida Statutes,  
27 and amended to read:

28 445.022 ~~414.223~~ Retention Incentive Training  
29 Accounts.--To promote job retention and to enable upward job  
30 advancement into higher skilled, higher paying employment, the  
31 ~~WAGES Program State board of directors~~ of Workforce Florida,

1 ~~Inc., and, the Workforce Development Board,~~ regional workforce  
2 ~~development boards, and local WAGES coalitions~~ may jointly  
3 assemble, from postsecondary education institutions, a list of  
4 programs and courses for ~~WAGES~~ participants who have become  
5 employed which promote job retention and advancement.

6 (1) The ~~WAGES Program State~~ board of directors of of  
7 Workforce Florida, Inc., ~~and the Workforce Development Board~~  
8 may jointly establish Retention Incentive Training Accounts  
9 (RITAs). RITAs shall utilize Temporary Assistance to Needy  
10 Families (TANF) block grant funds specifically appropriated  
11 for this purpose. RITAs must complement the Individual  
12 Training Account required by the federal Workforce Investment  
13 Act of 1998, Pub. L. No. 105-220.

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

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

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

28 Section 23. Section 414.18, Florida Statutes, is  
29 transferred, renumbered as section 445.023, Florida Statutes,  
30 and amended to read:

31

1           445.023 ~~414.18~~ Program for dependent care for families  
2 with children with special needs.--

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

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

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

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

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

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

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

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

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

10 Section 24. Section 445.024, Florida Statutes, is  
11 created to read:

12 445.024 Work requirements.--

13 (1) WORK ACTIVITIES.--The following activities may be  
14 used individually or in combination to satisfy the work  
15 requirements for a participant in the temporary cash  
16 assistance program:

17 (a) Unsubsidized employment.--Unsubsidized employment  
18 is full-time employment or part-time employment that is not  
19 directly supplemented by federal or state funds. Paid  
20 apprenticeship and cooperative education activities are  
21 included in this activity.

22 (b) Subsidized private sector employment.--Subsidized  
23 private sector employment is employment in a private  
24 for-profit enterprise or a private not-for-profit enterprise  
25 which is directly supplemented by federal or state funds. A  
26 subsidy may be provided in one or more of the forms listed in  
27 this paragraph.

28 1. Work supplementation.--A work supplementation  
29 subsidy diverts a participant's temporary cash assistance  
30 under the program to the employer. The employer must pay the  
31 participant wages that equal or exceed the applicable federal



1 minimum wage. Work supplementation may not exceed 6 months. At  
2 the end of the supplementation period, the employer is  
3 expected to retain the participant as a regular employee  
4 without receiving a subsidy. A work supplementation agreement  
5 may not be continued with any employer who exhibits a pattern  
6 of failing to provide participants with continued employment  
7 after the period of work supplementation ends.

8       2. On-the-job training.--On-the-job training is  
9 full-time, paid employment in which the employer or an  
10 educational institution, in cooperation with the employer,  
11 provides training needed for the participant to perform the  
12 skills required for the position. The employer or the  
13 educational institution on behalf of the employer receives a  
14 subsidy to offset the cost of the training provided to the  
15 participant. Upon satisfactory completion of the training, the  
16 employer is expected to retain the participant as a regular  
17 employee without receiving a subsidy. An on-the-job training  
18 agreement may not be continued with any employer who exhibits  
19 a pattern of failing to provide participants with continued  
20 employment after the on-the-job training subsidy ends.

21       3. Incentive payments.--Regional workforce boards may  
22 provide additional incentive payments to encourage employers  
23 to employ program participants. Incentive payments may include  
24 payments to encourage the employment of hard-to-place  
25 participants, in which case the amount of the payment shall be  
26 weighted proportionally to the extent to which the participant  
27 has limitations associated with the long-term receipt of  
28 welfare and difficulty in sustaining employment. Incentive  
29 payments may also include payments to encourage employers to  
30 provide health care insurance benefits to current or former  
31 program participants. In establishing incentive payments,

1 regional workforce boards shall consider the extent of prior  
2 receipt of welfare, lack of employment experience, lack of  
3 education, lack of job skills, and other appropriate factors.  
4 A participant who has complied with program requirements and  
5 who is approaching the time limit for receiving temporary cash  
6 assistance may be defined as "hard to place." Incentive  
7 payments may include payments in which an initial payment is  
8 made to the employer upon the employment of a participant, and  
9 the majority of the incentive payment is made after the  
10 employer retains the participant as a full-time employee for  
11 at least 12 months. An incentive agreement may not be  
12 continued with any employer who exhibits a pattern of failing  
13 to provide participants with continued employment after the  
14 incentive payments cease.

15 4. Tax credits.--An employer who employs a program  
16 participant may qualify for enterprise zone property tax  
17 credits under s. 220.182, the tax refund program for qualified  
18 target industry businesses under s. 288.106, or other federal  
19 or state tax benefits. The regional workforce board shall  
20 provide information and assistance, as appropriate, to use  
21 such credits to accomplish program goals.

22 5. Training bonus.--An employer who hires a  
23 participant in the welfare transition program and pays the  
24 participant a wage that precludes the participant's  
25 eligibility for temporary cash assistance may receive \$250 for  
26 each full month of employment for a period that may not exceed  
27 3 months. An employer who receives a training bonus for an  
28 employee may not receive a work supplementation subsidy for  
29 the same employee. "Employment" is defined as 35 hours per  
30 week at a wage of no less than minimum wage.

31

1       (c) Subsidized public sector employment.--Subsidized  
2 public sector employment is employment by an agency of the  
3 federal, state, or local government which is directly  
4 supplemented by federal or state funds. The applicable  
5 subsidies provided under paragraph (b) may be used to  
6 subsidize employment in the public sector, except that  
7 priority for subsidized employment shall be employment in the  
8 private sector. Public sector employment is distinguished from  
9 work experience in that the participant is paid wages and  
10 receives the same benefits as a nonsubsidized employee who  
11 performs similar work. Work-study activities administered by  
12 educational institutions are included in this activity.

13       (d) Community service work experience.--Community  
14 service work experience is job training experience at a  
15 supervised public or private not-for-profit agency. A  
16 participant shall receive temporary cash assistance in the  
17 form of wages, which, when combined with the value of food  
18 stamps awarded to the participant, is proportional to the  
19 amount of time worked. A participant in the welfare transition  
20 program or the Food Stamp Employment and Training program  
21 assigned to community service work experience shall be deemed  
22 an employee of the state for purposes of workers' compensation  
23 coverage and is subject to the requirements of the drug-free  
24 workplace program. Community service work experience may be  
25 selected as an activity for a participant who needs to  
26 increase employability by improving his or her interpersonal  
27 skills, job-retention skills, stress management, and job  
28 problem solving, and by learning to attain a balance between  
29 job and personal responsibilities. Community service is  
30 intended to:

31

- 1           1. Assess compliance with requirements of the welfare  
2 transition program before referral of the participant to  
3 costly services such as career education;
- 4           2. Maintain work activity status while the participant  
5 awaits placement into paid employment or training;
- 6           3. Fulfill a clinical practicum or internship  
7 requirement related to employment; or
- 8           4. Provide work-based mentoring.

9  
10 As used in this paragraph, the terms "community service  
11 experience," "community work," and "workfare" are synonymous.

12           (e) Work experience.--Work experience is an  
13 appropriate work activity for participants who lack  
14 preparation for or experience in the workforce. It must  
15 combine a job training activity in a public or private  
16 not-for-profit agency with education and training related to  
17 an employment goal. To qualify as a work activity, work  
18 experience must include education and training in addition to  
19 the time required by the work activity, and the work activity  
20 must be intensively supervised and structured. Regional  
21 workforce boards shall contract for any services provided for  
22 clients who are assigned to this activity and shall require  
23 performance benchmarks, goals, outcomes, and time limits  
24 designed to assure that the participant moves toward full-time  
25 paid employment. A participant shall receive temporary cash  
26 assistance proportional to the time worked. A participant  
27 assigned to work experience is an employee of the state for  
28 purposes of workers' compensation coverage and is subject to  
29 the requirements of the drug-free workplace program.

30           (f) Job search and job readiness assistance.--Job  
31 search assistance may include supervised or unsupervised

1 job-seeking activities. Job readiness assistance provides  
2 support for job-seeking activities, which may include:  
3 1. Orientation to the world of work and basic  
4 job-seeking and job retention skills.  
5 2. Instruction in completing an application for  
6 employment and writing a resume.  
7 3. Instruction in conducting oneself during a job  
8 interview, including appropriate dress.  
9 4. Instruction in how to retain a job, plan a career,  
10 and perform successfully in the workplace.  
11  
12 Job readiness assistance may also include providing a  
13 participant with access to an employment resource center that  
14 contains job listings, telephones, facsimile machines,  
15 typewriters, and word processors. Job search and job readiness  
16 activities may be used in conjunction with other program  
17 activities, such as work experience, but may not be the  
18 primary work activity for longer than the length of time  
19 permitted under federal law.  
20 (g) Vocational education or training.--Vocational  
21 education or training is education or training designed to  
22 provide participants with the skills and certification  
23 necessary for employment in an occupational area. Vocational  
24 education or training may be used as a primary program  
25 activity for participants when it has been determined that the  
26 individual has demonstrated compliance with other phases of  
27 program participation and successful completion of the  
28 vocational education or training is likely to result in  
29 employment entry at a higher wage than the participant would  
30 have been likely to attain without completion of the  
31 vocational education or training. Vocational education or

1 training may be combined with other program activities and  
2 also may be used to upgrade skills or prepare for a higher  
3 paying occupational area for a participant who is employed.  
4 1. Unless otherwise provided in this section,  
5 vocational education shall not be used as the primary program  
6 activity for a period which exceeds 12 months. The 12-month  
7 restriction applies to instruction in a career education  
8 program and does not include remediation of basic skills,  
9 including English language proficiency, if remediation is  
10 necessary to enable a participant to benefit from a career  
11 education program. Any necessary remediation must be completed  
12 before a participant is referred to vocational education as  
13 the primary work activity. In addition, use of vocational  
14 education or training shall be restricted to the limitation  
15 established in federal law. Vocational education included in a  
16 program leading to a high school diploma shall not be  
17 considered vocational education for purposes of this section.  
18 2. When possible, a provider of vocational education  
19 or training shall use funds provided by funding sources other  
20 than the regional workforce board. The regional workforce  
21 board may provide additional funds to a vocational education  
22 or training provider only if payment is made pursuant to a  
23 performance-based contract. Under a performance-based  
24 contract, the provider may be partially paid when a  
25 participant completes education or training, but the majority  
26 of payment shall be made following the participant's  
27 employment at a specific wage or job retention for a specific  
28 duration. Performance-based payments made under this  
29 subparagraph are limited to education or training for targeted  
30 occupations identified by the Workforce Estimating Conference  
31 under s. 216.136, or other programs identified by Workforce

1 Florida, Inc., as beneficial to meet the needs of designated  
2 groups who are hard to place. If the contract pays the full  
3 cost of training, the community college or school district may  
4 not report the participants for other state funding.

5 (h) Job skills training.--Job skills training includes  
6 customized training designed to meet the needs of a specific  
7 employer or a specific industry. Job skills training shall  
8 include literacy instruction, and may include English  
9 proficiency instruction or Spanish language or other language  
10 instruction if necessary to enable a participant to perform in  
11 a specific job or job training program or if the training  
12 enhances employment opportunities in the local community. A  
13 participant may be required to complete an entrance assessment  
14 or test before entering into job skills training.

15 (i) Education services related to employment for  
16 participants 19 years of age or younger.--Education services  
17 provided under this paragraph are designed to prepare a  
18 participant for employment in an occupation. The agency shall  
19 coordinate education services with the school-to-work  
20 activities provided under s. 229.595. Activities provided  
21 under this paragraph are restricted to participants 19 years  
22 of age or younger who have not completed high school or  
23 obtained a high school equivalency diploma.

24 (j) School attendance.--Attendance at a high school or  
25 attendance at a program designed to prepare the participant to  
26 receive a high school equivalency diploma is a required  
27 program activity for each participant 19 years of age or  
28 younger who:

29 1. Has not completed high school or obtained a high  
30 school equivalency diploma;

31 2. Is a dependent child or a head of household; and

1           3. For whom it has not been determined that another  
2 program activity is more appropriate.

3           (k) Teen parent services.--Participation in medical,  
4 educational, counseling, and other services that are part of a  
5 comprehensive program is a required activity for each teen  
6 parent who participates in the welfare transition program.

7           (l) Extended education and training.--Notwithstanding  
8 any other provisions of this section to the contrary, the  
9 board of directors of Workforce Florida, Inc., may approve a  
10 plan by a regional workforce board for assigning, as work  
11 requirements, educational activities that exceed or are not  
12 included in those provided elsewhere in this section and that  
13 do not comply with federal work participation requirement  
14 limitations. In order to be eligible to implement this  
15 provision, a regional workforce board must continue to exceed  
16 the overall federal work participation rate requirements. For  
17 purposes of this paragraph, the board of directors of  
18 Workforce Florida, Inc., may adjust the regional participation  
19 requirement based on regional caseload decline. However, this  
20 adjustment is limited to no more than the adjustment produced  
21 by the calculation used to generate federal adjustments to the  
22 participation requirement due to caseload decline.

23           (m) GED preparation and literacy  
24 education.--Satisfactory attendance at secondary school or in  
25 a course of study leading to a graduate equivalency diploma,  
26 if a participant has not completed secondary school or  
27 received such a diploma. English language proficiency  
28 training may be included as a part of the education if it is  
29 deemed the individual requires such training to complete  
30 secondary school or to attain a graduate equivalency diploma.  
31 To calculate countable hours attributable to education, a



1 participant may earn study credits equal to the number of  
2 actual hours spent in formal training per week, but the total  
3 number of hours earned for actual hours spent in formal  
4 training and studying may not exceed a one to one and one-half  
5 ratio for the week. Countable hours are subject to the  
6 restrictions contained in 45 C.F.R. s. 261.31.

7 (n) Providing child care services.--Providing child  
8 care services to an individual who is participating in a  
9 community service program pursuant to this section.

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

29 (a) A participant in a work activity may also be  
30 required to enroll in and attend a course of instruction  
31 designed to increase literacy skills to a level necessary for

1 obtaining or retaining employment, provided that the  
2 instruction plus the work activity does not require more than  
3 40 hours per week.

4 (b) Program funds may be used, as available, to  
5 support the efforts of a participant who meets the work  
6 activity requirements and who wishes to enroll in or continue  
7 enrollment in an adult general education program or a career  
8 education program.

9 (3) EXEMPTION FROM WORK ACTIVITY REQUIREMENTS.--The  
10 following individuals are exempt from work activity  
11 requirements:

12 (a) A minor child under 16 years of age.

13 (b) An individual who receives benefits under the  
14 Supplemental Security Income program or the Social Security  
15 Disability Insurance program.

16 (c) Adults who are not included in the calculation of  
17 temporary cash assistance in child-only cases.

18 (d) One custodial parent with a child under 3 months  
19 of age, except that the parent may be required to attend  
20 parenting classes or other activities to better prepare for  
21 the responsibilities of raising a child. If the custodial  
22 parent is 19 years of age or younger and has not completed  
23 high school or the equivalent, he or she may be required to  
24 attend school or other appropriate educational activities.

25 (e) An individual who is exempt from the time period  
26 pursuant to s. 415.015.

27 (4) PRIORITIZATION OF WORK REQUIREMENTS.--Regional  
28 workforce boards shall require participation in work  
29 activities to the maximum extent possible, subject to federal  
30 and state funding. If funds are projected to be insufficient  
31 to allow full-time work activities by all program participants

1 who are required to participate in work activities, regional  
2 workforce boards shall screen participants and assign priority  
3 based on the following:  
4 (a) In accordance with federal requirements, at least  
5 one adult in each two-parent family shall be assigned priority  
6 for full-time work activities.  
7 (b) Among single-parent families, a family that has  
8 older preschool children or school-age children shall be  
9 assigned priority for work activities.  
10 (c) A participant who has access to nonsubsidized  
11 child care may be assigned priority for work activities.  
12 (d) Priority may be assigned based on the amount of  
13 time remaining until the participant reaches the applicable  
14 time limit for program participation or may be based on  
15 requirements of a case plan.  
16  
17 Regional workforce boards may limit a participant's weekly  
18 work requirement to the minimum required to meet federal work  
19 activity requirements in lieu of the level defined in  
20 subsection (2). Regional workforce boards may develop  
21 screening and prioritization procedures based on the  
22 allocation of resources, the availability of community  
23 resources, or the work activity needs of the service district.  
24 (5) USE OF CONTRACTS.--Regional workforce boards shall  
25 provide work activities, training, and other services, as  
26 appropriate, through contracts. In contracting for work  
27 activities, training, or services, the following applies:  
28 (a) A contract must be performance-based. Payment  
29 shall be tied to performance outcomes that include factors  
30 such as, but not limited to, diversion from cash assistance,  
31 job entry, job entry at a target wage, job retention, and

1 connection to transition services rather than tied to  
2 completion of training or education or any other phase of the  
3 program participation process.

4 (b) A contract may include performance-based incentive  
5 payments that may vary according to the extent to which the  
6 participant is more difficult to place. Contract payments may  
7 be weighted proportionally to reflect the extent to which the  
8 participant has limitations associated with the long-term  
9 receipt of welfare and difficulty in sustaining employment.

10 The factors may include the extent of prior receipt of  
11 welfare, lack of employment experience, lack of education,  
12 lack of job skills, and other factors determined appropriate  
13 by the regional workforce board.

14 (c) Notwithstanding the exemption from the competitive  
15 sealed bid requirements provided in s. 287.057(3)(f) for  
16 certain contractual services, each contract awarded under this  
17 chapter must be awarded on the basis of a competitive sealed  
18 bid, except for a contract with a governmental entity as  
19 determined by the regional workforce board.

20 (d) Regional workforce boards may contract with  
21 commercial, charitable, or religious organizations. A contract  
22 must comply with federal requirements with respect to  
23 nondiscrimination and other requirements that safeguard the  
24 rights of participants. Services may be provided under  
25 contract, certificate, voucher, or other form of disbursement.

26 (e) The administrative costs associated with a  
27 contract for services provided under this section may not  
28 exceed the applicable administrative cost ceiling established  
29 in federal law. An agency or entity that is awarded a contract  
30 under this section may not charge more than 7 percent of the  
31 value of the contract for administration, unless an exception

1 is approved by the regional workforce board. A list of any  
2 exceptions approved must be submitted to the board of  
3 directors of Workforce Florida, Inc., for review, and the  
4 board may rescind approval of the exception.

5 (f) Regional workforce boards may enter into contracts  
6 to provide short-term work experience for the chronically  
7 unemployed as provided in this section.

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

13 (6) PROTECTIONS FOR PARTICIPANTS.--Each participant is  
14 subject to the same health, safety, and nondiscrimination  
15 standards established under federal, state, or local laws that  
16 otherwise apply to other individuals engaged in similar  
17 activities who are not participants in the welfare transition  
18 program.

19 (7) PROTECTION FOR CURRENT EMPLOYEES.--In establishing  
20 and contracting for work experience and community service  
21 activities, other work experience activities, on-the-job  
22 training, subsidized employment, and work supplementation  
23 under the welfare transition program, an employed worker may  
24 not be displaced, either completely or partially. A  
25 participant may not be assigned to an activity or employed in  
26 a position if the employer has created the vacancy or  
27 terminated an existing employee without good cause in order to  
28 fill that position with a program participant.

29 (8) CONTRACTS FOR VOCATIONAL ASSESSMENTS AND WORK  
30 EVALUATIONS.--Vocational assessments or work evaluations by  
31 the Occupational Access and Opportunity Commission pursuant to

1 this section shall be performed under contract with the  
2 regional workforce boards.

3 Section 25. Section 414.20, Florida Statutes, is  
4 transferred, renumbered as section 445.025, Florida Statutes,  
5 and amended to read:

6 445.025 ~~414.20~~ Other support services.--Support  
7 services shall be provided, if resources permit, to assist  
8 participants in complying with work activity requirements  
9 outlined in s. 445.024 ~~s. 414.065~~. If resources do not permit  
10 the provision of needed support services, the regional  
11 workforce board ~~department and the local WAGES coalition~~ may  
12 prioritize or otherwise limit provision of support services.  
13 This section does not constitute an entitlement to support  
14 services. Lack of provision of support services may be  
15 considered as a factor in determining whether good cause  
16 exists for failing to comply with work activity requirements  
17 but does not automatically constitute good cause for failing  
18 to comply with work activity requirements, and does not affect  
19 any applicable time limit on the receipt of temporary cash  
20 assistance or the provision of services under ~~this~~ chapter  
21 414. Support services shall include, but need not be limited  
22 to:

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

1 coordinators designated under chapter 427; school districts;  
2 churches and community centers; donated motor vehicle  
3 programs, van pools, and ridesharing programs; small  
4 enterprise developments and entrepreneurial programs that  
5 encourage ~~WAGES~~ participants to become transportation  
6 providers; public and private transportation partnerships; and  
7 other innovative strategies to expand transportation options  
8 available to program participants.

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

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

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

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

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

17           Section 26. Section 414.1525, Florida Statutes, is  
18 transferred, renumbered as section 445.026, Florida Statutes,  
19 and amended to read:

20           445.026 ~~414.1525~~ Cash assistance severance benefit  
21 ~~WAGES early exit diversion program.~~--An individual who meets  
22 the criteria listed in this section may choose to receive a  
23 lump-sum payment in lieu of ongoing cash assistance payments,  
24 provided the individual:

25           (1) Is employed and is receiving earnings, ~~and would~~  
26 ~~be eligible to receive cash assistance in an amount less than~~  
27 ~~\$100 per month given the WAGES earnings disregard.~~

28           (2) Has received cash assistance for at least 6 ~~3~~  
29 consecutive months.

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

31



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

3           (5) Provides employment and earnings information to  
4 the regional workforce board ~~department~~, so that the regional  
5 workforce board ~~department~~ can ensure that the family's  
6 eligibility for severance ~~transitional~~ benefits can be  
7 evaluated.

8           (6) Signs an agreement not to apply for or accept cash  
9 assistance for 6 months after receipt of the one-time payment.  
10 In the event of an emergency, such agreement shall provide for  
11 an exception to this restriction, provided that the one-time  
12 payment shall be deducted from any cash assistance for which  
13 the family subsequently is approved. This deduction may be  
14 prorated over an 8-month period. The board of directors of  
15 Workforce Florida, Inc., ~~department~~ shall adopt criteria ~~rules~~  
16 defining the conditions under which a family may receive cash  
17 assistance due to such emergency.

18  
19 Such individual may choose to accept a one-time, lump-sum  
20 payment of \$1,000 in lieu of receiving ongoing cash  
21 assistance. Such payment shall only count toward the time  
22 limitation for the month in which the payment is made in lieu  
23 of cash assistance. A participant choosing to accept such  
24 payment shall be terminated from cash assistance. However,  
25 eligibility for Medicaid, food stamps, or child care shall  
26 continue, subject to the eligibility requirements of those  
27 programs.

28           Section 27. Section 445.028, Florida Statutes, is  
29 created to read:

30           445.028 Transitional benefits and services.--In  
31 cooperation with Workforce Florida, Inc., the Department of

1 Children and Family Services shall develop procedures to  
2 ensure that families leaving the temporary cash assistance  
3 program receive transitional benefits and services that will  
4 assist the family in moving toward self-sufficiency. At a  
5 minimum, such procedures must include, but are not limited to,  
6 the following:

7       (1) Each recipient of cash assistance who is  
8 determined ineligible for cash assistance for a reason other  
9 than a work activity sanction shall be contacted by the  
10 workforce system case manager and provided information about  
11 the availability of transitional benefits and services. Such  
12 contact shall be attempted prior to closure of the case  
13 management file.

14       (2) Each recipient of temporary cash assistance who is  
15 determined ineligible for cash assistance due to noncompliance  
16 with the work activity requirements shall be contacted and  
17 provided information in accordance with s. 414.065(1).

18       (3) The department, in consultation with the board of  
19 directors of Workforce Florida, Inc., shall develop  
20 informational material, including posters and brochures, to  
21 better inform families about the availability of transitional  
22 benefits and services.

23       (4) Workforce Florida, Inc., in cooperation with the  
24 Department of Children and Family Services shall, to the  
25 extent permitted by federal law, develop procedures to  
26 maximize the utilization of transitional Medicaid by families  
27 who leave the temporary cash assistance program.

28       Section 28. Section 414.21, Florida Statutes, is  
29 transferred, renumbered as section 445.029, Florida Statutes,  
30 and amended to read:

31       445.029 ~~414.21~~ Transitional medical benefits.--

1           (1) A family that loses its temporary cash assistance  
2 due to earnings shall remain eligible for Medicaid without  
3 reapplication during the immediately succeeding 12-month  
4 period if private medical insurance is unavailable from the  
5 employer or is unaffordable.

6           (a) The family shall be denied Medicaid during the  
7 12-month period for any month in which the family does not  
8 include a dependent child.

9           (b) The family shall be denied Medicaid if, during the  
10 second 6 months of the 12-month period, the family's average  
11 gross monthly earnings during the preceding month exceed 185  
12 percent of the federal poverty level.

13           (2) The family shall be informed of transitional  
14 Medicaid when the family is notified by the Department of  
15 Children and Family Services of the termination of temporary  
16 cash assistance. The notice must include a description of the  
17 circumstances in which the transitional Medicaid may be  
18 terminated.

19           Section 29. Section 414.22, Florida Statutes, is  
20 transferred, renumbered as section 445.030, Florida Statutes,  
21 and amended to read:

22           445.030 ~~414.22~~ Transitional education and  
23 training.--In order to assist ~~current and former~~ recipients of  
24 temporary cash assistance ~~participants~~ who are working or  
25 actively seeking employment in continuing their training and  
26 upgrading their skills, education, or training, support  
27 services may be provided ~~to a participant~~ for up to 2 years  
28 after the family participant is no longer receiving temporary  
29 cash assistance in the program. This section does not  
30 constitute an entitlement to transitional education and  
31 training. If funds are not sufficient to provide services

1 under this section, the ~~WAGES Program State~~ board of directors  
2 of Workforce Florida, Inc., may limit or otherwise prioritize  
3 transitional education and training.

4 (1) Education or training resources available in the  
5 community at no additional cost to the ~~WAGES Program~~ shall be  
6 used whenever possible.

7 (2) Regional workforce boards ~~The local WAGES~~  
8 ~~coalitions~~ may authorize child care or other support services  
9 in addition to services provided in conjunction with  
10 employment. For example, a participant who is employed full  
11 time may receive subsidized child care related to that  
12 employment and may also receive additional subsidized child  
13 care in conjunction with training to upgrade the participant's  
14 skills.

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

20 (4) A regional workforce board ~~local WAGES coalition~~  
21 may enter into an agreement with an employer to share the  
22 costs relating to upgrading the skills of participants hired  
23 by the employer. For example, a regional workforce board ~~local~~  
24 ~~WAGES coalitions~~ may agree to provide support services such as  
25 transportation or a wage subsidy in conjunction with training  
26 opportunities provided by the employer.

27 Section 30. Section 414.225, Florida Statutes, is  
28 transferred, renumbered as section 445.031, Florida Statutes,  
29 and amended to read:

30 445.031 ~~414.225~~ Transitional transportation.--In order  
31 to assist former recipients of temporary cash assistance ~~WAGES~~

1 ~~participants~~ in maintaining and sustaining employment or  
2 educational opportunities, transportation may be provided, if  
3 funds are available, for up to 2 years ~~1 year~~ after the  
4 participant is no longer in the program. This does not  
5 constitute an entitlement to transitional transportation. If  
6 funds are not sufficient to provide services under this  
7 section, regional workforce boards ~~the department~~ may limit or  
8 otherwise prioritize transportation services.

9 (1) Transitional transportation must be job or  
10 education related.

11 (2) Transitional transportation may include expenses  
12 identified in s. 445.025 ~~s. 414.20~~, paid directly or by  
13 voucher, as well as a vehicle valued at not more than \$8,500  
14 if the vehicle is needed for training, employment, or  
15 educational purposes.

16 Section 31. Section 445.032, Florida Statutes, is  
17 created to read:

18 445.032 Transitional child care.--In order to assist  
19 former welfare transition program participants and individuals  
20 who have been redirected through up-front diversion,  
21 transitional child care is available for up to 2 years:

22 (a) After a participant has left the program due to  
23 employment and whose income does not exceed 200 percent of the  
24 federal poverty level at any time during that 2-year period.

25 (b) To an individual who has been redirected through  
26 up-front diversion and whose income does not exceed 200  
27 percent of the federal poverty level at any time during that  
28 2-year period.

29 Section 32. Section 414.23, Florida Statutes, is  
30 transferred, renumbered as section 445.033, Florida Statutes,  
31 and amended to read:

1           445.033 ~~414.23~~ Evaluation.--The ~~department and the~~  
2 ~~WAGES Program State~~ board of directors of Workforce Florida,  
3 Inc., and the Department of Children and Family Services shall  
4 arrange for evaluation of TANF-funded programs operated under  
5 this chapter, as follows:

6           (1) If required by federal waivers or other federal  
7 requirements, the ~~department and the WAGES Program State~~ board  
8 of directors of Workforce Florida, Inc., and the department  
9 may provide for evaluation according to these requirements.

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

28           (3) The ~~department and the WAGES Program State~~ board  
29 of directors of Workforce Florida, Inc., and the department  
30 may share information with and develop protocols for  
31

1 information exchange with the Florida Education and Training  
2 Placement Information Program.

3 (4) ~~The department and the WAGES Program State board~~  
4 ~~of directors of Workforce Florida, Inc., and the department~~  
5 may initiate or participate in additional evaluation or  
6 assessment activities that will further the systematic study  
7 of issues related to program goals and outcomes.

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

21 (6) ~~The department and the WAGES Program State board~~  
22 ~~of directors of Workforce Florida, Inc., and the department~~  
23 may contract with a qualified organization for evaluations  
24 conducted under this section.

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

27 Section 33. Section 445.034, Florida Statutes, is  
28 created to read:

29 445.034 Authorized expenditures.--Any expenditures  
30 from the Temporary Assistance for Needy Families block grant  
31 shall be made in accordance with the requirements and

1 limitations of part A of Title IV of the Social Security Act,  
2 as amended, or any other applicable federal requirement or  
3 limitation. Prior to any expenditure of such funds, the  
4 Secretary of Children and Family Services, or his or her  
5 designee, shall certify that controls are in place to ensure  
6 such funds are expended in accordance with the requirements  
7 and limitations of federal law and that any reporting  
8 requirements of federal law are met. It shall be the  
9 responsibility of any entity to which such funds are  
10 appropriated to obtain the required certification prior to any  
11 expenditure of funds.

12 Section 34. Section 414.44, Florida Statutes, is  
13 transferred, renumbered as section 445.035, Florida Statutes,  
14 and amended to read:

15 445.035 ~~414.44~~ Data collection and reporting.--The  
16 Department of Children and Family Services ~~department~~ and the  
17 ~~WAGES Program State~~ board of directors of Workforce Florida,  
18 Inc., shall collect data necessary to administer this chapter  
19 and make the reports required under federal law to the United  
20 States Department of Health and Human Services and the United  
21 States Department of Agriculture.

22 Section 35. Section 414.025, Florida Statutes, is  
23 amended to read:

24 414.025 Legislative intent.--

25 (1) It is the intent of the Legislature that families  
26 in this state be strong and economically self-sufficient so as  
27 to require minimal involvement by an efficient government.

28 ~~(2) The purpose of this act is to develop~~  
29 ~~opportunities for families which provide for their needs,~~  
30 ~~enhance their well-being, and preserve the integrity of the~~  
31 ~~family free of impediments to self-reliance.~~



1           ~~(3) The WAGES Program shall emphasize work,~~  
2 ~~self-sufficiency, and personal responsibility while meeting~~  
3 ~~the transitional needs of program participants who need~~  
4 ~~short-term assistance toward achieving independent, productive~~  
5 ~~lives and gaining the responsibility that comes with~~  
6 ~~self-sufficiency.~~

7           ~~(4) The WAGES Program shall take full advantage of the~~  
8 ~~flexibility provided under federal law, which allows for~~  
9 ~~efficiency through a simplified program and encourages a~~  
10 ~~program designed to focus on results rather than process.~~

11           ~~(2)(5)~~ This chapter does not entitle any individual or  
12 family to assistance under ~~the WAGES Program or~~ Title IV-A of  
13 the Social Security Act, as amended.

14           Section 36. Section 414.0252, Florida Statutes, is  
15 amended to read:

16           414.0252 Definitions.--As used in ss. 414.025-414.55  
17 ~~ss. 414.015-414.45~~, the term:

18           (1) "Alternative payee" means an individual who  
19 receives temporary assistance payments on behalf of a minor.

20           (2) "Applicant" means an individual who applies to  
21 participate in the temporary family assistance program and  
22 submits a signed and dated application.

23           (3) "Department" means the Department of Children and  
24 Family Services.

25           (4) "Domestic violence" means any assault, aggravated  
26 assault, battery, aggravated battery, sexual assault, sexual  
27 battery, stalking, aggravated stalking, kidnapping, false  
28 imprisonment, or any criminal offense that results in the  
29 physical injury or death of one family or household member by  
30 another.

31

1           (5) "Family" means the assistance group or the  
2 individuals whose needs, resources, and income are considered  
3 when determining eligibility for temporary assistance. The  
4 family for purposes of temporary assistance includes the minor  
5 child, custodial parent, or caretaker relative who resides in  
6 the same house or living unit. The family may also include  
7 individuals whose income and resources are considered in whole  
8 or in part in determining eligibility for temporary assistance  
9 but whose needs, due to federal or state restrictions, are not  
10 considered. These individuals include, but are not limited to,  
11 ineligible noncitizens or sanctioned individuals.

12           (6) "Family or household member" means spouses, former  
13 spouses, noncohabitating partners, persons related by blood or  
14 marriage, persons who are presently residing together as if a  
15 family or who have resided together in the past as if a  
16 family, and persons who have a child in common regardless of  
17 whether they have been married or have resided together at any  
18 time.

19           (7) "Homeless" means an individual who lacks a fixed,  
20 regular, and adequate nighttime residence or an individual who  
21 has a primary nighttime residence that is:

22           (a) A supervised publicly or privately operated  
23 shelter designed to provide temporary living accommodations,  
24 including welfare hotels, congregate shelters, and  
25 transitional housing for the mentally ill;

26           (b) An institution that provides a temporary residence  
27 for individuals intended to be institutionalized; or

28           (c) A public or private place not designed for, or  
29 ordinarily used as, a regular sleeping accommodation for human  
30 beings.

31

1           (8) "Minor child" means a child under 18 years of age,  
2 or under 19 years of age if the child is a full-time student  
3 in a secondary school or at the equivalent level of vocational  
4 or technical training, and does not include anyone who is  
5 married or divorced.

6           (9) "Participant" means an individual who has applied  
7 for or receives temporary cash assistance ~~or services under~~  
8 ~~the WAGES Program.~~

9           (10) "Public assistance" means benefits paid on the  
10 basis of the temporary cash assistance, food stamp, Medicaid,  
11 or optional state supplementation program.

12           (11) "Relative caretaker" or "caretaker relative"  
13 means an adult who has assumed the primary responsibility of  
14 caring for a child and who is related to the child by blood or  
15 marriage.

16           ~~(12) "Services and one-time payments" or "services,"~~  
17 ~~when used in reference to individuals who are not receiving~~  
18 ~~temporary cash assistance, means nonrecurrent, short-term~~  
19 ~~benefits designed to deal with a specific crisis situation or~~  
20 ~~episode of need and other services; work subsidies; supportive~~  
21 ~~services such as child care and transportation; services such~~  
22 ~~as counseling, case management, peer support, and child care~~  
23 ~~information and referral; transitional services, job~~  
24 ~~retention, job advancement, and other employment-related~~  
25 ~~services; nonmedical treatment for substance abuse or mental~~  
26 ~~health problems; and any other services that are reasonably~~  
27 ~~calculated to further the purposes of the WAGES Program and~~  
28 ~~the federal Temporary Assistance for Needy Families program.~~  
29 ~~Such terms do not include assistance as defined in federal~~  
30 ~~regulations at 45 C.F.R. s. 260.31(a).~~

31

1           ~~(12)~~~~(13)~~ "Temporary cash assistance" means cash  
2 assistance provided under the state program certified under  
3 Title IV-A of the Social Security Act, as amended.

4           Section 37. Section 414.045, Florida Statutes, is  
5 amended to read:

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

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

23           (a) Work-eligible ~~WAGES~~ cases.--Work-eligible ~~WAGES~~  
24 cases shall include:

25           1. Families containing an adult or a teen head of  
26 household, as defined by federal law. These cases are  
27 generally subject to the work activity requirements provided  
28 in s. 445.024 ~~s. 414.065~~ and the time limitations on benefits  
29 provided in s. 414.105.

30           2. Families with a parent where the parent's needs  
31 have been removed from the case due to sanction or

1 disqualification shall be considered work-eligible ~~WAGES~~ cases  
2 to the extent that such cases are considered in the  
3 calculation of federal participation rates or would be counted  
4 in such calculation in future months.

5 3. Families participating in transition assistance  
6 programs.

7 4. Families otherwise eligible for temporary cash  
8 assistance ~~the WAGES Program~~ that receive ~~a~~ diversion  
9 services, a severance or early exit payment, or participate in  
10 the relocation program.

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

14 1. Child-only families with children in the care of  
15 caretaker relatives where the caretaker relatives choose to  
16 have their needs excluded in the calculation of the amount of  
17 cash assistance.

18 2. Families in the Relative Caregiver Program as  
19 provided in s. 39.5085.

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

1 activities is limited shall be assigned to work activities  
2 consistent with such limitations. An individual who volunteers  
3 to participate in a ~~WAGES~~ work activity may receive  
4 ~~WAGES-related~~ child care or support services consistent with  
5 such participation.

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

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

21 (2) ~~The Oversight by~~ of the ~~WAGES Program State~~ board  
22 of directors of Workforce Florida, Inc., and the service  
23 delivery and financial planning responsibilities of the  
24 regional workforce boards ~~local WAGES coalitions~~ shall apply  
25 to the families defined as work-eligible ~~WAGES~~ cases in  
26 paragraph (1)(a). The department shall be responsible for  
27 program administration related to families in groups defined  
28 in paragraph (1)(b), and the department shall coordinate such  
29 administration with the ~~WAGES Program State~~ board of directors  
30 of Workforce Florida, Inc., to the extent needed for operation  
31 of the program.

1           Section 38. Section 414.065, Florida Statutes, is  
2 amended to read:

3           414.065 Noncompliance with work requirements.--

4           ~~(1) WORK ACTIVITIES.--The following activities may be~~  
5 ~~used individually or in combination to satisfy the work~~  
6 ~~requirements for a participant in the WAGES Program.~~

7           ~~(a) Unsubsidized employment.--Unsubsidized employment~~  
8 ~~is full-time employment or part-time employment that is not~~  
9 ~~directly supplemented by federal or state funds. Paid~~  
10 ~~apprenticeship and cooperative education activities are~~  
11 ~~included in this activity.~~

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

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

29           ~~2. On-the-job training.--On-the-job training is~~  
30 ~~full-time, paid employment in which the employer or an~~  
31 ~~educational institution in cooperation with the employer~~

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

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



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

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

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

21 ~~(c) Subsidized public sector employment.--Subsidized~~  
22 ~~public sector employment is employment by an agency of the~~  
23 ~~federal, state, or local government which is directly~~  
24 ~~supplemented by federal or state funds. The applicable~~  
25 ~~subsidies provided under paragraph (b) may be used to~~  
26 ~~subsidize employment in the public sector, except that~~  
27 ~~priority for subsidized employment shall be employment in the~~  
28 ~~private sector. Public sector employment is distinguished from~~  
29 ~~work experience in that the participant is paid wages and~~  
30 ~~receives the same benefits as a nonsubsidized employee who~~  
31

1 ~~performs similar work. Work-study activities administered by~~  
2 ~~educational institutions are included in this activity.~~  
3 ~~(d) Community service work experience.--Community~~  
4 ~~service work experience is job training experience at a~~  
5 ~~supervised public or private not-for-profit agency. A~~  
6 ~~participant shall receive temporary cash assistance in the~~  
7 ~~form of wages, which, when combined with the value of food~~  
8 ~~stamps awarded to the participant, is proportional to the~~  
9 ~~amount of time worked. A participant in the WAGES Program or~~  
10 ~~the Food Stamp Employment and Training program assigned to~~  
11 ~~community service work experience shall be deemed an employee~~  
12 ~~of the state for purposes of workers' compensation coverage~~  
13 ~~and is subject to the requirements of the drug-free workplace~~  
14 ~~program. Community service work experience may be selected as~~  
15 ~~an activity for a participant who needs to increase~~  
16 ~~employability by improving his or her interpersonal skills,~~  
17 ~~job-retention skills, stress management, and job problem~~  
18 ~~solving, and by learning to attain a balance between job and~~  
19 ~~personal responsibilities. Community service is intended to:~~  
20 ~~1. Assess WAGES Program compliance before referral of~~  
21 ~~the participant to costly services such as career education;~~  
22 ~~2. Maintain work activity status while the participant~~  
23 ~~awaits placement into paid employment or training;~~  
24 ~~3. Fulfill a clinical practicum or internship~~  
25 ~~requirement related to employment; or~~  
26 ~~4. Provide work-based mentoring.~~  
27  
28 ~~As used in this paragraph, the terms "community service~~  
29 ~~experience," "community work," and "workfare" are synonymous.~~  
30 ~~(e) Work experience.--Work experience is an~~  
31 ~~appropriate work activity for participants who lack~~

1 ~~preparation for or experience in the workforce. It must~~  
2 ~~combine a job training activity in a public or private~~  
3 ~~not-for-profit agency with education and training related to~~  
4 ~~an employment goal. To qualify as a work activity, work~~  
5 ~~experience must include education and training in addition to~~  
6 ~~the time required by the work activity, and the work activity~~  
7 ~~must be intensively supervised and structured. The WAGES~~  
8 ~~Program shall contract for any services provided for clients~~  
9 ~~who are assigned to this activity and shall require~~  
10 ~~performance benchmarks, goals, outcomes, and time limits~~  
11 ~~designed to assure that the participant moves toward full-time~~  
12 ~~paid employment. A participant shall receive temporary cash~~  
13 ~~assistance proportional to the time worked. A participant~~  
14 ~~assigned to work experience is an employee of the state for~~  
15 ~~purposes of workers' compensation coverage and is subject to~~  
16 ~~the requirements of the drug-free workplace program.~~

17 ~~(f) Job search and job readiness assistance.--Job~~  
18 ~~search assistance may include supervised or unsupervised~~  
19 ~~job-seeking activities. Job readiness assistance provides~~  
20 ~~support for job-seeking activities, which may include:~~

21 ~~1. Orientation to the world of work and basic~~  
22 ~~job-seeking and job retention skills.~~

23 ~~2. Instruction in completing an application for~~  
24 ~~employment and writing a resume.~~

25 ~~3. Instruction in conducting oneself during a job~~  
26 ~~interview, including appropriate dress.~~

27 ~~4. Instruction in how to retain a job, plan a career,~~  
28 ~~and perform successfully in the workplace.~~

29  
30 ~~Job readiness assistance may also include providing a~~  
31 ~~participant with access to an employment resource center that~~

1 ~~contains job listings, telephones, facsimile machines,~~  
2 ~~typewriters, and word processors. Job search and job readiness~~  
3 ~~activities may be used in conjunction with other program~~  
4 ~~activities, such as work experience, but may not be the~~  
5 ~~primary work activity for longer than the length of time~~  
6 ~~permitted under federal law.~~

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

22 ~~1. Unless otherwise provided in this section,~~  
23 ~~vocational education shall not be used as the primary program~~  
24 ~~activity for a period which exceeds 12 months. The 12-month~~  
25 ~~restriction applies to instruction in a career education~~  
26 ~~program and does not include remediation of basic skills,~~  
27 ~~including English language proficiency, if remediation is~~  
28 ~~necessary to enable a WAGES participant to benefit from a~~  
29 ~~career education program. Any necessary remediation must be~~  
30 ~~completed before a participant is referred to vocational~~  
31 ~~education as the primary work activity. In addition, use of~~

1 ~~vocational education or training shall be restricted to the~~  
2 ~~limitation established in federal law. Vocational education~~  
3 ~~included in a program leading to a high school diploma shall~~  
4 ~~not be considered vocational education for purposes of this~~  
5 ~~section.~~

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

28       ~~(h) Job skills training. Job skills training includes~~  
29 ~~customized training designed to meet the needs of a specific~~  
30 ~~employer or a specific industry. Job skills training shall~~  
31 ~~include literacy instruction, and may include English~~

1 ~~proficiency instruction or Spanish language or other language~~  
2 ~~instruction if necessary to enable a participant to perform in~~  
3 ~~a specific job or job training program or if the training~~  
4 ~~enhances employment opportunities in the local community. A~~  
5 ~~participant may be required to complete an entrance assessment~~  
6 ~~or test before entering into job skills training.~~

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

16 ~~(j) School attendance.--Attendance at a high school or~~  
17 ~~attendance at a program designed to prepare the participant to~~  
18 ~~receive a high school equivalency diploma is a required~~  
19 ~~program activity for each participant 19 years of age or~~  
20 ~~younger who:~~

21 ~~1. Has not completed high school or obtained a high~~  
22 ~~school equivalency diploma;~~

23 ~~2. Is a dependent child or a head of household; and~~

24 ~~3. For whom it has not been determined that another~~  
25 ~~program activity is more appropriate.~~

26 ~~(k) Teen parent services.--Participation in medical,~~  
27 ~~educational, counseling, and other services that are part of a~~  
28 ~~comprehensive program is a required activity for each teen~~  
29 ~~parent who participates in the WAGES Program.~~

30 ~~(l) Extended education and training.--Notwithstanding~~  
31 ~~any other provisions of this section to the contrary, the~~

1 ~~WAGES Program State Board of Directors may approve a plan by a~~  
2 ~~local WAGES coalition for assigning, as work requirements,~~  
3 ~~educational activities that exceed or are not included in~~  
4 ~~those provided elsewhere in this section and that do not~~  
5 ~~comply with federal work participation requirement~~  
6 ~~limitations. In order to be eligible to implement this~~  
7 ~~provision, a coalition must continue to exceed the overall~~  
8 ~~federal work participation rate requirements. For purposes of~~  
9 ~~this paragraph, the WAGES Program State Board of Directors may~~  
10 ~~adjust the regional participation requirement based on~~  
11 ~~regional caseload decline. However, this adjustment is~~  
12 ~~limited to no more than the adjustment produced by the~~  
13 ~~calculation used to generate federal adjustments to the~~  
14 ~~participation requirement due to caseload decline.~~

15 ~~(2) WORK ACTIVITY REQUIREMENTS.--Each individual who~~  
16 ~~is not otherwise exempt must participate in a work activity,~~  
17 ~~except for community service work experience, for the maximum~~  
18 ~~number of hours allowable under federal law, provided that no~~  
19 ~~participant be required to work more than 40 hours per week or~~  
20 ~~less than the minimum number of hours required by federal law.~~  
21 ~~The maximum number of hours each month that a participant may~~  
22 ~~be required to participate in community service activities is~~  
23 ~~the greater of: the number of hours that would result from~~  
24 ~~dividing the family's monthly amount for temporary cash~~  
25 ~~assistance and food stamps by the federal minimum wage and~~  
26 ~~then dividing that result by the number of participants in the~~  
27 ~~family who participate in community service activities; or the~~  
28 ~~minimum required to meet federal participation requirements.~~  
29 ~~However, in no case shall the maximum hours required per week~~  
30 ~~for community work experience exceed 40 hours. An applicant~~  
31

1 ~~shall be referred for employment at the time of application if~~  
2 ~~the applicant is eligible to participate in the WAGES Program.~~

3 ~~(a) A participant in a work activity may also be~~  
4 ~~required to enroll in and attend a course of instruction~~  
5 ~~designed to increase literacy skills to a level necessary for~~  
6 ~~obtaining or retaining employment, provided that the~~  
7 ~~instruction plus the work activity does not require more than~~  
8 ~~40 hours per week.~~

9 ~~(b) WAGES Program funds may be used, as available, to~~  
10 ~~support the efforts of a participant who meets the work~~  
11 ~~activity requirements and who wishes to enroll in or continue~~  
12 ~~enrollment in an adult general education program or a career~~  
13 ~~education program.~~

14 ~~(3) EXEMPTION FROM WORK ACTIVITY REQUIREMENTS.--The~~  
15 ~~following individuals are exempt from work activity~~  
16 ~~requirements:~~

17 ~~(a) A minor child under age 16, except that a child~~  
18 ~~exempted from this provision shall be subject to the~~  
19 ~~requirements of paragraph (1)(i) and s. 414.125.~~

20 ~~(b) An individual who receives benefits under the~~  
21 ~~Supplemental Security Income program or the Social Security~~  
22 ~~Disability Insurance program.~~

23 ~~(c) Adults who are not included in the calculation of~~  
24 ~~temporary cash assistance in child-only cases.~~

25 ~~(d) One custodial parent with a child under 3 months~~  
26 ~~of age, except that the parent may be required to attend~~  
27 ~~parenting classes or other activities to better prepare for~~  
28 ~~the responsibilities of raising a child. If the custodial~~  
29 ~~parent is age 19 or younger and has not completed high school~~  
30 ~~or the equivalent, he or she may be required to attend school~~  
31 ~~or other appropriate educational activities.~~



1           (1)~~(4)~~ PENALTIES FOR NONPARTICIPATION IN WORK  
2 REQUIREMENTS AND FAILURE TO COMPLY WITH ALTERNATIVE  
3 REQUIREMENT PLANS.--The department shall establish procedures  
4 for administering penalties for nonparticipation in work  
5 requirements and failure to comply with the alternative  
6 requirement plan. If an individual in a family receiving  
7 temporary cash assistance fails to engage in work activities  
8 required in accordance with s. 445.024 ~~this section~~, the  
9 following penalties shall apply. Prior to the imposition of a  
10 sanction, the participant shall be notified orally or in  
11 writing that the participant is subject to sanction and that  
12 action will be taken to impose the sanction unless the  
13 participant complies with the work activity requirements. The  
14 participant shall be counseled as to the consequences of  
15 noncompliance and, if appropriate, shall be referred for  
16 services that could assist the participant to fully comply  
17 with program requirements. If the participant has good cause  
18 for noncompliance or demonstrates satisfactory compliance, the  
19 sanction shall not be imposed. If the participant has  
20 subsequently obtained employment, the participant shall be  
21 counseled regarding the transitional benefits that may be  
22 available and provided information about how to access such  
23 benefits. ~~Notwithstanding provisions of this section to the~~  
24 ~~contrary, if the Federal Government does not allow food stamps~~  
25 ~~to be treated under sanction as provided in this section,~~The  
26 department shall ~~attempt to secure a waiver that provides for~~  
27 ~~procedures as similar as possible to those provided in this~~  
28 ~~section and shall~~ administer sanctions related to food stamps  
29 consistent with federal regulations.  
30           (a)1. First noncompliance: temporary cash assistance  
31 shall be terminated for the family for a minimum of 10 days or

1 until the individual who failed to comply does so, ~~and food~~  
2 ~~stamp benefits shall not be increased as a result of the loss~~  
3 ~~of temporary cash assistance.~~

4         2. Second noncompliance: temporary cash assistance  
5 ~~and food stamps~~ shall be terminated for the family for 1 month  
6 or until the individual who failed to comply does so,  
7 whichever is later demonstrates compliance in the required  
8 work activity for a period of 30 days. Upon meeting this  
9 requirement compliance, temporary cash assistance ~~and food~~  
10 ~~stamps~~ shall be reinstated to the date of compliance or the  
11 first day of the month following the penalty period, whichever  
12 is later.

13         3. Third noncompliance: temporary cash assistance ~~and~~  
14 ~~food stamps~~ shall be terminated for the family for 3 months or  
15 until the individual who failed to comply does so, whichever  
16 is later. The individual shall be required to comply with the  
17 required demonstrate compliance in the work activity upon  
18 completion of the 3-month penalty period, before reinstatement  
19 of temporary cash assistance ~~and food stamps.~~ Upon meeting  
20 this requirement, temporary cash assistance shall be  
21 reinstated to the date of compliance or the first day of the  
22 month following the penalty period, whichever is later.

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

28  
29 If a participant fully complies with work activity  
30 requirements for at least 6 months, the participant shall be  
31 reinstated as being in full compliance with program

1 requirements for purpose of sanctions imposed under this  
2 section.

3 (2)~~(5)~~ CONTINUATION OF TEMPORARY CASH ASSISTANCE FOR  
4 CHILDREN; PROTECTIVE PAYEES.--

5 (a) Upon the second or third occurrence of  
6 noncompliance, temporary cash assistance and food stamps for  
7 the child or children in a family who are under age 16 may be  
8 continued. Any such payments must be made through a protective  
9 payee or, in the case of food stamps, through an authorized  
10 representative. Under no circumstances shall temporary cash  
11 assistance or food stamps be paid to an individual who has  
12 failed to comply with program requirements.

13 (b) Protective payees shall be designated by the  
14 department and may include:

15 1. A relative or other individual who is interested in  
16 or concerned with the welfare of the child or children and  
17 agrees in writing to utilize the assistance in the best  
18 interest of the child or children.

19 2. A member of the community affiliated with a  
20 religious, community, neighborhood, or charitable organization  
21 who agrees in writing to utilize the assistance in the best  
22 interest of the child or children.

23 3. A volunteer or member of an organization who agrees  
24 in writing to fulfill the role of protective payee and to  
25 utilize the assistance in the best interest of the child or  
26 children.

27 (c) The protective payee designated by the department  
28 shall be the authorized representative for purposes of  
29 receiving food stamps on behalf of a child or children under  
30 age 16. The authorized representative must agree in writing to  
31

1 use the food stamps in the best interest of the child or  
2 children.

3 (d) If it is in the best interest of the child or  
4 children, as determined by the department, for the staff  
5 member of a private agency, a public agency, the department,  
6 or any other appropriate organization to serve as a protective  
7 payee or authorized representative, such designation may be  
8 made, except that a protective payee or authorized  
9 representative must not be any individual involved in  
10 determining eligibility for temporary cash assistance or food  
11 stamps for the family, staff handling any fiscal processes  
12 related to issuance of temporary cash assistance or food  
13 stamps, or landlords, grocers, or vendors of goods, services,  
14 or items dealing directly with the participant.

15 (e) The department may pay incidental expenses or  
16 travel expenses for costs directly related to performance of  
17 the duties of a protective payee as necessary to implement the  
18 provisions of this subsection.

19 (f) If the department is unable to designate a  
20 qualified protective payee or authorized representative, a  
21 referral shall be made under the provisions of chapter 39 for  
22 protective intervention.

23 (3)~~(6)~~ PROPORTIONAL REDUCTION OF TEMPORARY CASH  
24 ASSISTANCE RELATED TO PAY AFTER PERFORMANCE.--Notwithstanding  
25 the provisions of subsection(1)~~(4)~~, if an individual is  
26 receiving temporary cash assistance under a  
27 pay-after-performance arrangement and the individual  
28 participates, but fails to meet the full participation  
29 requirement, then the temporary cash assistance received shall  
30 be reduced and shall be proportional to the actual  
31 participation. Food stamps may be included in a

1 pay-after-performance arrangement if permitted under federal  
2 law.

3 ~~(4)(7)~~ EXCEPTIONS TO NONCOMPLIANCE PENALTIES.--Unless  
4 otherwise provided, the situations listed in this subsection  
5 shall constitute exceptions to the penalties for noncompliance  
6 with participation requirements, except that these situations  
7 do not constitute exceptions to the applicable time limit for  
8 receipt of temporary cash assistance:

9 (a) Noncompliance related to child care.--Temporary  
10 cash assistance may not be terminated for refusal to  
11 participate in work activities if the individual is a single  
12 custodial parent caring for a child who has not attained 6  
13 years of age, and the adult proves to the regional workforce  
14 board department an inability to obtain needed child care for  
15 one or more of the following reasons, as defined in the Child  
16 Care and Development Fund State Plan required by part 98 of 45  
17 C.F.R.:

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

20 2. Unavailability or unsuitability of informal child  
21 care by a relative or under other arrangements.

22 3. Unavailability of appropriate and affordable formal  
23 child care arrangements.

24 (b) Noncompliance related to domestic violence.--An  
25 individual who is determined to be unable to comply with the  
26 work requirements because such compliance would make it  
27 probable that the individual would be unable to escape  
28 domestic violence shall be exempt from work requirements  
29 ~~pursuant to s. 414.028(4)(g)~~. However, the individual shall  
30 comply with a plan that specifies alternative requirements  
31 that prepare the individual for self-sufficiency while

1 providing for the safety of the individual and the  
2 individual's dependents. A participant who is determined to  
3 be out of compliance with the alternative requirement plan  
4 shall be subject to the penalties under subsection (1)~~(4)~~.  
5 An exception granted under this paragraph does not  
6 automatically constitute an extension of ~~exception to~~ the time  
7 limitations on benefits specified under s. 414.105.  
8 (c) Noncompliance related to treatment or remediation  
9 of past effects of domestic violence.--An individual who is  
10 determined to be unable to comply with the work requirements  
11 under this section due to mental or physical impairment  
12 related to past incidents of domestic violence may be exempt  
13 from work requirements ~~for a specified period pursuant to s.~~  
14 ~~414.028(4)(g)~~, except that such individual shall comply with a  
15 plan that specifies alternative requirements that prepare the  
16 individual for self-sufficiency while providing for the safety  
17 of the individual and the individual's dependents. A  
18 participant who is determined to be out of compliance with the  
19 alternative requirement plan shall be subject to the penalties  
20 under subsection (1)~~(4)~~. The plan must include counseling or  
21 a course of treatment necessary for the individual to resume  
22 participation. The need for treatment and the expected  
23 duration of such treatment must be verified by a physician  
24 licensed under chapter 458 or chapter 459; a psychologist  
25 licensed under s. 490.005(1), s. 490.006, or the provision  
26 identified as s. 490.013(2) in s. 1, chapter 81-235, Laws of  
27 Florida; a therapist as defined in s. 491.003(2) or (6); or a  
28 treatment professional who is registered under s. 39.905(1)(g)  
29 ~~s. 415.605(1)(g)~~, is authorized to maintain confidentiality  
30 under s. 90.5036(1)(d), and has a minimum of 2 years  
31 experience at a certified domestic violence center. An

1 exception granted under this paragraph does not automatically  
2 constitute an extension of ~~exception from~~ the time limitations  
3 on benefits specified under s. 414.105.

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

24 (e) Noncompliance related to outpatient mental health  
25 or substance abuse treatment.--If an individual cannot  
26 participate in the required hours of work activity due to a  
27 need to become or remain involved in outpatient mental health  
28 or substance abuse counseling or treatment, the individual may  
29 be exempted from the work activity for up to 5 hours per week,  
30 not to exceed 100 hours per year. An individual may not be  
31 excused from a work activity unless a mental health or

1 substance abuse professional recognized by the department or  
2 regional workforce board certifies the treatment protocol and  
3 provides verification of attendance at the counseling or  
4 treatment sessions each week.

5 (f)~~(e)~~ Noncompliance due to medical incapacity by  
6 applicants for Supplemental Security Income (SSI) or Social  
7 Security Disability Income (SSDI).--An individual subject to  
8 work activity requirements may be exempted from those  
9 requirements if the individual provides information verifying  
10 that he or she has filed an application for SSI disability  
11 benefits or SSDI disability benefits and the decision is  
12 pending development and evaluation under social security  
13 disability law, rules, and regulations at the initial  
14 reconsideration, administrative law judge, or Social Security  
15 Administration Appeals Council levels.

16 (g)~~(f)~~ Other good cause exceptions for  
17 noncompliance.--Individuals who are temporarily unable to  
18 participate due to circumstances beyond their control may be  
19 excepted from the noncompliance penalties. The department may  
20 define by rule situations that would constitute good cause.  
21 These situations must include caring for a disabled family  
22 member when the need for the care has been verified and  
23 alternate care is not available.

24 (5)~~(8)~~ WORK ACTIVITY REQUIREMENTS FOR NONCUSTODIAL  
25 PARENTS.--

26 (a) The court may order a noncustodial parent who is  
27 delinquent in child support payments to participate in work  
28 activities under this chapter so that the parent may obtain  
29 employment and fulfill the obligation to provide support  
30 payments. A noncustodial parent who fails to satisfactorily  
31



1 engage in court-ordered work activities may be held in  
2 contempt.

3 (b) The court may order a noncustodial parent to  
4 participate in work activities under this chapter if the child  
5 of the noncustodial parent has been placed with a relative, in  
6 an emergency shelter, in foster care, or in other substitute  
7 care, and:

8 1. The case plan requires the noncustodial parent to  
9 participate in work activities; or

10 2. The noncustodial parent would be eligible to  
11 participate in work activities ~~the WAGES Program~~ and subject  
12 to work activity requirements if the child were living with  
13 the parent.

14  
15 If a noncustodial parent fails to comply with the case plan,  
16 the noncustodial parent may be removed from program  
17 participation.

18 ~~(9) PRIORITIZATION OF WORK REQUIREMENTS.--The~~  
19 ~~department and local WAGES coalitions shall require~~  
20 ~~participation in work activities to the maximum extent~~  
21 ~~possible, subject to federal and state funding. If funds are~~  
22 ~~projected to be insufficient to allow full-time work~~  
23 ~~activities by all program participants who are required to~~  
24 ~~participate in work activities, local WAGES coalitions shall~~  
25 ~~screen participants and assign priority based on the~~  
26 ~~following:~~

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

30  
31

1           ~~(b) Among single-parent families, a family that has~~  
2 ~~older preschool children or school-age children shall be~~  
3 ~~assigned priority for work activities.~~

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

6           ~~(d) Priority may be assigned based on the amount of~~  
7 ~~time remaining until the participant reaches the applicable~~  
8 ~~time limit for program participation or may be based on~~  
9 ~~requirements of a case plan.~~

10  
11 ~~Local WAGES coalitions may limit a participant's weekly work~~  
12 ~~requirement to the minimum required to meet federal work~~  
13 ~~activity requirements in lieu of the level defined in~~  
14 ~~subsection (2). The department and local WAGES coalitions may~~  
15 ~~develop screening and prioritization procedures within service~~  
16 ~~districts or within counties based on the allocation of~~  
17 ~~resources, the availability of community resources, or the~~  
18 ~~work activity needs of the service district.~~

19           ~~(10) USE OF CONTRACTS.--The department and local WAGES~~  
20 ~~coalitions shall provide work activities, training, and other~~  
21 ~~services, as appropriate, through contracts. In contracting~~  
22 ~~for work activities, training, or services, the following~~  
23 ~~applies:~~

24           ~~(a) All education and training provided under the~~  
25 ~~WAGES Program shall be provided through agreements with~~  
26 ~~regional workforce development boards.~~

27           ~~(b) A contract must be performance-based. Wherever~~  
28 ~~possible, payment shall be tied to performance outcomes that~~  
29 ~~include factors such as, but not limited to, job entry, job~~  
30 ~~entry at a target wage, and job retention, rather than tied to~~

31

1 ~~completion of training or education or any other phase of the~~  
2 ~~program participation process.~~

3 ~~(c) A contract may include performance-based incentive~~  
4 ~~payments that may vary according to the extent to which the~~  
5 ~~participant is more difficult to place. Contract payments may~~  
6 ~~be weighted proportionally to reflect the extent to which the~~  
7 ~~participant has limitations associated with the long-term~~  
8 ~~receipt of welfare and difficulty in sustaining employment.~~  
9 ~~The factors may include the extent of prior receipt of~~  
10 ~~welfare, lack of employment experience, lack of education,~~  
11 ~~lack of job skills, and other factors determined appropriate~~  
12 ~~by the department.~~

13 ~~(d) Notwithstanding the exemption from the competitive~~  
14 ~~sealed bid requirements provided in s. 287.057(3)(f) for~~  
15 ~~certain contractual services, each contract awarded under this~~  
16 ~~chapter must be awarded on the basis of a competitive sealed~~  
17 ~~bid, except for a contract with a governmental entity as~~  
18 ~~determined by the department.~~

19 ~~(e) The department and the local WAGES coalitions may~~  
20 ~~contract with commercial, charitable, or religious~~  
21 ~~organizations. A contract must comply with federal~~  
22 ~~requirements with respect to nondiscrimination and other~~  
23 ~~requirements that safeguard the rights of participants.~~  
24 ~~Services may be provided under contract, certificate, voucher,~~  
25 ~~or other form of disbursement.~~

26 ~~(f) The administrative costs associated with a~~  
27 ~~contract for services provided under this section may not~~  
28 ~~exceed the applicable administrative cost ceiling established~~  
29 ~~in federal law. An agency or entity that is awarded a contract~~  
30 ~~under this section may not charge more than 7 percent of the~~  
31 ~~value of the contract for administration, unless an exception~~

1 ~~is approved by the local WAGES coalition. A list of any~~  
2 ~~exceptions approved must be submitted to the WAGES Program~~  
3 ~~State Board of Directors for review, and the board may rescind~~  
4 ~~approval of the exception. The WAGES Program State Board of~~  
5 ~~Directors may also approve exceptions for any statewide~~  
6 ~~contract for services provided under this section.~~

7 ~~(g) Local WAGES coalitions may enter into contracts to~~  
8 ~~provide short-term work experience for the chronically~~  
9 ~~unemployed as provided in this section.~~

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

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

20 ~~(12) PROTECTION FOR CURRENT EMPLOYEES.--In~~  
21 ~~establishing and contracting for work experience and community~~  
22 ~~service activities, other work experience activities,~~  
23 ~~on-the-job training, subsidized employment, and work~~  
24 ~~supplementation under the WAGES Program, an employed worker~~  
25 ~~may not be displaced, either completely or partially. A WAGES~~  
26 ~~participant may not be assigned to an activity or employed in~~  
27 ~~a position if the employer has created the vacancy or~~  
28 ~~terminated an existing employee without good cause in order to~~  
29 ~~fill that position with a WAGES Program participant.~~

30 ~~(13) CONTRACTS FOR VOCATIONAL ASSESSMENTS AND WORK~~  
31 ~~EVALUATIONS.--Vocational assessments or work evaluations by~~

1 ~~the Division of Vocational Rehabilitation pursuant to this~~  
2 ~~section shall be performed under contract with the local WAGES~~  
3 ~~coalitions.~~

4 Section 39. Section 414.085, Florida Statutes, is  
5 amended to read:

6 414.085 Income eligibility standards.--For purposes of  
7 program simplification and effective program management,  
8 certain income definitions, as outlined in the food stamp  
9 regulations at 7 C.F.R. s. 273.9, shall be applied to the  
10 temporary cash assistance ~~WAGES~~ program as determined by the  
11 department to be consistent with federal law regarding  
12 temporary cash assistance and Medicaid for needy families,  
13 except as to the following:

14 (1) Participation in the temporary cash assistance  
15 ~~WAGES~~ program shall be limited to those families whose gross  
16 family income is equal to or less than 185 ~~130~~ percent of the  
17 federal poverty level established in s. 673(2) of the  
18 Community Services Block Grant Act, 42 U.S.C. s. 9901(2).

19 (2) Income security payments, including payments  
20 funded under part B of Title IV of the Social Security Act, as  
21 amended; supplemental security income under Title XVI of the  
22 Social Security Act, as amended; or other income security  
23 payments as defined by federal law shall be excluded as income  
24 unless required to be included by federal law.

25 (3) The first \$50 of child support paid to a custodial  
26 parent receiving temporary cash assistance may not be  
27 disregarded in calculating the amount of temporary cash  
28 assistance for the family, unless such exclusion is required  
29 by federal law.

30  
31

1           (4) An incentive payment to a participant authorized  
2 by a regional workforce board ~~local WAGES coalition~~ shall not  
3 be considered income.

4           Section 40. Section 414.095, Florida Statutes, is  
5 amended to read:

6           414.095 Determining eligibility for temporary cash  
7 assistance ~~the WAGES Program~~.--

8           (1) ELIGIBILITY.--An applicant must meet eligibility  
9 requirements of this section before receiving services or  
10 temporary cash assistance under this chapter, except that an  
11 applicant shall be required to register for work and engage in  
12 work activities in accordance with s. 445.024, as designated  
13 by the regional workforce board, ~~s. 414.065~~ and may receive  
14 support services or child care assistance in conjunction with  
15 such requirement. The department shall make a determination of  
16 eligibility based on the criteria listed in this chapter. The  
17 department shall monitor continued eligibility for temporary  
18 cash assistance through periodic reviews consistent with the  
19 food stamp eligibility process. Benefits shall not be denied  
20 to an individual solely based on a felony drug conviction,  
21 unless the conviction is for trafficking pursuant to s.  
22 893.135. To be eligible under this section, an individual  
23 convicted of a drug felony must be satisfactorily meeting the  
24 requirements of the temporary cash assistance ~~WAGES~~ program,  
25 including all substance abuse treatment requirements. Within  
26 the limits specified in this chapter, the state opts out of  
27 the provision of Pub. L. No. 104-193, s. 115, that eliminates  
28 eligibility for temporary cash assistance and food stamps for  
29 any individual convicted of a controlled substance felony.

30           (2) ADDITIONAL ELIGIBILITY REQUIREMENTS.--  
31

- 1           (a) To be eligible for services or temporary cash  
2 assistance and Medicaid ~~under the WAGES Program~~:
- 3           1. An applicant must be a United States citizen, or a  
4 qualified noncitizen, as defined in this section.
- 5           2. An applicant must be a legal resident of the state.
- 6           3. Each member of a family must provide to the  
7 department the member's social security number or shall  
8 provide proof of application for a social security number. An  
9 individual who fails to provide to the department a social  
10 security number, or proof of application for a social security  
11 number, is not eligible to participate in the program.
- 12           4. A minor child must reside with a custodial parent  
13 or parents or with a relative caretaker who is within the  
14 specified degree of blood relationship as defined under this  
15 chapter ~~the WAGES Program~~, or in a setting approved by the  
16 department.
- 17           5. Each family must have a minor child and meet the  
18 income and resource requirements of the program. All minor  
19 children who live in the family, as well as the parents of the  
20 minor children, shall be included in the eligibility  
21 determination unless specifically excluded.
- 22           (b) The following members of a family are eligible to  
23 participate in the program if all eligibility requirements are  
24 met:
- 25           1. A minor child who resides with a custodial parent  
26 or other adult caretaker relative.
- 27           2. The parent of a minor child with whom the child  
28 resides.
- 29           3. The caretaker relative with whom the minor child  
30 resides who chooses to have her or his needs and income  
31 included in the family.

1           4. Unwed minor children and their children if the  
2 unwed minor child lives at home or in an adult-supervised  
3 setting and if temporary cash assistance is paid to an  
4 alternative payee.

5           5. A pregnant woman.

6           (3) ELIGIBILITY FOR NONCITIZENS.--A "qualified  
7 noncitizen" is an individual who is admitted to lawfully  
8 ~~present in~~ the United States as a refugee under s. 207 of the  
9 Immigration and Nationality Act or who is granted asylum under  
10 s. ~~ss.~~ 207 and 208 of the Immigration and Nationality Act; a  
11 noncitizen, an alien whose deportation is withheld under s.  
12 243(h) or s. 241(b)(3) of the Immigration and Nationality Act;  
13 a noncitizen, or an alien who is paroled into the United  
14 States under s. 212(d)(5) of the Immigration and Nationality  
15 Act, for at least 1 year, a noncitizen who is granted  
16 conditional entry pursuant to s. 203(a)(7) of the Immigration  
17 and Nationality Act as in effect prior to April 1, 1980; a  
18 Cuban or Haitian entrant; or a noncitizen who has been  
19 admitted as a permanent resident and meets specific criteria  
20 under federal law. In addition, a "qualified noncitizen"  
21 includes an individual who, or an individual whose child or  
22 parent, has been battered or subject to extreme cruelty in the  
23 United States by a spouse, or a parent, or other household  
24 member under certain circumstances, and has applied for or  
25 received protection under the federal Violence Against Women  
26 Act of 1994, Pub. L. No. 103-322, if the need for benefits is  
27 related to the abuse and the batterer no longer lives in the  
28 household. A "nonqualified noncitizen" is a nonimmigrant  
29 noncitizen alien, including a tourist, business visitor,  
30 foreign student, exchange visitor, temporary worker, or  
31 diplomat. In addition, a "nonqualified noncitizen" includes an



1 individual paroled into the United States for less than 1  
2 year. A qualified noncitizen who is otherwise eligible may  
3 receive temporary cash assistance to the extent permitted by  
4 federal law. The income or resources of a sponsor and the  
5 sponsor's spouse shall be included in determining eligibility  
6 to the maximum extent permitted by federal law.

7 (a) A child who is a qualified noncitizen or who was  
8 born in the United States to an illegal or ineligible  
9 noncitizen ~~alien~~ is eligible for temporary cash assistance  
10 under this chapter if the family meets all eligibility  
11 requirements.

12 (b) If the parent may legally work in this country,  
13 the parent must participate in the work activity requirements  
14 provided in s. 445.024 ~~s. 414.065~~, to the extent permitted  
15 under federal law.

16 (c) The department shall participate in the Systematic  
17 Alien Verification for Entitlements Program (SAVE) established  
18 by the United States Immigration and Naturalization Service in  
19 order to verify the validity of documents provided by  
20 noncitizens ~~aliens~~ and to verify a noncitizen's ~~an alien's~~  
21 eligibility.

22 (d) The income of an illegal noncitizen ~~alien~~ or  
23 ineligible noncitizen ~~who is a mandatory member of a family~~  
24 ~~alien~~, less a pro rata share for the illegal noncitizen ~~alien~~  
25 or ineligible noncitizen ~~alien~~, counts in determining a  
26 family's eligibility to participate in the program.

27 (e) The entire assets of an ineligible noncitizen  
28 ~~alien~~ or a disqualified individual who is a mandatory member  
29 of a family shall be included in determining the family's  
30 eligibility.

31

1           (4) STEPPARENTS.--A family that contains a stepparent  
2 has the following special eligibility options if the family  
3 meets all other eligibility requirements:

4           (a) A family that does not contain a mutual minor  
5 child has the option to include or exclude a stepparent in  
6 determining eligibility if the stepparent's monthly gross  
7 income is less than 185 percent of the federal poverty level  
8 for a two-person family.

9           1. If the stepparent chooses to be excluded from the  
10 family, temporary cash assistance, without shelter expense,  
11 shall be provided for the child. The parent of the child must  
12 comply with work activity requirements as provided in s.  
13 445.024 ~~s. 414.065~~. Income and resources from the stepparent  
14 may not be included in determining eligibility; however, any  
15 income and resources from the parent of the child shall be  
16 included in determining eligibility.

17           2. If a stepparent chooses to be included in the  
18 family, the department shall determine eligibility using the  
19 requirements for a nonstepparent family. A stepparent whose  
20 income is equal to or greater than 185 percent of the federal  
21 poverty level for a two-person family does not have the option  
22 to be excluded from the family, and all income and resources  
23 of the stepparent shall be included in determining the  
24 family's eligibility.

25           (b) A family that contains a mutual minor child does  
26 not have the option to exclude a stepparent from the family,  
27 and the income and resources from the stepparent shall be  
28 included in determining eligibility.

29           (c) A family that contains two stepparents, with or  
30 without a mutual minor child, does not have the option to  
31 exclude a stepparent from the family, and the income and

1 resources from each stepparent must be included in determining  
2 eligibility.

3 (5) CARETAKER RELATIVES.--A family that contains a  
4 caretaker relative of a minor child has the option to include  
5 or exclude the caretaker relative in determining eligibility.  
6 If the caretaker relative chooses to be included in the  
7 family, the caretaker relative must meet all eligibility  
8 requirements, including resource and income requirements, and  
9 must comply with work activity requirements as provided in s.  
10 445.024 ~~s. 414.065~~. If the caretaker relative chooses to be  
11 excluded from the family, eligibility shall be determined for  
12 the minor child based on the child's income and resources. The  
13 level of temporary cash assistance for the minor child shall  
14 be based on the shelter obligation paid to the caretaker  
15 relative.

16 (6) PREGNANT WOMAN WITH NO OTHER CHILD.--Temporary  
17 cash assistance for a pregnant woman is not available until  
18 the last month of pregnancy. However, if the department  
19 determines that a woman is restricted from work activities by  
20 orders of a physician, temporary cash assistance shall be  
21 available during the last trimester of pregnancy and the woman  
22 may be required to attend parenting classes or other  
23 activities to better prepare for the responsibilities of  
24 raising a child.

25 (7) CHILD SUPPORT ENFORCEMENT.--As a condition of  
26 eligibility for public assistance, the family must cooperate  
27 with the state agency responsible for administering the child  
28 support enforcement program in establishing the paternity of  
29 the child, if the child is born out of wedlock, and in  
30 obtaining support for the child or for the parent or caretaker  
31 relative and the child. Cooperation is defined as:

1           (a) Assisting in identifying and locating a  
2 noncustodial parent and providing complete and accurate  
3 information on that parent;

4           (b) Assisting in establishing paternity; and

5           (c) Assisting in establishing, modifying, or enforcing  
6 a support order with respect to a child of a family member.

7  
8 This subsection does not apply if the state agency that  
9 administers the child support enforcement program determines  
10 that the parent or caretaker relative has good cause for  
11 failing to cooperate.

12           (8) ASSIGNMENT OF RIGHTS TO SUPPORT.--As a condition  
13 of receiving temporary cash assistance, the family must assign  
14 to the department any rights a member of a family may have to  
15 support from any other person. This applies to any family  
16 member; however, the assigned amounts must not exceed the  
17 total amount of temporary cash assistance provided to the  
18 family. The assignment of child support does not apply if the  
19 family leaves the program.

20           (9) APPLICATIONS.--The date of application is the date  
21 the department or authorized entity receives a signed and  
22 dated request to participate in the temporary cash assistance  
23 ~~WAGES~~ program. The request shall be denied 30 days after the  
24 initial application if the applicant fails to respond to  
25 scheduled appointments, including appointments with the state  
26 agency responsible for administering the child support  
27 enforcement program, and does not contact the department or  
28 authorized entity regarding the application.

29           (a) The beginning date of eligibility for temporary  
30 cash assistance is the date ~~on which the application is~~

31

1 ~~approved or 30 days after the date of application, whichever~~  
2 ~~is earlier.~~

3 (b) The add date for a newborn child is the date of  
4 the child's birth.

5 (c) The add date for all other individuals is the date  
6 on which the client files a signed and dated request with  
7 ~~contacts~~ the department to add request ~~that~~ the individual to  
8 ~~be included in~~ the grant for temporary cash assistance.

9 ~~(d) Medicaid coverage for a recipient of temporary~~  
10 ~~cash assistance begins on the first day of the first month of~~  
11 ~~eligibility for temporary cash assistance, and such coverage~~  
12 ~~shall include any eligibility required by federal law which is~~  
13 ~~prior to the month of application.~~

14 (10) ~~PARTICIPANT~~ OPPORTUNITIES AND OBLIGATIONS.--An  
15 applicant for temporary cash assistance ~~or participant in the~~  
16 ~~WAGES Program~~ has the following opportunities and obligations:

17 (a) To participate in establishing eligibility by  
18 providing facts with respect to circumstances that affect  
19 eligibility and by obtaining, or authorizing the department  
20 ~~and the Department of Labor and Employment Security~~ to obtain,  
21 documents or information from others in order to establish  
22 eligibility.

23 (b) To have eligibility determined without  
24 discrimination based on race, color, sex, age, marital status,  
25 handicap, religion, national origin, or political beliefs.

26 (c) To be advised of any reduction or termination of  
27 temporary cash assistance or food stamps.

28 (d) To provide correct and complete information about  
29 the family's circumstances that relate to eligibility, at the  
30 time of application and at subsequent intervals.

31

1           (e) To keep the department ~~and the Department of Labor~~  
2 ~~and Employment Security~~ informed of any changes that could  
3 affect eligibility.

4           (f) To use temporary cash assistance and food stamps  
5 for the purpose for which the assistance is intended.

6           (g) To receive information regarding services  
7 available from certified domestic violence centers or  
8 organizations that provide counseling and supportive services  
9 to individuals who are past or present victims of domestic  
10 violence or who are at risk of domestic violence and, upon  
11 request, to be referred to such organizations in a manner  
12 which protects the individual's confidentiality.

13           (11) DETERMINATION OF LEVEL OF TEMPORARY CASH  
14 ASSISTANCE.--Temporary cash assistance shall be based on a  
15 standard determined by the Legislature, subject to  
16 availability of funds. There shall be three assistance levels  
17 for a family that contains a specified number of eligible  
18 members, based on the following criteria:

19           (a) A family that does not have a shelter obligation.

20           (b) A family that has a shelter obligation greater  
21 than zero but less than or equal to \$50.

22           (c) A family that has a shelter obligation greater  
23 than \$50 or that is homeless.

24

25 The following chart depicts the levels of temporary cash  
26 assistance for implementation purposes:

27

28                                   THREE-TIER SHELTER PAYMENT STANDARD

29

30

31

1	Family	Zero Shelter	Greater than Zero	Greater than \$50
2	Size	Obligation	Less than or	Shelter
3			Equal to \$50	Obligation
5	1	\$95	\$153	\$180
6	2	\$158	\$205	\$241
7	3	\$198	\$258	\$303
8	4	\$254	\$309	\$364
9	5	\$289	\$362	\$426
10	6	\$346	\$414	\$487
11	7	\$392	\$467	\$549
12	8	\$438	\$519	\$610
13	9	\$485	\$570	\$671
14	10	\$534	\$623	\$733
15	11	\$582	\$676	\$795
16	12	\$630	\$728	\$857
17	13	\$678	\$781	\$919

18

19 (12) DISREGARDS.--

20 (a) As an incentive to employment, the first \$200 plus  
21 one-half of the remainder of earned income shall be  
22 disregarded. In order to be eligible for earned income to be  
23 disregarded, the individual must be:

- 24 1. A current participant in the program; or  
25 2. Eligible for participation in the program without  
26 the earnings disregard.

27 (b) A child's earned income shall be disregarded if  
28 the child is a family member, attends high school or the  
29 equivalent, and is 19 years of age or younger.

30 (13) CALCULATION OF LEVELS OF TEMPORARY CASH  
31 ASSISTANCE.--

1           (a) Temporary cash assistance shall be calculated  
2 based on average monthly gross family income, earned and  
3 unearned, less any applicable disregards. The resulting  
4 monthly net income amount shall be subtracted from the  
5 applicable payment standard to determine the monthly amount of  
6 temporary cash assistance.

7           (b) A deduction may not be allowed for child care  
8 payments.

9           (14) METHODS OF PAYMENT OF TEMPORARY CASH  
10 ASSISTANCE.--Temporary cash assistance may be paid as follows:

11           (a) Direct payment through state warrant, electronic  
12 transfer of temporary cash assistance, or voucher.

13           (b) Payment to an alternative payee.

14           (c) Payment for subsidized employment.

15           (d) Pay-after-performance arrangements with public or  
16 private not-for-profit agencies.

17           (15) PROHIBITIONS AND RESTRICTIONS.--

18           (a) A family without a minor child living in the home  
19 is not eligible to receive temporary cash assistance or  
20 services under this chapter. However, a pregnant woman is  
21 eligible for temporary cash assistance in the ninth month of  
22 pregnancy if all eligibility requirements are otherwise  
23 satisfied.

24           (b) Temporary cash assistance, without shelter  
25 expense, may be available for a teen parent who is a minor  
26 child and for the child. Temporary cash assistance may not be  
27 paid directly to the teen parent but must be paid, on behalf  
28 of the teen parent and child, to an alternative payee who is  
29 designated by the department. The alternative payee may not  
30 use the temporary cash assistance for any purpose other than  
31 paying for food, clothing, shelter, and medical care for the



1 teen parent and child and for other necessities required to  
2 enable the teen parent to attend school or a training program.  
3 In order for the child of the teen parent and the teen parent  
4 to be eligible for temporary cash assistance, the teen parent  
5 must:

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

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

15 3. Attend parenting and family classes that provide a  
16 curriculum specified by the department or the Department of  
17 Health, as available.

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

21 1. The teen parent has suffered or might suffer harm  
22 in the home of the parent, legal guardian, or adult caretaker  
23 relative.

24 2. The requirement is not in the best interest of the  
25 teen parent or the child. If the department determines that it  
26 is not in the best interest of the teen parent or child to  
27 reside with a parent, legal guardian, or other adult caretaker  
28 relative, the department shall provide or assist the teen  
29 parent in finding a suitable home, a second-chance home, a  
30 maternity home, or other appropriate adult-supervised  
31 supportive living arrangement. Such living arrangement may

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

15 (d) Notwithstanding any law to the contrary, if a  
16 parent or caretaker relative without good cause does not  
17 cooperate with the state agency responsible for administering  
18 the child support enforcement program in establishing,  
19 modifying, or enforcing a support order with respect to a  
20 child of a teen parent or other family member, or a child of a  
21 family member who is in the care of an adult relative,  
22 temporary cash assistance to the entire family shall be denied  
23 until the state agency indicates that cooperation by the  
24 parent or caretaker relative has been satisfactory. To the  
25 extent permissible under federal law, a parent or caretaker  
26 relative shall not be penalized for failure to cooperate with  
27 paternity establishment or with the establishment,  
28 modification, or enforcement of a support order when such  
29 cooperation could subject an individual to a risk of domestic  
30 violence. Such risk shall constitute good cause to the extent  
31

1 permitted by Title IV-D of the Social Security Act, as  
2 amended, or other federal law.

3 (e) If a parent or caretaker relative does not assign  
4 any rights a family member may have to support from any other  
5 person as required by subsection (8), temporary cash  
6 assistance to the entire family shall be denied until the  
7 parent or caretaker relative assigns the rights to the  
8 department.

9 (f) An individual who is convicted in federal or state  
10 court of receiving benefits under this chapter, Title XIX, the  
11 Food Stamp Act of 1977, or Title XVI (Supplemental Security  
12 Income), in two or more states simultaneously may not receive  
13 temporary cash assistance or services under this chapter for  
14 10 years following the date of conviction.

15 (g) An individual is ineligible to receive temporary  
16 cash assistance or services under this chapter during any  
17 period when the individual is fleeing to avoid prosecution,  
18 custody, or confinement after committing a crime, attempting  
19 to commit a crime that is a felony under the laws of the place  
20 from which the individual flees or a high misdemeanor in the  
21 State of New Jersey, or violating a condition of probation or  
22 parole imposed under federal or state law.

23 (h) The parent or other caretaker relative must report  
24 to the department by the end of the 5-day period that begins  
25 on the date it becomes clear to the parent or caretaker  
26 relative that a minor child will be absent from the home for  
27 30 or more consecutive days. A parent or caretaker relative  
28 who fails to report this information to the department shall  
29 be disqualified from receiving temporary cash assistance for  
30 30 days for the first occurrence, 60 days for the second  
31

1 occurrence, and 90 days for the third or subsequent  
2 occurrence.

3 (i) If the parents of a minor child live apart and  
4 equally share custody and control of the child, a parent is  
5 ineligible for temporary cash assistance unless the parent  
6 clearly demonstrates to the department that the parent  
7 provides primary day-to-day custody.

8 (j) The payee of the temporary cash assistance payment  
9 is the caretaker relative with whom a minor child resides and  
10 who assumes primary responsibility for the child's daily  
11 supervision, care, and control, except in cases where a  
12 protective payee is established.

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

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

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

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

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

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

9 (16)~~(17)~~ PREELIGIBILITY FRAUD SCREENING.--An applicant  
10 who meets an error-prone profile, as determined by the  
11 department, is subject to preeligibility fraud screening as a  
12 means of reducing misspent funds and preventing fraud. The  
13 department shall create an error-prone or fraud-prone case  
14 profile within its public assistance information system and  
15 shall screen each application for temporary cash assistance  
16 ~~the WAGES Program~~ against the profile to identify cases that  
17 have a potential for error or fraud. Each case so identified  
18 shall be subjected to preeligibility fraud screening.

19 (17)~~(18)~~ PROPORTIONAL REDUCTION.--If the Social  
20 Services Estimating Conference forecasts an increase in the  
21 temporary cash assistance caseload and there is insufficient  
22 funding, a proportional reduction as determined by the  
23 department shall be applied to the levels of temporary cash  
24 assistance in subsection (11).

25 (18)~~(19)~~ ADDITIONAL FUNDING.--When warranted by  
26 economic circumstances, the department, in consultation with  
27 the Social Services Estimating Conference, shall apply for  
28 additional federal funding available from the Contingency Fund  
29 for State Welfare Programs.

30 Section 41. Section 414.105, Florida Statutes, is  
31 amended to read:

1           414.105 Time limitations of temporary cash  
2 assistance.--Unless otherwise expressly provided in this  
3 chapter, an applicant or current participant shall receive  
4 temporary cash assistance for episodes of not more than 24  
5 cumulative months in any consecutive 60-month period that  
6 begins with the first month of participation and for not more  
7 than a lifetime cumulative total of 48 months as an adult,  
8 unless otherwise provided by law.

9           (1) The time limitation for episodes of temporary cash  
10 assistance may not exceed 36 cumulative months in any  
11 consecutive 72-month period that begins with the first month  
12 of participation and may not exceed a lifetime cumulative  
13 total of 48 months of temporary cash assistance as an adult,  
14 for cases in which the participant:

15           (a) Has received aid to families with dependent  
16 children or temporary cash assistance for any 36 months of the  
17 preceding 60 months; or

18           (b) Is a custodial parent under the age of 24 who:

19           1. Has not completed a high school education or its  
20 equivalent; or

21           2. Had little or no work experience in the preceding  
22 year.

23           (2) A participant who is not exempt from work activity  
24 requirements may earn 1 month of eligibility for extended  
25 temporary cash assistance, up to maximum of 12 additional  
26 months, for each month in which the participant is fully  
27 complying with the work activities of the WAGES Program  
28 through subsidized or unsubsidized public or private sector  
29 employment. The period for which extended temporary cash  
30 assistance is granted shall be based upon compliance with  
31 WAGES Program requirements beginning October 1, 1996.

1       (3) A WAGES participant who is not exempt from work  
2 activity requirements and who participates in a recommended  
3 mental health or substance abuse treatment program may earn 1  
4 month of eligibility for extended temporary cash assistance,  
5 up to a maximum of 12 additional months, for each month in  
6 which the individual fully complies with the requirements of  
7 the treatment program. This treatment credit may be awarded  
8 only upon the successful completion of the treatment program  
9 and only once during the 48-month time limit.

10       (4) Notwithstanding the time limits previously  
11 referenced in this section, a participant may be eligible for  
12 a hardship extension.~~A participant may not receive temporary~~  
13 ~~cash assistance under this subsection, in combination with~~  
14 ~~other periods of temporary cash assistance for longer than a~~  
15 ~~lifetime limit of 48 months.~~Hardship extensions exemptions to  
16 the time limitations of this chapter shall be limited to 20  
17 percent of participants in all subsequent years, as determined  
18 by the department and approved by the WAGES Program State  
19 Board of Directors.

20       (a) For participants who have received 24 cumulative  
21 months or 36 cumulative months of temporary cash assistance,  
22 criteria for hardship extensions exemptions include:

23           1.(a) Diligent participation in activities, combined  
24 with inability to obtain employment.

25           2.(b) Diligent participation in activities, combined  
26 with extraordinary barriers to employment, including the  
27 conditions which may result in an exemption to work  
28 requirements.

29           3.(c) Significant barriers to employment, combined  
30 with a need for additional time.

31

1           4. Delay or interruption in an individual's  
2 participation in the program as a result of the effects of  
3 domestic violence. Hardship extensions granted under this  
4 subsection shall not be subject to the percentage limitation  
5 in this subsection.

6           5.(d) Diligent participation in activities and a need  
7 by teen parents for an extension exemption in order to have 24  
8 months of eligibility beyond receipt of the high school  
9 diploma or equivalent.

10           ~~(e) A recommendation of extension for a minor child of~~  
11 ~~a participating family that has reached the end of the~~  
12 ~~eligibility period for temporary cash assistance. The~~  
13 ~~recommendation must be the result of a review which determines~~  
14 ~~that the termination of the child's temporary cash assistance~~  
15 ~~would be likely to result in the child being placed into~~  
16 ~~emergency shelter or foster care. Temporary cash assistance~~  
17 ~~shall be provided through a protective payee. Staff of the~~  
18 ~~Children and Families Program Office of the department shall~~  
19 ~~conduct all assessments in each case in which it appears a~~  
20 ~~child may require continuation of temporary cash assistance~~  
21 ~~through a protective payee.~~

22  
23 At the recommendation of the regional workforce board ~~local~~  
24 ~~WAGES coalition~~, temporary cash assistance under a hardship  
25 extension exemption for a participant who is eligible for work  
26 activities and who is not working shall be reduced by 10  
27 percent. Upon the employment of the participant, full benefits  
28 shall be restored.

29           (b) The cumulative total of all hardship extensions  
30 may not exceed 12 months, may include reduced benefits at the  
31 option of the review panel, and shall, in combination with



1 other periods of temporary cash assistance as an adult, total  
2 no more than 48 months of temporary cash assistance, unless  
3 otherwise provided by law. If an individual fails to comply  
4 with program requirements during a hardship extension period,  
5 the hardship extension shall be removed upon the participant  
6 being given 10 days' notice to show good cause for failure to  
7 comply.

8 (c) For participants who have received 48 cumulative  
9 months of cash assistance, criteria for hardship extensions  
10 include:

11 1. Supplemental Security Income or Social Security  
12 Disability Insurance applicants who have pending claims at the  
13 end of the 48-month period whose claims have been verified by  
14 a physician licensed under chapter 458 or chapter 459. An  
15 independent medical examination may be requested by the  
16 regional workforce board to establish that the applicant is  
17 unable to gain employment.

18 2. Victims of domestic violence who have been engaged  
19 in an alternate work plan and despite best efforts are still  
20 not work ready.

21 3. Those individuals who have pervasive and persistent  
22 barriers to employment due to extensive educational and skills  
23 training deficits which require remediation and educational  
24 goals that require additional time for habilitation at the  
25 time the individual reached the 48-month time limit.  
26 Verification that the educational and skills training will  
27 likely lead to self-sufficient employment must be provided by  
28 a licensed occupational therapist or vocational rehabilitation  
29 specialist.

30 4. The regional workforce board must review and  
31 evaluate each hardship extension no later than 12 months after

1 the extension has been granted to determine whether an  
2 additional extension should be given. If an individual fails  
3 to comply with program requirements during a hardship  
4 extension, the hardship extension shall be removed upon the  
5 participant being given 10 days' notice to show good cause for  
6 failure to comply.

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

14 (5)(4) The department, in cooperation with Workforce  
15 Florida, Inc., shall establish a procedure for reviewing and  
16 approving hardship extensions ~~exemptions~~, and the regional  
17 workforce board ~~local WAGES coalitions~~ may assist in making  
18 these determinations. The composition of any review panel must  
19 generally reflect the racial, gender, and ethnic diversity of  
20 the community as a whole. Members of a review panel shall  
21 serve without compensation but are entitled to receive  
22 reimbursement for per diem and travel expenses as provided in  
23 s. 112.016.

24 (6) A minor child of a participating family that has  
25 reached the end of the eligibility period for temporary cash  
26 assistance may receive an extension if the department  
27 determines that the termination of the child's temporary cash  
28 assistance would be likely to result in the child being placed  
29 into emergency shelter or foster care. Temporary cash  
30 assistance shall be provided through a protective payee. Staff  
31 of the Children and Families Program Office of the department

1 shall conduct all assessments in each case in which it appears  
2 a child may require continuation of temporary cash assistance  
3 through a protective payee.

4 ~~(5) The cumulative total of all hardship exemptions~~  
5 ~~may not exceed 12 months, may include reduced benefits at the~~  
6 ~~option of the community review panel, and shall, in~~  
7 ~~combination with other periods of temporary cash assistance as~~  
8 ~~an adult, total no more than 48 months of temporary cash~~  
9 ~~assistance. If an individual fails to comply with program~~  
10 ~~requirements during a hardship exemption period, the hardship~~  
11 ~~exemption shall be removed.~~

12 (7)~~(6)~~ For individuals who have moved from another  
13 state, ~~and have legally resided in this state for less than 12~~  
14 ~~months, the time limitation for temporary cash assistance~~  
15 ~~shall be the shorter of the respective time limitations used~~  
16 ~~in the two states, and months in which temporary cash~~  
17 ~~assistance was received under a block grant program that~~  
18 ~~provided temporary assistance for needy families in any state~~  
19 ~~shall count towards the cumulative 48-month benefit limit for~~  
20 ~~temporary cash assistance.~~

21 (8)~~(7)~~ For individuals subject to a time limitation  
22 under the Family Transition Act of 1993, that time limitation  
23 shall continue to apply. Months in which temporary cash  
24 assistance was received through the family transition program  
25 shall count towards the time limitations under this chapter.

26 (9)~~(8)~~ Except when temporary cash assistance was  
27 received through the family transition program, the  
28 calculation of the time limitation for temporary cash  
29 assistance shall begin with the first month of receipt of  
30 temporary cash assistance after the effective date of this  
31 act.

1           (10)~~(9)~~ Child-only cases are not subject to time  
2 limitations, and temporary cash assistance received while an  
3 individual is a minor child shall not count towards time  
4 limitations.

5           (11)~~(10)~~ An individual who receives benefits under the  
6 Supplemental Security Income program or the Social Security  
7 Disability Insurance program is not subject to time  
8 limitations. An individual with an assigned 24-month or  
9 36-month time limit who has applied for supplemental security  
10 income (SSI) for disability, but has not yet received a  
11 determination must be granted an extension of time limits  
12 until the individual receives a final determination on the SSI  
13 application. However, such individual shall continue to meet  
14 all program requirements assigned to the participant based on  
15 medical ability to comply. Such extension shall be within the  
16 48-month lifetime limit unless otherwise provided by law.

17 Determination shall be considered final once all appeals have  
18 been exhausted, benefits have been received, or denial has  
19 been accepted without any appeal. ~~Such individual must~~  
20 ~~continue to meet all program requirements assigned to the~~  
21 ~~participant based on medical ability to comply.~~ Extensions of  
22 48-month time limits shall be in accordance with paragraph  
23 ~~(4)(c) within the recipient's 48-month lifetime limit.~~

24 ~~Hardship exemptions granted under this subsection shall not be~~  
25 ~~subject to the percentage limitations in subsection (2).~~

26           (12)~~(11)~~ A person who is totally responsible for the  
27 personal care of a disabled family member is not subject to  
28 time limitations if the need for the care is verified and  
29 alternative care is not available for the family member. The  
30 department shall annually evaluate an individual's  
31 qualifications for this exemption.

1           ~~(12)~~ (13) A member of the ~~WAGES Program~~ staff of the  
2 regional workforce board shall interview and assess the  
3 employment prospects and barriers of each participant who is  
4 within 6 months of reaching the 24-month time limit. The  
5 staff member shall assist the participant in identifying  
6 actions necessary to become employed prior to reaching the  
7 benefit time limit for temporary cash assistance and, if  
8 appropriate, shall refer the participant for services that  
9 could facilitate employment.

10           Section 42. Section 414.157, Florida Statutes, is  
11 amended to read:

12           414.157 Diversion program for victims of domestic  
13 violence.--

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

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

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

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

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

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

3 (4) One-time payments provided under this section  
4 shall not exceed \$1,000 ~~an amount recommended by the WAGES~~  
5 ~~Program State Board of Directors and adopted by the department~~  
6 ~~in rule.~~

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

10 Section 43. Section 414.158, Florida Statutes, is  
11 amended to read:

12 414.158 Diversion program to prevent or reduce child  
13 abuse and neglect ~~strengthen Florida's families.--~~

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

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

23 (a) The family includes a pregnant woman or a parent  
24 with one or more minor children or a caretaker relative with  
25 one or more minor children.

26 (b) The family meets the criteria of a voluntary  
27 assessment performed by Healthy Families Florida; the family  
28 meets the criteria established by the department for  
29 determining that one or more children in the family are at  
30 risk of abuse, neglect, or threatened harm; or the family is  
31

1 homeless or living in a facility that provides shelter to  
2 homeless families.

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

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

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

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

17 Section 44. Subsection (1) of section 414.35, Florida  
18 Statutes, is amended to read:

19 414.35 Emergency relief.--

20 (1) The department shall, ~~by October 1, 1978,~~ adopt  
21 rules for the administration of emergency assistance programs  
22 delegated to the department either by executive order in  
23 accordance with the Disaster Relief Act of 1974 or pursuant to  
24 the Food Stamp Act of 1977.

25 Section 45. Subsection (1) of section 414.36, Florida  
26 Statutes, is amended to read:

27 414.36 Public assistance overpayment recovery program;  
28 contracts.--

29 (1) The department shall develop and implement a plan  
30 for the statewide privatization of activities relating to the  
31 recovery of public assistance overpayment claims. These

1 activities shall include, at a minimum, voluntary cash  
2 collections functions for recovery of fraudulent and  
3 nonfraudulent benefits paid to recipients of temporary cash  
4 assistance ~~under the WAGES Program~~, food stamps, and aid to  
5 families with dependent children.

6 Section 46. Subsection (10) of section 414.39, Florida  
7 Statutes, is amended to read:

8 414.39 Fraud.--

9 (10) The department shall create an error-prone or  
10 fraud-prone case profile within its public assistance  
11 information system and shall screen each application for  
12 public assistance, including food stamps, Medicaid, and  
13 temporary cash assistance ~~under the WAGES Program~~, against the  
14 profile to identify cases that have a potential for error or  
15 fraud. Each case so identified shall be subjected to  
16 preeligibility fraud screening.

17 Section 47. Subsection (3) of section 414.41, Florida  
18 Statutes, is amended to read:

19 414.41 Recovery of payments made due to mistake or  
20 fraud.--

21 (3) The department, or its designee, shall enforce an  
22 order of income deduction by the court against the liable  
23 adult recipient or participant, including the head of a  
24 family, for overpayment received as an adult under the  
25 temporary cash assistance ~~WAGES~~ program, the AFDC program, the  
26 food stamp program, or the Medicaid program.

27 Section 48. Section 414.55, Florida Statutes, is  
28 amended to read:

29 414.55 Implementation ~~of ss.~~

30 ~~414.015-414.55.--Following the effective date of ss.~~

31 ~~414.015-414.55+~~



1           ~~(1)(a) The Governor may delay implementation of ss.~~  
2 ~~414.015-414.55 in order to provide the department, the~~  
3 ~~Department of Labor and Employment Security, the Department of~~  
4 ~~Revenue, and the Department of Health with the time necessary~~  
5 ~~to prepare to implement new programs.~~

6           ~~(b) The Governor may also delay implementation of~~  
7 ~~portions of ss. 414.015-414.55 in order to allow savings~~  
8 ~~resulting from the enactment of ss. 414.015-414.55 to pay for~~  
9 ~~provisions implemented later. If the Governor determines that~~  
10 ~~portions of ss. 414.015-414.55 should be delayed, the priority~~  
11 ~~in implementing ss. 414.015-414.55 shall be, in order of~~  
12 ~~priority:~~

13           ~~1. Provisions that provide savings in the first year~~  
14 ~~of implementation.~~

15           ~~2. Provisions necessary to the implementation of work~~  
16 ~~activity requirements, time limits, and sanctions.~~

17           ~~3. Provisions related to removing marriage penalties~~  
18 ~~and expanding temporary cash assistance to stepparent and~~  
19 ~~two-parent families.~~

20           ~~4. Provisions related to the reduction of teen~~  
21 ~~pregnancy and out-of-wedlock births.~~

22           ~~5. Other provisions.~~

23           ~~(2) The programs affected by ss. 414.015-414.55 shall~~  
24 ~~continue to operate under the provisions of law that would be~~  
25 ~~in effect in the absence of ss. 414.015-414.55, until such~~  
26 ~~time as the Governor informs the Speaker of the House of~~  
27 ~~Representatives and the President of the Senate of his or her~~  
28 ~~intention to implement provisions of ss. 414.015-414.55.~~  
29 ~~Notice of intent to implement ss. 414.015-414.55 shall be~~  
30 ~~given to the Speaker of the House of Representatives and the~~  
31

1 ~~President of the Senate in writing and shall be delivered at~~  
2 ~~least 14 consecutive days prior to such action.~~

3 ~~(3) Any changes to a program, activity, or function~~  
4 ~~taken pursuant to this section shall be considered a type two~~  
5 ~~transfer pursuant to the provisions of s. 20.06(2).~~

6 ~~(4) In implementing ss. 414.015-414.55,~~The Governor  
7 shall minimize the liability of the state by opting out of the  
8 special provision related to community work, as described in  
9 s. 402(a)(1)(B)(iv) of the Social Security Act, as amended by  
10 Pub. L. No. 104-193. The department and Workforce Florida,  
11 ~~Inc., the Department of Labor and Employment Security~~ shall  
12 implement the community work program in accordance with s.  
13 445.024 ~~ss. 414.015-414.55.~~

14 Section 49. Section 414.70, Florida Statutes, is  
15 amended to read:

16 414.70 Drug-testing and drug-screening program;  
17 procedures.--

18 (1) DEMONSTRATION PROJECT.--The Department of Children  
19 and Family Services, in consultation with the regional  
20 workforce boards in service areas ~~local WAGES coalitions~~ 3 and  
21 8, shall develop and, ~~as soon as possible after January 1,~~  
22 ~~1999,~~implement a demonstration project in service areas ~~WAGES~~  
23 ~~regions~~ 3 and 8 to screen each applicant and test applicants  
24 for temporary cash assistance provided under this chapter, who  
25 the department has reasonable cause to believe, based on the  
26 screening, engage in illegal use of controlled substances.  
27 Unless reauthorized by the Legislature, this demonstration  
28 project expires June 30, 2001. As used in this section act,  
29 the term "applicant" means an individual who first applies for  
30 temporary cash assistance ~~or services~~ under this chapter ~~the~~  
31 ~~WAGES Program~~. Screening and testing for the illegal use of

1 controlled substances is not required if the individual  
2 reapplies during any continuous period in which the individual  
3 receives assistance ~~or services~~. However, an individual may  
4 volunteer for drug testing and treatment if funding is  
5 available.

6 (a) Applicants subject to the requirements of this  
7 section include any parent or caretaker relative who is  
8 included in the cash assistance group, including individuals  
9 who may be exempt from work activity requirements due to the  
10 age of the youngest child or who may be excepted from work  
11 activity requirements under s. 414.065(4)~~s. 414.065(7)~~.

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

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

22 (a) Provide notice of drug screening and the potential  
23 for possible drug testing to each applicant at the time of  
24 application. The notice must advise the applicant that drug  
25 screening and possibly drug testing will be conducted as a  
26 condition for receiving temporary assistance ~~or services~~ under  
27 this chapter, and shall specify the assistance ~~or services~~  
28 that are subject to this requirement. The notice must also  
29 advise the applicant that a prospective employer may require  
30 the applicant to submit to a preemployment drug test. The  
31 applicant shall be advised that the required drug screening

1 and possible drug testing may be avoided if the applicant does  
2 not apply for or receive assistance ~~or services~~. The  
3 drug-screening and drug-testing program is not applicable in  
4 child-only cases.

5 (b) Develop a procedure for drug screening and  
6 conducting drug testing of applicants for temporary cash  
7 assistance ~~or services under the WAGES Program~~. For two-parent  
8 families, both parents must comply with the drug screening and  
9 testing requirements of this section.

10 (c) Provide a procedure to advise each person to be  
11 tested, before the test is conducted, that he or she may, but  
12 is not required to, advise the agent administering the test of  
13 any prescription or over-the-counter medication he or she is  
14 taking.

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

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

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

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

30  
31

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

4           (3) CHILDREN.--

5           (a) If a parent is deemed ineligible for cash  
6 assistance due to refusal to comply with the provisions of  
7 this section, his or her dependent child's eligibility for  
8 cash assistance is not affected. A parent who is ineligible  
9 for cash assistance due to refusal or failure to comply with  
10 the provisions of this section shall be subject to the work  
11 activity requirements of s. 445.024 ~~s. 414.065~~, and shall be  
12 subject to the penalties under s. 414.065(1)~~s. 414.065(4)~~  
13 upon failure to comply with such requirements.

14           (b) If a parent is deemed ineligible for cash  
15 assistance due to the failure of a drug test, an appropriate  
16 protective payee will be established for the benefit of the  
17 child.

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

21           (4) TREATMENT.--

22           (a) Subject to the availability of funding, the  
23 Department of Children and Family Services shall provide a  
24 substance abuse treatment program for a person who fails a  
25 drug test conducted under this section ~~act~~ and is eligible to  
26 receive temporary cash assistance ~~or services~~ under this  
27 chapter ~~the WAGES Program~~. The department shall provide for a  
28 retest at the end of the treatment period. Failure to pass the  
29 retest will result in the termination of temporary cash  
30 assistance ~~or services~~ provided under this chapter and of any  
31 right to appeal the termination.

1           (b) The Department of Children and Family Services  
2 shall develop rules regarding the disclosure of information  
3 concerning applicants who enter treatment, including the  
4 requirement that applicants sign a consent to release  
5 information to the Department of Children and Family Services  
6 ~~or the Department of Labor and Employment Security, as~~  
7 ~~necessary,~~ as a condition of entering the treatment program.

8           (c) The Department of Children and Family Services may  
9 develop rules for assessing the status of persons formerly  
10 treated under this section ~~act~~ who reapply for assistance ~~or~~  
11 ~~services under the WAGES act~~ as well as the need for drug  
12 testing as a part of the reapplication process.

13           (5) EVALUATIONS AND RECOMMENDATIONS.--

14           (a) The Department of Children and Family Services, in  
15 conjunction with the regional workforce boards ~~local WAGES~~  
16 ~~coalitions~~ in service areas 3 and 8, shall conduct a  
17 comprehensive evaluation of the demonstration projects  
18 operated under this section ~~act~~. ~~By January 1, 2000, the~~  
19 ~~department, in conjunction with the local WAGES coalitions~~  
20 ~~involved, shall report to the WAGES Program State Board of~~  
21 ~~Directors and to the Legislature on the status of the initial~~  
22 ~~implementation of the demonstration projects and shall~~  
23 ~~specifically describe the problems encountered and the funds~~  
24 ~~expended during the first year of operation.~~

25           (b) By January 1, 2001, the department, in conjunction  
26 with the regional workforce boards ~~local WAGES coalitions~~  
27 involved, shall provide a comprehensive evaluation ~~to the~~  
28 ~~WAGES Program State Board of Directors and to the Legislature,~~  
29 which must include:

30  
31

1           1. The impact of the drug-screening and drug-testing  
2 program on employability, job placement, job retention, and  
3 salary levels of program participants.

4           2. Recommendations, based in part on a cost and  
5 benefit analysis, as to the feasibility of expanding the  
6 program to other ~~local WAGES~~ service areas, including specific  
7 recommendations for implementing such expansion of the  
8 program.

9           (6) CONFLICTS.--In the event of a conflict between the  
10 implementation procedures described in this program and  
11 federal requirements and regulations, federal requirements and  
12 regulations shall control.

13           Section 50. Sections 239.249, 288.9950, 288.9954,  
14 288.9957, 288.9958, 288.9959, 414.015, 414.026, 414.0267,  
15 414.027, 414.028, 414.029, 414.030, 414.055, 414.125, 414.25,  
16 and 414.38, Florida Statutes, are repealed.

17           Section 51. Subsection (2) of section 14.2015, Florida  
18 Statutes, is amended to read:

19           14.2015 Office of Tourism, Trade, and Economic  
20 Development; creation; powers and duties.--

21           (2) The purpose of the Office of Tourism, Trade, and  
22 Economic Development is to assist the Governor in working with  
23 the Legislature, state agencies, business leaders, and  
24 economic development professionals to formulate and implement  
25 coherent and consistent policies and strategies designed to  
26 provide economic opportunities for all Floridians. To  
27 accomplish such purposes, the Office of Tourism, Trade, and  
28 Economic Development shall:

29           (a) Contract, notwithstanding the provisions of part I  
30 of chapter 287, with the direct-support organization created  
31 under s. 288.1229 to guide, stimulate, and promote the sports

1 industry in the state, to promote the participation of  
2 Florida's citizens in amateur athletic competition, and to  
3 promote Florida as a host for national and international  
4 amateur athletic competitions.

5 (b) Monitor the activities of public-private  
6 partnerships and state agencies in order to avoid duplication  
7 and promote coordinated and consistent implementation of  
8 programs in areas including, but not limited to, tourism;  
9 international trade and investment; business recruitment,  
10 creation, retention, and expansion; workforce development;  
11 minority and small business development; and rural community  
12 development. As part of its responsibilities under this  
13 paragraph, the office shall work with Enterprise Florida,  
14 Inc., and Workforce Florida, Inc., to ensure that, to the  
15 maximum extent possible, there are direct linkages between the  
16 economic development and workforce development goals and  
17 strategies of the state.

18 (c) Facilitate the direct involvement of the Governor  
19 and the Lieutenant Governor in economic development and  
20 workforce development projects designed to create, expand, and  
21 retain Florida businesses and to recruit worldwide business,  
22 as well as in other job-creating efforts.

23 (d) Assist the Governor, in cooperation with  
24 Enterprise Florida, Inc., Workforce Florida, Inc., and the  
25 Florida Commission on Tourism, in preparing an annual report  
26 to the Legislature on the state of the business climate in  
27 Florida and on the state of economic development in Florida  
28 which will include the identification of problems and the  
29 recommendation of solutions. This report shall be submitted  
30 to the President of the Senate, the Speaker of the House of  
31 Representatives, the Senate Minority Leader, and the House



1 Minority Leader by January 1 of each year, and it shall be in  
2 addition to the Governor's message to the Legislature under  
3 the State Constitution and any other economic reports required  
4 by law.

5 (e) Plan and conduct at least one meeting per calendar  
6 year of leaders in business, government, education, workforce  
7 development, organized labor,and economic development called  
8 by the Governor to address the business climate in the state,  
9 develop a common vision for the economic future of the state,  
10 and identify economic development efforts to fulfill that  
11 vision.

12 (f)1. Administer the Florida Enterprise Zone Act under  
13 ss. 290.001-290.016, the community contribution tax credit  
14 program under ss. 220.183 and 624.5105, the tax refund program  
15 for qualified target industry businesses under s. 288.106, the  
16 tax-refund program for qualified defense contractors under s.  
17 288.1045, contracts for transportation projects under s.  
18 288.063, the sports franchise facility program under s.  
19 288.1162, the professional golf hall of fame facility program  
20 under s. 288.1168, the expedited permitting process under s.  
21 403.973, the Rural Community Development Revolving Loan Fund  
22 under s. 288.065, the Regional Rural Development Grants  
23 Program under s. 288.018, the Certified Capital Company Act  
24 under s. 288.99, the Florida State Rural Development Council,  
25 the Rural Economic Development Initiative, and other programs  
26 that are specifically assigned to the office by law, by the  
27 appropriations process, or by the Governor. Notwithstanding  
28 any other provisions of law, the office may expend interest  
29 earned from the investment of program funds deposited in the  
30 Economic Development Trust Fund, the Grants and Donations  
31 Trust Fund, the Brownfield Property Ownership Clearance

1 Assistance Revolving Loan Trust Fund, and the Economic  
2 Development Transportation Trust Fund to contract for the  
3 administration of the programs, or portions of the programs,  
4 enumerated in this paragraph or assigned to the office by law,  
5 by the appropriations process, or by the Governor. Such  
6 expenditures shall be subject to review under chapter 216.

7         2. The office may enter into contracts in connection  
8 with the fulfillment of its duties concerning the Florida  
9 First Business Bond Pool under chapter 159, tax incentives  
10 under chapters 212 and 220, tax incentives under the Certified  
11 Capital Company Act in chapter 288, foreign offices under  
12 chapter 288, the Enterprise Zone program under chapter 290,  
13 the Seaport Employment Training program under chapter 311, the  
14 Florida Professional Sports Team License Plates under chapter  
15 320, Spaceport Florida under chapter 331, Expedited Permitting  
16 under chapter 403, and in carrying out other functions that  
17 are specifically assigned to the office by law, by the  
18 appropriations process, or by the Governor.

19         (g) Serve as contract administrator for the state with  
20 respect to contracts with Enterprise Florida, Inc., the  
21 Florida Commission on Tourism, and all direct-support  
22 organizations under this act, excluding those relating to  
23 tourism. To accomplish the provisions of this act and  
24 applicable provisions of chapter 288, and notwithstanding the  
25 provisions of part I of chapter 287, the office shall enter  
26 into specific contracts with Enterprise Florida, Inc., the  
27 Florida Commission on Tourism, and other appropriate  
28 direct-support organizations. Such contracts may be multiyear  
29 and shall include specific performance measures for each year.

30         (h) Provide administrative oversight for the Office of  
31 the Film Commissioner, created under s. 288.1251, to develop,

1 promote, and provide services to the state's entertainment  
2 industry and to administratively house the Florida Film  
3 Advisory Council created under s. 288.1252.

4 (i) Prepare and submit as a separate budget entity a  
5 unified budget request for tourism, trade, and economic  
6 development in accordance with chapter 216 for, and in  
7 conjunction with, Enterprise Florida, Inc., and its boards,  
8 the Florida Commission on Tourism and its direct-support  
9 organization, the Florida Black Business Investment Board, the  
10 Office of the Film Commissioner, and the direct-support  
11 organization created to promote the sports industry.

12 (j) Adopt rules, as necessary, to carry out its  
13 functions in connection with the administration of the  
14 Qualified Target Industry program, the Qualified Defense  
15 Contractor program, the Certified Capital Company Act, the  
16 Enterprise Zone program, and the Florida First Business Bond  
17 pool.

18 Section 52. Effective October 1, 2000, subsections (4)  
19 and (5) of section 20.171, Florida Statutes, are amended to  
20 read:

21 20.171 Department of Labor and Employment  
22 Security.--There is created a Department of Labor and  
23 Employment Security. The department shall operate its programs  
24 in a decentralized fashion.

25 (4)(a) The Assistant Secretary for Programs and  
26 Operations must possess a broad knowledge of the  
27 administrative, financial, and technical aspects of the  
28 divisions within the department.

29 (b) The assistant secretary is responsible for  
30 developing, monitoring, and enforcing policy and managing  
31 major technical programs and supervising the Bureau of Appeals

1 of the Division of Unemployment Compensation. The  
2 responsibilities and duties of the position include, but are  
3 not limited to, the following functional areas:  
4 1. Workers' compensation management and policy  
5 implementation.  
6 ~~2. Jobs and benefits management and policy~~  
7 ~~information.~~  
8 2.3. Unemployment compensation management and policy  
9 implementation.  
10 ~~3.4.~~ Blind services management and policy  
11 implementation.  
12 ~~4.5.~~ Oversight of the five field offices and any local  
13 offices.  
14 (5) The following divisions are established and shall  
15 be headed by division directors who shall be supervised by and  
16 shall be responsible to the Assistant Secretary for Programs  
17 and Operations:  
18 ~~(a) Division of Workforce and Employment~~  
19 ~~Opportunities.~~  
20 (a)~~(b)~~ Division of Unemployment Compensation.  
21 (b)~~(c)~~ Division of Workers' Compensation.  
22 (c)~~(d)~~ Division of Blind Services.  
23 (d)~~(e)~~ Division of Safety, which is repealed July 1,  
24 2000.  
25 (e)~~(f)~~ Division of Vocational Rehabilitation.  
26 Section 53. Section 20.50, Florida Statutes, is  
27 created to read:  
28 20.50 Agency for Workforce Innovation.--There is  
29 created the Agency for Workforce Innovation within the  
30 Department of Management Services. The agency shall be a  
31 separate budget entity, and the director of the agency shall

1 be the agency head for all purposes. The agency shall not be  
2 subject to control, supervision, or direction by the  
3 Department of Management Services in any manner, including,  
4 but not limited to, personnel, purchasing, transactions  
5 involving real or personal property, and budgetary matters.

6 (1) The Agency for Workforce Innovation shall ensure  
7 that the state appropriately administers federal and state  
8 workforce funding by administering plans and policies of  
9 Workforce Florida, Inc., under contract with Workforce  
10 Florida, Inc. The operating budget and mid-year amendments  
11 thereto must be part of such contract.

12 (a) All program and fiscal instructions to regional  
13 workforce boards shall emanate from the agency pursuant to  
14 plans and policies of Workforce Florida, Inc. Workforce  
15 Florida, Inc., shall be responsible for all policy directions  
16 to the regional boards.

17 (b) Unless otherwise provided by agreement with  
18 Workforce Florida, Inc., administrative and personnel policies  
19 of the Agency for Workforce Innovation shall apply.

20 (2) The Agency for Workforce Innovation shall be the  
21 designated administrative agency for receipt of federal  
22 workforce development grants and other federal funds, and  
23 shall carry out the duties and responsibilities assigned by  
24 the Governor under each federal grant assigned to the agency.  
25 The agency shall be a separate budget entity and shall expend  
26 each revenue source as provided by federal and state law and  
27 as provided in plans developed by and agreements with  
28 Workforce Florida, Inc. The agency shall prepare and submit as  
29 a separate budget entity a unified budget request for  
30 workforce development, in accordance with chapter 216 for, and  
31 in conjunction with, Workforce Florida, Inc., and its board.

1 The head of the agency is the Director of Workforce  
2 Innovation, who shall be appointed by the Governor. The agency  
3 shall be organized as follows:  
4       (a) The Office of One-Stop Workforce Services shall  
5 administer the state merit system staff who provide services  
6 in the one-stop delivery system, pursuant to policies of  
7 Workforce Florida, Inc. The office shall be directed by the  
8 Deputy Director for One-Stop Workforce Services, who shall be  
9 appointed by and serve at the pleasure of the director.  
10       (b) The Office of Workforce Support Services shall be  
11 responsible for ensuring provisions for Temporary Assistance  
12 for Needy Families and welfare transition programs in federal  
13 laws and regulations and chapters 414 and 445 are implemented.  
14 The office shall ensure participants in these programs receive  
15 case management services, and support services, such as  
16 subsidized child care, health care coverage, diversion, and  
17 relocation assistance, to enable them to succeed in the  
18 workforce, as delineated in their case plans. The office  
19 shall be directed by the Deputy Director for Workforce Support  
20 Services, who shall be appointed by and serve at the pleasure  
21 of the director.  
22       (c) The Office of Workforce Investment and  
23 Accountability shall be responsible for procurement,  
24 contracting, financial management, accounting, audits, and  
25 verification. The office shall be directed by the Deputy  
26 Director for Workforce Investment and Accountability, who  
27 shall be appointed by and serve at the pleasure of the  
28 director. The office shall be responsible for:  
29           1. Establishing standards and controls for reporting  
30 budgeting, expenditure, and performance information for  
31 assessing outcomes, service delivery, and financial

1 administration of workforce programs pursuant to ss.  
2 445.004(5) and 445.004(9).

3 2. Establishing monitoring, quality assurance, and  
4 quality improvement systems that routinely assess the quality  
5 and effectiveness of contracted programs and services.

6 3. Annual review of each regional workforce board and  
7 administrative entity to ensure adequate systems of reporting  
8 and control are in place, and monitoring, quality assurance,  
9 and quality improvement activities are conducted routinely,  
10 and corrective action is taken to eliminate deficiencies.

11 (d) The Office of Workforce Information Services shall  
12 deliver information on labor markets, employment, occupations,  
13 and performance, and shall implement and maintain information  
14 systems that are required for the effective operation of the  
15 one-stop delivery system, including, but not limited to, those  
16 systems described in s. 445.009. The office will be under the  
17 direction of the Deputy Director for Workforce Information  
18 Services, who shall be appointed by and serve at the pleasure  
19 of the director. The office shall be responsible for  
20 establishing:

21 1. Information systems and controls that report  
22 reliable, timely and accurate fiscal and performance data for  
23 assessing outcomes, service delivery, and financial  
24 administration of workforce programs pursuant to ss.  
25 445.004(5) and 445.004(9).

26 2. Information systems that support service  
27 integration and case management by providing for case tracking  
28 for participants in welfare transition programs.

29 (3) The Agency for Workforce Innovation shall serve as  
30 the designated agency for purposes of each federal workforce  
31 development grant assigned to it for administration. The

1 agency shall carry out the duties assigned to it by the  
2 Governor, under the terms and conditions of each grant. The  
3 agency shall have the level of authority and autonomy  
4 necessary to be the designated recipient of each federal grant  
5 assigned to it, and shall disperse such grants pursuant to the  
6 plans and policies of Workforce Florida, Inc. The director  
7 may, upon delegation from the Governor and pursuant to  
8 agreement with Workforce Florida, Inc., sign contracts,  
9 grants, and other instruments as necessary to execute  
10 functions assigned to the agency. The assignment of powers and  
11 duties to the agency does not limit the authority and  
12 responsibilities of the Secretary of Management Services as  
13 provided in paragraph (1)(a). Notwithstanding other provisions  
14 of law, the following federal grants and other funds are  
15 assigned for administration to the Agency for Workforce  
16 Innovation:

17 (a) Programs authorized under Title I of the Workforce  
18 Investment Act of 1998, Pub. L. No. 105-220, except for  
19 programs funded directly by the United States Department of  
20 Labor under Title I, s. 167.

21 (b) Programs authorized under the Wagner-Peyser Act of  
22 1933, as amended, 29 U.S.C. ss. 49 et seq.

23 (c) Welfare-to-work grants administered by the United  
24 States Department of Labor under Title IV, s. 403, of the  
25 Social Security Act, as amended.

26 (d) Activities authorized under Title II of the Trade  
27 Act of 1974, as amended, 2 U.S.C. ss. 2271 et seq., and the  
28 Trade Adjustment Assistance Program.

29 (e) Activities authorized under chapter 41 of Title 38  
30 U.S.C., including job counseling, training, and placement for  
31 veterans.



1       (f) Employment and training activities carried out  
2 under the Community Services Block Grant Act, 42 U.S.C. ss.  
3 9901 et seq.

4       (g) Employment and training activities carried out  
5 under funds awarded to this state by the United States  
6 Department of Housing and Urban Development.

7       (h) Designated state and local program expenditures  
8 under part A of Title IV of the Social Security Act for  
9 welfare transition workforce services associated with the  
10 Temporary Assistance for Needy Families Program.

11       (i) Programs authorized under the National and  
12 Community Service Act of 1990, 42 U.S.C. ss. 12501 et seq.,  
13 and the Service-America programs, the National Service Trust  
14 programs, the Civilian Community Corps, the Corporation for  
15 National and Community Service, the American Conservation and  
16 Youth Service Corps, and the Points of Light Foundation  
17 programs, if such programs are awarded to the state.

18       (j) Other programs funded by federal or state  
19 appropriations, as determined by the Legislature in the  
20 General Appropriations Act or by law.

21       (4) The Agency for Workforce Innovation shall provide  
22 or contract for training for employees of administrative  
23 entities and case managers of any contracted providers to  
24 ensure they have the necessary competencies and skills to  
25 provide adequate administrative oversight and delivery of the  
26 full array of client services pursuant to s. 445.006(5)(f).  
27 Training requirements include, but are not limited to:

28       (a) Minimum skills, knowledge, and abilities required  
29 for each classification of program personnel utilized in the  
30 regional workforce boards' service delivery plans.

31

1           (b) Minimum requirements for development of a regional  
2 workforce board supported personnel training plan to include  
3 preservice and inservice components.

4           (c) Specifications or criteria under which any  
5 regional workforce board may award bonus points or otherwise  
6 give preference to competitive service provider applications  
7 that provide minimum criteria for assuring competent case  
8 management, including, but not limited to, maximum caseload  
9 per case manager, current staff turnover rate, minimum  
10 educational or work experience requirements, and a  
11 differentiated compensation plan based on the competency  
12 levels of personnel.

13           (d) Minimum skills, knowledge, and abilities required  
14 for contract management, including budgeting, expenditure, and  
15 performance information related to service delivery and  
16 financial administration, monitoring, quality assurance and  
17 improvement, and standards of conduct for employees of  
18 regional workforce boards and administrative entities  
19 specifically related to carrying out contracting  
20 responsibilities.

21           Section 54. Paragraph (b) of subsection (5) of section  
22 212.08, Florida Statutes, is amended to read:

23           212.08 Sales, rental, use, consumption, distribution,  
24 and storage tax; specified exemptions.--The sale at retail,  
25 the rental, the use, the consumption, the distribution, and  
26 the storage to be used or consumed in this state of the  
27 following are hereby specifically exempt from the tax imposed  
28 by this chapter.

29           (5) EXEMPTIONS; ACCOUNT OF USE.--

30           (b) Machinery and equipment used to increase  
31 productive output.--

1           1. Industrial machinery and equipment purchased for  
2 exclusive use by a new business in spaceport activities as  
3 defined by s. 212.02 or for use in new businesses which  
4 manufacture, process, compound, or produce for sale items of  
5 tangible personal property at fixed locations are exempt from  
6 the tax imposed by this chapter upon an affirmative showing by  
7 the taxpayer to the satisfaction of the department that such  
8 items are used in a new business in this state. Such purchases  
9 must be made prior to the date the business first begins its  
10 productive operations, and delivery of the purchased item must  
11 be made within 12 months of that date.

12           2.a. Industrial machinery and equipment purchased for  
13 exclusive use by an expanding facility which is engaged in  
14 spaceport activities as defined by s. 212.02 or for use in  
15 expanding manufacturing facilities or plant units which  
16 manufacture, process, compound, or produce for sale items of  
17 tangible personal property at fixed locations in this state  
18 are exempt from any amount of tax imposed by this chapter in  
19 excess of \$50,000 per calendar year upon an affirmative  
20 showing by the taxpayer to the satisfaction of the department  
21 that such items are used to increase the productive output of  
22 such expanded facility or business by not less than 10  
23 percent.

24           b. Notwithstanding any other provision of this  
25 section, industrial machinery and equipment purchased for use  
26 in expanding printing manufacturing facilities or plant units  
27 that manufacture, process, compound, or produce for sale items  
28 of tangible personal property at fixed locations in this state  
29 are exempt from any amount of tax imposed by this chapter upon  
30 an affirmative showing by the taxpayer to the satisfaction of  
31 the department that such items are used to increase the

1 productive output of such an expanded business by not less  
2 than 10 percent.

3           3.a. To receive an exemption provided by subparagraph  
4 1. or subparagraph 2., a qualifying business entity shall  
5 apply to the department for a temporary tax exemption permit.  
6 The application shall state that a new business exemption or  
7 expanded business exemption is being sought. Upon a tentative  
8 affirmative determination by the department pursuant to  
9 subparagraph 1. or subparagraph 2., the department shall issue  
10 such permit.

11           b. The applicant shall be required to maintain all  
12 necessary books and records to support the exemption. Upon  
13 completion of purchases of qualified machinery and equipment  
14 pursuant to subparagraph 1. or subparagraph 2., the temporary  
15 tax permit shall be delivered to the department or returned to  
16 the department by certified or registered mail.

17           c. If, in a subsequent audit conducted by the  
18 department, it is determined that the machinery and equipment  
19 purchased as exempt under subparagraph 1. or subparagraph 2.  
20 did not meet the criteria mandated by this paragraph or if  
21 commencement of production did not occur, the amount of taxes  
22 exempted at the time of purchase shall immediately be due and  
23 payable to the department by the business entity, together  
24 with the appropriate interest and penalty, computed from the  
25 date of purchase, in the manner prescribed by this chapter.

26           d. In the event a qualifying business entity fails to  
27 apply for a temporary exemption permit or if the tentative  
28 determination by the department required to obtain a temporary  
29 exemption permit is negative, a qualifying business entity  
30 shall receive the exemption provided in subparagraph 1. or  
31 subparagraph 2. through a refund of previously paid taxes. No

1 refund may be made for such taxes unless the criteria mandated  
2 by subparagraph 1. or subparagraph 2. have been met and  
3 commencement of production has occurred.

4           4. The department shall promulgate rules governing  
5 applications for, issuance of, and the form of temporary tax  
6 exemption permits; provisions for recapture of taxes; and the  
7 manner and form of refund applications and may establish  
8 guidelines as to the requisites for an affirmative showing of  
9 increased productive output, commencement of production, and  
10 qualification for exemption.

11           5. The exemptions provided in subparagraphs 1. and 2.  
12 do not apply to machinery or equipment purchased or used by  
13 electric utility companies, communications companies, oil or  
14 gas exploration or production operations, publishing firms  
15 that do not export at least 50 percent of their finished  
16 product out of the state, any firm subject to regulation by  
17 the Division of Hotels and Restaurants of the Department of  
18 Business and Professional Regulation, or any firm which does  
19 not manufacture, process, compound, or produce for sale items  
20 of tangible personal property or which does not use such  
21 machinery and equipment in spaceport activities as required by  
22 this paragraph. The exemptions provided in subparagraphs 1.  
23 and 2. shall apply to machinery and equipment purchased for  
24 use in phosphate or other solid minerals severance, mining, or  
25 processing operations only by way of a prospective credit  
26 against taxes due under chapter 211 for taxes paid under this  
27 chapter on such machinery and equipment.

28           6. For the purposes of the exemptions provided in  
29 subparagraphs 1. and 2., these terms have the following  
30 meanings:

31

1           a. "Industrial machinery and equipment" means "section  
2 38 property" as defined in s. 48(a)(1)(A) and (B)(i) of the  
3 Internal Revenue Code, provided "industrial machinery and  
4 equipment" shall be construed by regulations adopted by the  
5 Department of Revenue to mean tangible property used as an  
6 integral part of spaceport activities or of the manufacturing,  
7 processing, compounding, or producing for sale of items of  
8 tangible personal property. Such term includes parts and  
9 accessories only to the extent that the exemption thereof is  
10 consistent with the provisions of this paragraph.

11           b. "Productive output" means the number of units  
12 actually produced by a single plant or operation in a single  
13 continuous 12-month period, irrespective of sales. Increases  
14 in productive output shall be measured by the output for 12  
15 continuous months immediately following the completion of  
16 installation of such machinery or equipment over the output  
17 for the 12 continuous months immediately preceding such  
18 installation. However, if a different 12-month continuous  
19 period of time would more accurately reflect the increase in  
20 productive output of machinery and equipment purchased to  
21 facilitate an expansion, the increase in productive output may  
22 be measured during that 12-month continuous period of time if  
23 such time period is mutually agreed upon by the Department of  
24 Revenue and the expanding business prior to the commencement  
25 of production; provided, however, in no case may such time  
26 period begin later than 2 years following the completion of  
27 installation of the new machinery and equipment. The units  
28 used to measure productive output shall be physically  
29 comparable between the two periods, irrespective of sales.

30           ~~7. Notwithstanding any other provision in this~~  
31 ~~paragraph to the contrary, in order to receive the exemption~~

1 ~~provided in this paragraph a taxpayer must register with the~~  
2 ~~WAGES Program Business Registry established by the local WAGES~~  
3 ~~coalition for the area in which the taxpayer is located. Such~~  
4 ~~registration establishes a commitment on the part of the~~  
5 ~~taxpayer to hire WAGES program participants to the maximum~~  
6 ~~extent possible consistent with the nature of their business.~~

7 Section 55. Subsections (1) and (3) of section  
8 212.096, Florida Statutes, are amended to read:

9 212.096 Sales, rental, storage, use tax; enterprise  
10 zone jobs credit against sales tax.--

11 (1) For the purposes of the credit provided in this  
12 section:

13 (a) "Eligible business" means any sole proprietorship,  
14 firm, partnership, corporation, bank, savings association,  
15 estate, trust, business trust, receiver, syndicate, or other  
16 group or combination, or successor business, located in an  
17 enterprise zone. An eligible business does not include any  
18 business which has claimed the credit permitted under s.  
19 220.181 for any new business employee first beginning  
20 employment with the business after July 1, 1995.

21 (b) "Month" means either a calendar month or the time  
22 period from any day of any month to the corresponding day of  
23 the next succeeding month or, if there is no corresponding day  
24 in the next succeeding month, the last day of the succeeding  
25 month.

26 (c) "New employee" means a person residing in an  
27 enterprise zone, a qualified Job Training Partnership Act  
28 classroom training participant, or a welfare transition ~~WAGES~~  
29 program participant who begins employment with an eligible  
30 business after July 1, 1995, and who has not been previously  
31 employed within the preceding 12 months by the eligible

1 business, or a successor eligible business, claiming the  
2 credit allowed by this section.  
3  
4 A person shall be deemed to be employed if the person performs  
5 duties in connection with the operations of the business on a  
6 regular, full-time basis, provided the person is performing  
7 such duties for an average of at least 36 hours per week each  
8 month, or a part-time basis, provided the person is performing  
9 such duties for an average of at least 20 hours per week each  
10 month throughout the year. The person must be performing such  
11 duties at a business site located in the enterprise zone.

12 (3) In order to claim this credit, an eligible  
13 business must file under oath with the governing body or  
14 enterprise zone development agency having jurisdiction over  
15 the enterprise zone where the business is located, as  
16 applicable, a statement which includes:

17 (a) For each new employee for whom this credit is  
18 claimed, the employee's name and place of residence, including  
19 the identifying number assigned pursuant to s. 290.0065 to the  
20 enterprise zone in which the employee resides if the new  
21 employee is a person residing in an enterprise zone, and, if  
22 applicable, documentation that the employee is a qualified Job  
23 Training Partnership Act classroom training participant or a  
24 welfare transition ~~WAGES~~ program participant.

25 (b) If applicable, the name and address of each  
26 permanent employee of the business, including, for each  
27 employee who is a resident of an enterprise zone, the  
28 identifying number assigned pursuant to s. 290.0065 to the  
29 enterprise zone in which the employee resides.

30 (c) The name and address of the eligible business.  
31



1           (d) The starting salary or hourly wages paid to the  
2 new employee.

3           (e) The identifying number assigned pursuant to s.  
4 290.0065 to the enterprise zone in which the business is  
5 located.

6           (f) Whether the business is a small business as  
7 defined by s. 288.703(1).

8           (g) Within 10 working days after receipt of an  
9 application, the governing body or enterprise zone development  
10 agency shall review the application to determine if it  
11 contains all the information required pursuant to this  
12 subsection and meets the criteria set out in this section. The  
13 governing body or agency shall certify all applications that  
14 contain the information required pursuant to this subsection  
15 and meet the criteria set out in this section as eligible to  
16 receive a credit. If applicable, the governing body or agency  
17 shall also certify if 20 percent of the employees of the  
18 business are residents of an enterprise zone, excluding  
19 temporary and part-time employees. The certification shall be  
20 in writing, and a copy of the certification shall be  
21 transmitted to the executive director of the Department of  
22 Revenue. The business shall be responsible for forwarding a  
23 certified application to the department within the time  
24 specified in paragraph (h).

25           (h) All applications for a credit pursuant to this  
26 section must be submitted to the department within 4 months  
27 after the new employee is hired.

28           Section 56. Subsection (5) of section 212.097, Florida  
29 Statutes, is amended to read:

30           212.097 Urban High-Crime Area Job Tax Credit  
31 Program.--

1           (5) For any new eligible business receiving a credit  
2 pursuant to subsection (3), an additional \$500 credit shall be  
3 provided for any qualified employee who is a welfare  
4 transition WAGES program participant ~~pursuant to chapter 414~~.  
5 For any existing eligible business receiving a credit pursuant  
6 to subsection (4), an additional \$500 credit shall be provided  
7 for any qualified employee who is a welfare transition WAGES  
8 program participant ~~pursuant to chapter 414~~. Such employee  
9 must be employed on the application date and have been  
10 employed less than 1 year. This credit shall be in addition to  
11 other credits pursuant to this section regardless of the  
12 tier-level of the high-crime area. Appropriate documentation  
13 concerning the eligibility of an employee for this credit must  
14 be submitted as determined by the department.

15           Section 57. Subsection (5) of section 212.098, Florida  
16 Statutes, is amended to read:

17           212.098 Rural Job Tax Credit Program.--

18           (5) For any new eligible business receiving a credit  
19 pursuant to subsection (3), an additional \$500 credit shall be  
20 provided for any qualified employee who is a welfare  
21 transition WAGES program participant ~~pursuant to chapter 414~~.  
22 For any existing eligible business receiving a credit pursuant  
23 to subsection (4), an additional \$500 credit shall be provided  
24 for any qualified employee who is a welfare transition WAGES  
25 program participant ~~pursuant to chapter 414~~. Such employee  
26 must be employed on the application date and have been  
27 employed less than 1 year. This credit shall be in addition to  
28 other credits pursuant to this section regardless of the  
29 tier-level of the county. Appropriate documentation concerning  
30 the eligibility of an employee for this credit must be  
31 submitted as determined by the department.

1           Section 58. Subsection (10) of section 216.136,  
2 Florida Statutes, is amended to read:

3           216.136 Consensus estimating conferences; duties and  
4 principals.--

5           (10) WORKFORCE ESTIMATING ~~OCCUPATIONAL FORECASTING~~  
6 CONFERENCE.--

7           (a) Duties.--

8           1. The Workforce Estimating Occupational Forecasting  
9 Conference shall develop such official information on the  
10 workforce development system planning process as it relates to  
11 the personnel needs of current, new, and emerging industries  
12 as the conference determines is needed by the state planning  
13 and budgeting system. Such information, using quantitative  
14 and qualitative research methods, must include at least:  
15 short-term and long-term forecasts of employment demand for  
16 ~~high-skills/high-wage~~ jobs by occupation and industry; entry  
17 and average relative wage forecasts among those occupations;  
18 and estimates of the supply of trained and qualified  
19 individuals available or potentially available for employment  
20 in those occupations, with special focus upon those  
21 occupations and industries which require high skills and have  
22 high entry wages and experienced wage levels. In the  
23 development of workforce estimates, the conference shall use,  
24 to the fullest extent possible, local occupational and  
25 workforce forecasts and estimates.

26           2. The Workforce Estimating Conference shall review  
27 data concerning the local and regional demands for short-term  
28 and long-term employment in High-Skills/High-Wage Program  
29 jobs, as well as other jobs, which data is generated through  
30 surveys conducted as part of the state's Internet-based job  
31 matching and labor market information system authorized under

1 s. 445.011. The conference shall consider such data in  
2 developing its forecasts for statewide employment demand,  
3 including reviewing the local and regional data for common  
4 trends and conditions among localities or regions which may  
5 warrant inclusion of a particular occupation on the statewide  
6 occupational forecasting list developed by the conference.  
7 Based upon its review of such survey data, the conference  
8 shall also make recommendations semiannually to Workforce  
9 Florida, Inc., on additions or deletions to lists of locally  
10 targeted occupations approved by Workforce Florida, Inc.  
11 3. During each legislative session, and at other times  
12 if necessary, the Workforce Estimating Conference shall meet  
13 as the Workforce Impact Conference for the purpose of  
14 determining the effects of legislation related to the state's  
15 workforce and economic development efforts introduced prior to  
16 and during such legislative session. In addition to the  
17 designated principals of the impact conference, nonprincipal  
18 participants of the impact conference shall include a  
19 representative of the Florida Chamber of Commerce, a  
20 representative of the American Federation of Labor and  
21 Congress of Industrial Organizations, and other interested  
22 parties. The impact conference shall use both quantitative and  
23 qualitative research methods to determine the impact of  
24 introduced legislation related to workforce and economic  
25 development issues.  
26 4. Notwithstanding subparagraph 3., the Workforce  
27 Estimating Conference, for the purposes described in  
28 subparagraph 1., shall meet no less than 2 times in a calendar  
29 year. The first meeting shall be held in February and the  
30 second meeting shall be held in August. Other meetings may be  
31 scheduled as needed.

1           (b) Principals.--The Commissioner of Education, the  
2 Executive Office of the Governor, the director of the Office  
3 of Tourism, Trade, and Economic Development, the director of  
4 the Agency for Workforce Innovation ~~Secretary of Labor~~, the  
5 Chancellor of the State University System, the Executive  
6 Director of the State Board of Community Colleges, the Chair  
7 of the State Board of Nonpublic Career Education, the Chair of  
8 the Workforce Florida, Inc., ~~and~~ the coordinator of the Office  
9 of Economic and Demographic Research, or their designees, and  
10 professional staff from the Senate and the House of  
11 Representatives who have forecasting and substantive  
12 expertise, are the principals of the Workforce Estimating  
13 ~~Occupational Forecasting~~ Conference. In addition to the  
14 designated principals of the conference, nonprincipal  
15 participants of the conference shall include a representative  
16 of the Florida Chamber of Commerce and other interested  
17 parties. The principal representing the Executive Office of  
18 the Governor ~~Commissioner of Education~~, or the ~~commissioner's~~  
19 ~~designee~~, shall preside over the sessions of the conference.

20           Section 59. Subsections (1) and (2) of section  
21 220.181, Florida Statutes, are amended to read:

22           220.181 Enterprise zone jobs credit.--

23           (1)(a) Beginning July 1, 1995, there shall be allowed  
24 a credit against the tax imposed by this chapter to any  
25 business located in an enterprise zone which employs one or  
26 more new employees. The credit shall be computed as follows:

27           1. Ten percent of the actual monthly wages paid in  
28 this state to each new employee whose wages do not exceed  
29 \$1,500 a month. If no less than 20 percent of the employees of  
30 the business are residents of an enterprise zone, excluding  
31 temporary and part-time employees, the credit shall be

1 computed as 15 percent of the actual monthly wages paid in  
2 this state to each new employee, for a period of up to 12  
3 consecutive months;

4           2. Five percent of the first \$1,500 of actual monthly  
5 wages paid in this state for each new employee whose wages  
6 exceed \$1,500 a month; or

7           3. Fifteen percent of the first \$1,500 of actual  
8 monthly wages paid in this state for each new employee who is  
9 a welfare transition ~~WAGES~~ program participant ~~pursuant to~~  
10 ~~chapter 414~~.

11           (b) This credit applies only with respect to wages  
12 subject to unemployment tax and does not apply for any new  
13 employee who is employed for any period less than 3 full  
14 months.

15           (c) If this credit is not fully used in any one year,  
16 the unused amount may be carried forward for a period not to  
17 exceed 5 years. The carryover credit may be used in a  
18 subsequent year when the tax imposed by this chapter for such  
19 year exceeds the credit for such year after applying the other  
20 credits and unused credit carryovers in the order provided in  
21 s. 220.02(10).

22           (2) When filing for an enterprise zone jobs credit, a  
23 business must file under oath with the governing body or  
24 enterprise zone development agency having jurisdiction over  
25 the enterprise zone where the business is located, as  
26 applicable, a statement which includes:

27           (a) For each new employee for whom this credit is  
28 claimed, the employee's name and place of residence during the  
29 taxable year, including the identifying number assigned  
30 pursuant to s. 290.0065 to the enterprise zone in which the  
31 new employee resides if the new employee is a person residing

1 in an enterprise zone, and, if applicable, documentation that  
2 the employee is a qualified Job Training Partnership Act  
3 classroom training participant or a welfare transition ~~WAGES~~  
4 program participant.

5 (b) If applicable, the name and address of each  
6 permanent employee of the business, including, for each  
7 employee who is a resident of an enterprise zone, the  
8 identifying number assigned pursuant to s. 290.0065 to the  
9 enterprise zone in which the employee resides.

10 (c) The name and address of the business.

11 (d) The identifying number assigned pursuant to s.  
12 290.0065 to the enterprise zone in which the eligible business  
13 is located.

14 (e) The salary or hourly wages paid to each new  
15 employee claimed.

16 (f) Whether the business is a small business as  
17 defined by s. 288.703(1).

18 Section 60. Subsection (2) and paragraph (k) of  
19 subsection (3) of section 230.2305, Florida Statutes, are  
20 amended to read:

21 230.2305 Prekindergarten early intervention program.--

22 (2) ELIGIBILITY.--There is hereby created the  
23 prekindergarten early intervention program for children who  
24 are 3 and 4 years of age. A prekindergarten early  
25 intervention program shall be administered by a district  
26 school board and shall receive state funds pursuant to  
27 subsection (6). Each public school district shall make  
28 reasonable efforts to accommodate the needs of children for  
29 extended day and extended year services without compromising  
30 the quality of the 6-hour, 180-day program. The school  
31 district shall report on such efforts. School district

1 participation in the prekindergarten early intervention  
2 program shall be at the discretion of each school district.  
3 (a) At least 75 percent of the children projected to  
4 be served by the district program shall be economically  
5 disadvantaged 4-year-old children of working parents,  
6 including migrant children or children whose parents  
7 participate in the welfare transition ~~WAGES~~ program. Other  
8 children projected to be served by the district program may  
9 include any of the following up to a maximum of 25 percent of  
10 the total number of children served:

11 1. Three-year-old and four-year-old children who are  
12 referred to the school system who may not be economically  
13 disadvantaged but who are abused, prenatally exposed to  
14 alcohol or harmful drugs, or from foster homes, or who are  
15 marginal in terms of Exceptional Student Education placement.

16 2. Three-year-old children and four-year-old children  
17 who may not be economically disadvantaged but who are eligible  
18 students with disabilities and served in an exceptional  
19 student education program with required special services,  
20 aids, or equipment and who are reported for partial funding in  
21 the K-12 Florida Education Finance Program. These students  
22 may be funded from prekindergarten early intervention program  
23 funds the portion of the time not funded by the K-12 Florida  
24 Education Finance Program for the actual instructional time or  
25 one full-time equivalent student membership, whichever is the  
26 lesser. These students with disabilities shall be counted  
27 toward the 25-percent student limit based on full-time  
28 equivalent student membership funded part-time by  
29 prekindergarten early intervention program funds. Also,  
30 3-year-old or 4-year-old eligible students with disabilities  
31 who are reported for funding in the K-12 Florida Education



1 Finance Program in an exceptional student education program as  
2 provided in s. 236.081(1)(c) may be mainstreamed in the  
3 prekindergarten early intervention program if such programming  
4 is reflected in the student's individual educational plan; if  
5 required special services, aids, or equipment are provided;  
6 and if there is no operational cost to prekindergarten early  
7 intervention program funds. Exceptional education students  
8 who are reported for maximum K-12 Florida Education Finance  
9 Program funding and who are not reported for early  
10 intervention funding shall not count against the 75-percent or  
11 25-percent student limit as stated in this paragraph.

12 3. Economically disadvantaged 3-year-old children.

13 4. Economically disadvantaged children, children with  
14 disabilities, and children at risk of future school failure,  
15 from birth to age four, who are served at home through home  
16 visitor programs and intensive parent education programs such  
17 as the Florida First Start Program.

18 5. Children who meet federal and state requirements  
19 for eligibility for the migrant preschool program but who do  
20 not meet the criteria of "economically disadvantaged" as  
21 defined in paragraph (b), who shall not pay a fee.

22 6. After the groups listed in subparagraphs 1., 2.,  
23 3., and 4. have been served, 3-year-old and 4-year-old  
24 children who are not economically disadvantaged and for whom a  
25 fee is paid for the children's participation.

26 (b) An "economically disadvantaged" child shall be  
27 defined as a child eligible to participate in the free lunch  
28 program. Notwithstanding any change in a family's economic  
29 status or in the federal eligibility requirements for free  
30 lunch, a child who meets the eligibility requirements upon  
31 initial registration for the program shall be considered

1 eligible until the child reaches kindergarten age. In order  
2 to assist the school district in establishing the priority in  
3 which children shall be served, and to increase the efficiency  
4 in the provision of child care services in each district, the  
5 district shall enter into a written collaborative agreement  
6 with other publicly funded early education and child care  
7 programs within the district. Such agreement shall be  
8 facilitated by the interagency coordinating council and shall  
9 set forth, among other provisions, the measures to be  
10 undertaken to ensure the programs' achievement and compliance  
11 with the performance standards established in subsection (3)  
12 and for maximizing the public resources available to each  
13 program. In addition, the central agency for state-subsidized  
14 child care or the local service district of the Department of  
15 Children and Family Services shall provide the school district  
16 with an updated list of 3-year-old and 4-year-old children  
17 residing in the school district who are on the waiting list  
18 for state-subsidized child care.

19 (3) STANDARDS.--

20 (k) The school district must coordinate with the  
21 central agency for state-subsidized child care or the local  
22 service district of the Department of Children and Family  
23 Services to verify family participation in the welfare  
24 transition ~~WAGES~~ program, thus ensuring accurate reporting and  
25 full utilization of federal funds available through the Family  
26 Support Act, and for the agency's or service district's  
27 sharing of the waiting list for state-subsidized child care  
28 under paragraph (a).

29 Section 61. Subsections (4) and (5) of section 232.17,  
30 Florida Statutes, are amended to read:

31

1           232.17 Enforcement of school attendance.--The  
2 Legislature finds that poor academic performance is associated  
3 with nonattendance and that schools must take an active role  
4 in enforcing attendance as a means of improving the  
5 performance of many students. It is the policy of the state  
6 that the superintendent of each school district be responsible  
7 for enforcing school attendance of all children and youth  
8 subject to the compulsory school age in the school district.  
9 The responsibility includes recommending to the school board  
10 policies and procedures to ensure that schools respond in a  
11 timely manner to every unexcused absence, or absence for which  
12 the reason is unknown, of students enrolled in the schools.  
13 School board policies must require each parent or guardian of  
14 a student to justify each absence of the student, and that  
15 justification will be evaluated based on adopted school board  
16 policies that define excused and unexcused absences. The  
17 policies must provide that schools track excused and unexcused  
18 absences and contact the home in the case of an unexcused  
19 absence from school, or an absence from school for which the  
20 reason is unknown, to prevent the development of patterns of  
21 nonattendance. The Legislature finds that early intervention  
22 in school attendance matters is the most effective way of  
23 producing good attendance habits that will lead to improved  
24 student learning and achievement. Each public school shall  
25 implement the following steps to enforce regular school  
26 attendance:

27           (4) REPORT TO THE DEPARTMENT OF LABOR AND EMPLOYMENT  
28 SECURITY DIVISION OF JOBS AND BENEFITS.--A designated school  
29 representative shall report to ~~the Division of Jobs and~~  
30 ~~Benefits~~ of the Department of Labor and Employment Security or  
31 to any person acting in similar capacity who may be designated

1 by law to receive such notices, all violations of the Child  
2 Labor Law that may come to his or her knowledge.  
3 (5) RIGHT TO INSPECT.--A designated school  
4 representative shall have the same right of access to, and  
5 inspection of, establishments where minors may be employed or  
6 detained as is given by law to the Department of Labor and  
7 Employment Security ~~Division of Jobs and Benefits~~ only for the  
8 purpose of ascertaining whether children of compulsory school  
9 age are actually employed there and are actually working there  
10 regularly. The designated school representative shall, if he  
11 or she finds unsatisfactory working conditions or violations  
12 of the Child Labor Law, report his or her findings to the  
13 Department of Labor and Employment Security ~~Division of Jobs~~  
14 ~~and Benefits~~ or its agents.

15 Section 62. Paragraph (g) of subsection (1) of section  
16 234.01, Florida Statutes, is amended to read:

17 234.01 Purpose; transportation; when provided.--

18 (1) School boards, after considering recommendations  
19 of the superintendent:

20 (g) May provide transportation for welfare transition  
21 ~~WAGES~~ program participants as defined in s. 414.0252.

22 Section 63. Paragraph (b) of subsection (1) of section  
23 234.211, Florida Statutes, is amended to read:

24 234.211 Use of school buses for public purposes.--

25 (1)

26 (b) Each school district may enter into agreements  
27 with regional workforce boards ~~local WAGES coalitions~~ for the  
28 provision of transportation services to ~~WAGES program~~  
29 participants in the welfare transition program as defined in  
30 ~~s. 414.0252~~. Agreements must provide for reimbursement in full  
31 or in part for the proportionate share of fixed and operating

1 costs incurred by the school district attributable to the use  
2 of buses in accordance with the agreement.

3 Section 64. Subsection (15) of section 239.105,  
4 Florida Statutes, is amended to read:

5 239.105 Definitions.--As used in this chapter, the  
6 term:

7 (15) "Degree vocational education program" means a  
8 course of study that leads to an associate in applied science  
9 degree or an associate in science degree. A degree vocational  
10 education program may contain within it one or more  
11 occupational completion points and may lead to certificates or  
12 diplomas within the course of study. The term is  
13 interchangeable with the term "degree career education  
14 program." For licensure purposes, the term "associate in  
15 science degree" is interchangeable with "associate in applied  
16 science degree."

17 Section 65. Paragraph (c) of subsection (4) and  
18 subsections (7) and (9) of section 239.115, Florida Statutes,  
19 are amended to read:

20 239.115 Funds for operation of adult general education  
21 and vocational education programs.--

22 (4) The Florida Workforce Development Education Fund  
23 is created to provide performance-based funding for all  
24 workforce development programs, whether the programs are  
25 offered by a school district or a community college. Funding  
26 for all workforce development education programs must be from  
27 the Workforce Development Education Fund and must be based on  
28 cost categories, performance output measures, and performance  
29 outcome measures. This subsection takes effect July 1, 1999.

30 (c) The performance outcome measures for programs  
31 funded through the Workforce Development Education Fund are

1 associated with placement and retention of students after  
2 reaching a completion point or completing a program of study.  
3 These measures include placement or retention in employment  
4 that is related to the program of study; placement into or  
5 retention in employment in an occupation on the Workforce  
6 Estimating Occupational Forecasting Conference list of  
7 high-wage, high-skill occupations with sufficient openings, or  
8 other High Wage/High Skill Program occupations as determined  
9 by Workforce Florida, Inc.; and placement and retention of  
10 participants ~~WAGES clients~~ or former participants in the  
11 welfare transition program ~~WAGES clients~~ in employment.  
12 Continuing postsecondary education at a level that will  
13 further enhance employment is a performance outcome for adult  
14 general education programs. Placement and retention must be  
15 reported pursuant to ss. 229.8075 and 239.233.

16 (7)(a) Beginning in fiscal year 1999-2000, a school  
17 district or a community college that provides workforce  
18 development education funded through the Workforce Development  
19 Education Fund shall receive funds in accordance with  
20 distributions for base and performance funding established by  
21 the Legislature in the General Appropriations Act, pursuant to  
22 the following conditions:

23 1.(a) Base funding shall not exceed 85 percent of the  
24 current fiscal year total Workforce Development Education Fund  
25 allocation, which shall be distributed by the Legislature in  
26 the General Appropriations Act based on a maximum of 85  
27 percent of the institution's prior year total allocation from  
28 base and performance funds.

29 2.(b) Performance funding shall be at least 15 percent  
30 of the current fiscal year total Workforce Development  
31 Education Fund allocation, which shall be distributed by the

1 Legislature in the General Appropriations Act based on the  
2 previous fiscal year's achievement of output and outcomes in  
3 accordance with formulas adopted pursuant to subsection (9).  
4 Performance funding must incorporate payments for at least  
5 three levels of placements that reflect wages and workforce  
6 demand. Payments for completions must not exceed 60 percent of  
7 the payments for placement. For fiscal year 1999-2000, school  
8 districts and community colleges shall be awarded funds  
9 pursuant to this paragraph based on performance output data  
10 generated for fiscal year 1998-1999 and performance outcome  
11 data available in that year.

12 ~~3.(c)~~ If a local educational agency achieves a level  
13 of performance sufficient to generate a full allocation as  
14 authorized by the workforce development funding formula, the  
15 agency may earn performance incentive funds as appropriated  
16 for that purpose in a General Appropriations Act. If  
17 performance incentive funds are funded and awarded, these  
18 funds must be added to the local educational agency's prior  
19 year total allocation from the Workforce Development Education  
20 Fund and shall be used to calculate the following year's base  
21 funding.

22 (b) A program is established to assist school  
23 districts and community colleges in responding to the needs of  
24 new and expanding businesses and thereby strengthening the  
25 state's workforce and economy. The program may be funded in  
26 the General Appropriations Act. A school district or community  
27 college may expend funds under the program without regard to  
28 performance criteria set forth in subparagraph (a)2. The  
29 district or community college shall use the program to provide  
30 customized training for businesses which satisfies the  
31 requirements of s. 288.047. Business firms whose employees

1 receive the customized training must provide 50 percent of the  
2 cost of the training. Balances remaining in the program at the  
3 end of the fiscal year shall not revert to the general fund,  
4 but shall be carried over for 1 additional year and used for  
5 the purpose of serving incumbent worker training needs of area  
6 businesses with fewer than 100 employees. Priority shall be  
7 given to businesses that must increase or upgrade their use of  
8 technology to remain competitive.

9 (9) The Department of Education, the State Board of  
10 Community Colleges, and Workforce Florida, Inc.,~~the Jobs and~~  
11 ~~Education Partnership~~ shall provide the Legislature with  
12 recommended formulas, criteria, timeframes, and mechanisms for  
13 distributing performance funds. The commissioner shall  
14 consolidate the recommendations and develop a consensus  
15 proposal for funding. The Legislature shall adopt a formula  
16 and distribute the performance funds to the Division of  
17 Community Colleges and the Division of Workforce Development  
18 through the General Appropriations Act. These recommendations  
19 shall be based on formulas that would discourage  
20 low-performing or low-demand programs and encourage through  
21 performance-funding awards:

22 (a) Programs that prepare people to enter high-wage  
23 occupations identified by the Workforce Estimating  
24 ~~Occupational Forecasting~~ Conference created by s. 216.136 and  
25 other programs as approved by Workforce Florida, Inc ~~the Jobs~~  
26 ~~and Education Partnership~~. At a minimum, performance  
27 incentives shall be calculated for adults who reach completion  
28 points or complete programs that lead to specified high-wage  
29 employment and to their placement in that employment.

30 (b) Programs that successfully prepare adults who are  
31 eligible for public assistance, economically disadvantaged,



1 disabled, not proficient in English, or dislocated workers for  
2 high-wage occupations. At a minimum, performance incentives  
3 shall be calculated at an enhanced value for the completion of  
4 adults identified in this paragraph and job placement of such  
5 adults upon completion. In addition, adjustments may be made  
6 in payments for job placements for areas of high unemployment.

7 (c) Programs that are specifically designed to be  
8 consistent with the workforce needs of private enterprise and  
9 regional economic development strategies, as defined in  
10 guidelines set by Workforce Florida, Inc. Workforce Florida,  
11 Inc., shall develop guidelines to identify such needs and  
12 strategies based on localized research of private employers  
13 and economic development practitioners.

14 ~~(d)(c)~~ Programs identified by Workforce Florida, Inc.,  
15 ~~the Jobs and Education Partnership~~ as increasing the  
16 effectiveness and cost efficiency of education.

17 Section 66. Paragraph (d) of subsection (4) of section  
18 239.117, Florida Statutes, is amended to read:

19 239.117 Workforce development postsecondary student  
20 fees.--

21 (4) The following students are exempt from the payment  
22 of registration, matriculation, and laboratory fees:

23 (d) A student enrolled in an employment and training  
24 program under the welfare transition ~~WAGES~~ program. The  
25 regional workforce board ~~local WAGES coalition~~ shall pay the  
26 community college or school district for costs incurred for  
27 welfare transition program participants ~~WAGES clients~~.

28 Section 67. Paragraph (c) of subsection (2) of section  
29 239.229, Florida Statutes, is amended to read:

30 239.229 Vocational standards.--

31 (2)

1 (c) Department of Education accountability for career  
2 education includes, but is not limited to:

3 1. The provision of timely, accurate technical  
4 assistance to school districts and community colleges.

5 2. The provision of timely, accurate information to  
6 the State Board for Career Education, the Legislature, and the  
7 public.

8 3. The development of policies, rules, and procedures  
9 that facilitate institutional attainment of the accountability  
10 standards and coordinate the efforts of all divisions within  
11 the department.

12 4. The development of program standards and  
13 industry-driven benchmarks for vocational, adult, and  
14 community education programs, which must be updated every 3  
15 years. The standards must include technical, academic, and  
16 workplace skills; viability of distance learning for  
17 instruction; and work/learn cycles that are responsive to  
18 business and industry.

19 5. Overseeing school district and community college  
20 compliance with the provisions of this chapter.

21 6. Ensuring that the educational outcomes for the  
22 technical component of workforce development programs and  
23 secondary vocational job-preparatory programs are uniform and  
24 designed to provide a graduate of high quality who is capable  
25 of entering the workforce on an equally competitive basis  
26 regardless of the institution of choice.

27 Section 68. Paragraph (a) of subsection (3) and  
28 paragraph (e) of subsection (4) of section 239.301, Florida  
29 Statutes, are amended to read:

30 239.301 Adult general education.--  
31

1           (3)(a) Each school board or community college board of  
2 trustees shall negotiate with the regional workforce board  
3 ~~local personnel of the Department of Children and Family~~  
4 ~~Services~~ for basic and functional literacy skills assessments  
5 for participants in the welfare transition employment and  
6 training programs ~~under the WAGES Program~~. Such assessments  
7 shall be conducted at a site mutually acceptable to the school  
8 board or community college board of trustees and the regional  
9 workforce board ~~Department of Children and Family Services~~.

10           (4)

11           (e) A district school board or a community college  
12 board of trustees may negotiate a contract with the regional  
13 workforce board ~~local WAGES coalition~~ for specialized services  
14 for participants in the welfare transition program ~~WAGES~~  
15 ~~clients~~, beyond what is routinely provided for the general  
16 public, to be funded by the regional workforce board ~~WAGES~~  
17 ~~coalition pursuant to s. 414.065~~.

18           Section 69. Subsection (3) of section 239.514, Florida  
19 Statutes, is amended to read:

20           239.514 Workforce Development Capitalization Incentive  
21 Grant Program.--The Legislature recognizes that the need for  
22 school districts and community colleges to be able to respond  
23 to emerging local or statewide economic development needs is  
24 critical to the workforce development system. The Workforce  
25 Development Capitalization Incentive Grant Program is created  
26 to provide grants to school districts and community colleges  
27 on a competitive basis to fund some or all of the costs  
28 associated with the creation or expansion of workforce  
29 development programs that serve specific employment workforce  
30 needs.

1           (3) The commission shall give highest priority to  
2 programs that train people to enter high-skill, high-wage  
3 occupations identified by the Workforce Estimating  
4 ~~occupational forecasting~~ Conference and other programs  
5 approved by Workforce Florida, Inc.~~the Jobs and Education~~  
6 ~~Partnership~~; programs that train people to enter occupations  
7 under the welfare transition program ~~on the WAGES list~~; or  
8 programs that train for the workforce adults who are eligible  
9 for public assistance, economically disadvantaged, disabled,  
10 not proficient in English, or dislocated workers. The  
11 commission shall consider the statewide geographic dispersion  
12 of grant funds in ranking the applications and shall give  
13 priority to applications from education agencies that are  
14 making maximum use of their workforce development funding by  
15 offering high-performing, high-demand programs.

16           Section 70. Paragraph (b) of subsection (5) of section  
17 240.209, Florida Statutes, is amended to read:

18           240.209 Board of Regents; powers and duties.--

19           (5) The Board of Regents is responsible for:

20           (b) Coordinating with the Postsecondary Education  
21 Planning Commission the programs, including doctoral programs,  
22 to be reviewed every 5 years or whenever the board determines  
23 that the effectiveness or efficiency of a program is  
24 jeopardized. The board shall define the indicators of quality  
25 and the criteria for program review for every program. Such  
26 indicators shall include need, student demand, industry-driven  
27 competencies for advanced technology and related programs, and  
28 resources available to support continuation. The results of  
29 the program reviews shall be tied to the university budget  
30 requests.

31

1 Section 71. Section 240.312, Florida Statutes, is  
2 amended to read:

3 240.312 Community colleges; program review.--Program  
4 reviews for the community college system shall be coordinated  
5 with the Postsecondary Education Planning Commission every  
6 year. Every major program shall be reviewed every 5 years or  
7 whenever the effectiveness or efficiency of a program is  
8 jeopardized, except that certificate career education programs  
9 and programs leading to an associate in science degree shall  
10 be reviewed every 3 years. Indicators of quality and criteria  
11 for the program reviews shall be defined. The results of  
12 these program reviews shall be tied to the budget request for  
13 the community college system.

14 Section 72. Subsection (3) of section 240.35, Florida  
15 Statutes, is amended to read:

16 240.35 Student fees.--Unless otherwise provided, the  
17 provisions of this section apply only to fees charged for  
18 college credit instruction leading to an associate in arts  
19 degree, an associate in applied science degree, or an  
20 associate in science degree and noncollege credit  
21 college-preparatory courses defined in s. 239.105.

22 (3) Students enrolled in dual enrollment and early  
23 admission programs under s. 240.116 and students enrolled in  
24 employment and training programs under the welfare transition  
25 ~~WAGES~~ program are exempt from the payment of registration,  
26 matriculation, and laboratory fees; however, such students may  
27 not be included within calculations of fee-waived enrollments.  
28 The regional workforce board ~~local WAGES coalition~~ shall pay  
29 the community college for costs incurred by that ~~WAGES~~  
30 participant related to that person's classes or program. Other  
31 fee-exempt instruction provided under this subsection

1 generates an additional one-fourth full-time equivalent  
2 enrollment.

3 Section 73. Paragraph (a) of subsection (1) of section  
4 240.40207, Florida Statutes, is amended to read:

5 240.40207 Florida Gold Seal Vocational Scholars  
6 award.--The Florida Gold Seal Vocational Scholars award is  
7 created within the Florida Bright Futures Scholarship Program  
8 to recognize and reward academic achievement and vocational  
9 preparation by high school students who wish to continue their  
10 education.

11 (1) A student is eligible for a Florida Gold Seal  
12 Vocational Scholars award if the student meets the general  
13 eligibility requirements for the Florida Bright Futures  
14 Scholarship Program and the student:

15 (a) Completes the secondary school portion of a  
16 sequential program of studies that requires at least three  
17 secondary school vocational credits taken over at least 2  
18 academic years, and is continued in a planned, related  
19 postsecondary education program. If the student's school does  
20 not offer such a two-plus-two or tech-prep program, the  
21 student must complete a job-preparatory career education  
22 program selected by the Workforce Estimating Occupational  
23 ~~Forecasting~~ Conference or the Workforce Florida, Inc.,  
24 ~~Development Board of Enterprise Florida~~ for its ability to  
25 provide high-wage employment in an occupation with high  
26 potential for employment opportunities. On-the-job training  
27 may not be substituted for any of the three required  
28 vocational credits.

29 Section 74. Section 240.40685, Florida Statutes, is  
30 amended to read:

31

1           240.40685 Certified Education Paraprofessional Welfare  
2 Transition Program.--  
3           (1) There is created the Certified Education  
4 Paraprofessional Welfare Transition Program to provide  
5 education and employment for recipients of public assistance  
6 who are certified to work in schools that, because of the high  
7 proportion of economically disadvantaged children enrolled,  
8 are at risk of poor performance on traditional measures of  
9 achievement. The program is designed to enable such schools  
10 to increase the number of adults working with the school  
11 children. However, the increase in personnel working at  
12 certain schools is intended to supplement and not to supplant  
13 the school staff and should not affect current school board  
14 employment and staffing policies, including those contained in  
15 collective bargaining agreements. The program is intended to  
16 be supported by local, state, and federal program funds for  
17 which the participants may be eligible. Further, the program  
18 is designed to provide its participants not only with  
19 entry-level employment but also with a marketable credential,  
20 a career option, and encouragement to advance.  
21           (2) The Commissioner of Education, the Executive  
22 Director of the State Board of Community Colleges, the  
23 secretary of the Department of Children and Family Services,  
24 and the director of the Agency for Workforce Innovation  
25 ~~Secretary of Labor and Employment Security~~ have joint  
26 responsibility for planning and conducting the program.  
27           (3) The agencies responsible may make recommendations  
28 to the State Board of Education and the Legislature if they  
29 find that implementation or operation of the program would  
30 benefit from the adoption or waiver of state or federal  
31

1 policy, rule, or law, including recommendations regarding  
2 program budgeting.

3 (4) The agencies shall complete an implementation plan  
4 that addresses at least the following recommended components  
5 of the program:

6 (a) A method of selecting participants. The method  
7 must not duplicate services provided by those assigned to  
8 screen participants of the welfare transition ~~WAGES~~ program,  
9 but must assure that screening personnel are trained to  
10 identify recipients of public assistance whose personal  
11 aptitudes and motivation make them most likely to succeed in  
12 the program and advance in a career related to the school  
13 community.

14 (b) A budget for use of incentive funding to provide  
15 motivation to participants to succeed and excel. The budget  
16 for incentive funding includes:

17 1. Funds allocated by the Legislature directly for the  
18 program.

19 2. Funds that may be made available from the federal  
20 Workforce Investment ~~Job Training Partnership~~ Act based on  
21 client eligibility or requested waivers to make the clients  
22 eligible.

23 3. Funds made available by implementation strategies  
24 that would make maximum use of work supplementation funds  
25 authorized by federal law.

26 4. Funds authorized by strategies to lengthen  
27 participants' eligibility for federal programs such as  
28 Medicaid, subsidized child care, and transportation.

29  
30 Incentives may include a stipend during periods of college  
31 classroom training, a bonus and recognition for a high



1 grade-point average, child care and prekindergarten services  
2 for children of participants, and services to increase a  
3 participant's ability to advance to higher levels of  
4 employment. Nonfinancial incentives should include providing a  
5 mentor or tutor, and service incentives should continue and  
6 increase for any participant who plans to complete the  
7 baccalaureate degree and become a certified teacher. Services  
8 may be provided in accordance with family choice by community  
9 colleges and school district technical centers, through family  
10 service centers and full-service schools, or under contract  
11 with providers through central agencies.

12 (5) The agencies shall select Department of Children  
13 and Family Services districts to participate in the program. A  
14 district that wishes to participate must demonstrate that a  
15 district school board, a community college board of trustees,  
16 an economic services program administrator, and a regional  
17 workforce board ~~private industry council~~ are willing to  
18 coordinate to provide the educational program, support  
19 services, employment opportunities, and incentives required to  
20 fulfill the intent of this section.

21 (6)(a) A community college or school district  
22 technical center is eligible to participate if it provides a  
23 technical certificate program in Child Development Early  
24 Intervention as approved by Workforce Florida, Inc., ~~the Jobs~~  
25 ~~and Education Partnership and it is participating in the~~  
26 ~~Performance Based Incentive Funding program authorized in s.~~  
27 ~~239.249.~~ Priority programs provide an option and incentives  
28 to articulate with an associate in science degree program or a  
29 baccalaureate degree program.

30 (b) A participating educational agency may earn funds  
31 appropriated for performance-based incentive funding for

1 successful outcomes of enrollment and placement of recipients  
2 of public assistance who are in the program. In addition, an  
3 educational agency is eligible for an incentive award  
4 determined by Workforce Florida, Inc., ~~the Jobs and Education~~  
5 ~~Partnership~~ for each recipient of public assistance who  
6 successfully completes a program leading to the award of a  
7 General Education Development credential.

8 (c) Historically black colleges or universities that  
9 have established programs that serve participants in the  
10 welfare transition ~~of the WAGES~~ program are eligible to  
11 participate in the Performance Based Incentive Funding Program  
12 and may earn an incentive award determined by Workforce  
13 Florida, Inc., ~~the Jobs and Education Partnership~~ for  
14 successful placement of program completers in jobs as  
15 education paraprofessionals in at-risk schools.

16 (7)(a) A participating school district shall identify  
17 at-risk schools in which the program participants will work  
18 during the practicum part of their education. For purposes of  
19 this act, an at-risk school is a school with grades K-3 in  
20 which 50 percent or more of the students enrolled at the  
21 school are eligible for free lunches or reduced-price lunches.  
22 Priority schools are schools whose service zones include the  
23 participants' own communities.

24 (b) A participating school district may use funds  
25 appropriated by the Legislature from Job Training Partnership  
26 Act service delivery area allotments to provide at least 6  
27 months of on-the-job training to participants in the Certified  
28 Education Paraprofessional Welfare Transition Program.  
29 Participating school districts may also use funds provided by  
30 grant diversion of funds from the welfare transition ~~WAGES~~  
31 program for the participants during the practicum portion of

1 their training to earn the certificate required for their  
2 employment.

3 (8) The agencies shall give priority for funding to  
4 those programs that provide maximum security for the  
5 long-range employment and career opportunities of the program  
6 participants. Security is enhanced if employment is provided  
7 through a governmental or nongovernmental agency other than  
8 the school board, or if the plans assure in another way that  
9 the participants will supplement, rather than supplant, the  
10 workforce available to the school board. It is the intent of  
11 the Legislature that, when a program participant succeeds in  
12 becoming a certified education paraprofessional after working  
13 successfully in a school during the practicum or on-the-job  
14 training supported by the program, the participant shall have  
15 the opportunity to continue in full-time employment at the  
16 school that provided the training or at another school in the  
17 district.

18 Section 75. Subsection (2) of section 240.61, Florida  
19 Statutes, is amended to read:

20 240.61 College reach-out program.--

21 (2) In developing the definition for "low-income  
22 educationally disadvantaged student," the State Board of  
23 Education shall include such factors as: the family's taxable  
24 income; family receipt of temporary cash assistance ~~under the~~  
25 ~~WAGES Program~~ in the preceding year; family receipt of public  
26 assistance in the preceding year; the student's cumulative  
27 grade point average; the student's promotion and attendance  
28 patterns; the student's performance on state standardized  
29 tests; the student's enrollment in mathematics and science  
30 courses; and the student's participation in a dropout  
31 prevention program.

1           Section 76. Section 246.50, Florida Statutes, is  
2 amended to read:

3           246.50 Certified Teacher-Aide Welfare Transition  
4 Program; participation by independent postsecondary  
5 schools.--An independent postsecondary school may participate  
6 in the Certified Teacher-Aide Welfare Transition Program and  
7 may receive incentives for successful performance from the  
8 Performance Based Incentive Funding Program if:

9           (1) The school is accredited by the Southern  
10 Association of Colleges and Schools and licensed by the State  
11 Board of Nonpublic Career Education;

12           (2) The school serves recipients of temporary cash  
13 assistance ~~under the WAGES Program~~ in a certified teacher-aide  
14 program;

15           (3) A participating school district recommends the  
16 school to Workforce Florida, Inc. ~~the Jobs and Education~~  
17 ~~Partnership~~; and

18           (4) Workforce Florida, Inc., ~~The Jobs and Education~~  
19 ~~Partnership~~ approves.

20           Section 77. Section 288.046, Florida Statutes, is  
21 amended to read:

22           288.046 Quick-response training; legislative  
23 intent.--The Legislature recognizes the importance of  
24 providing a skilled workforce for attracting new industries  
25 and retaining and expanding existing businesses and industries  
26 in this state. It is the intent of the Legislature that a  
27 program exist to meet the short-term, immediate,  
28 workforce-skill needs of such businesses and industries. It  
29 is further the intent of the Legislature that funds provided  
30 for the purposes of s. 288.047 be expended on businesses and  
31 industries that support the state's economic development

1 goals, particularly high value-added businesses ~~in Florida's~~  
2 ~~Targeted Industrial Clusters~~ or businesses that locate in and  
3 provide jobs in the state's distressed urban and rural areas,  
4 and that instruction funded pursuant to s. 288.047 lead to  
5 permanent, quality employment opportunities.

6 Section 78. Section 288.047, Florida Statutes, is  
7 amended to read:

8 288.047 Quick-response training for economic  
9 development.--

10 (1) The Quick-Response Training Program is created to  
11 meet the workforce-skill needs of existing, new, and expanding  
12 industries. The program shall be administered by Workforce  
13 ~~Enterprise~~ Florida, Inc., in conjunction with Enterprise  
14 Florida, Inc., and the Department of Education. Workforce  
15 ~~Enterprise~~ Florida, Inc., shall adopt guidelines for the  
16 administration of this program. Workforce ~~Enterprise~~ Florida,  
17 Inc., shall provide technical services and shall identify  
18 businesses that seek services through the program. ~~The~~  
19 ~~Department of Education shall provide services related to the~~  
20 ~~development and implementation of instructional programs.~~

21 ~~(2)(a) A Quick-Response Advisory Committee, composed~~  
22 ~~of the director of the Division of Workforce Development of~~  
23 ~~the Department of Education; the director of the Division of~~  
24 ~~Community Colleges of the Department of Education; and the~~  
25 ~~director of the Division of Jobs and Benefits of the~~  
26 ~~Department of Labor and Employment Security, or their~~  
27 ~~respective designees, and four private sector members, shall~~  
28 ~~review training funded through this program and shall provide~~  
29 ~~policy advice to Enterprise Florida, Inc., in the~~  
30 ~~implementation of this program. The committee shall elect a~~  
31 ~~chair from among its members. Members of the committee may~~

1 ~~receive reimbursement for per diem and travel expenses as~~  
2 ~~provided in s. 112.061.~~

3 ~~(b) The four private sector members appointed to the~~  
4 ~~Quick-Response Advisory Committee must be selected from a~~  
5 ~~slate of nominees submitted by the board of directors of~~  
6 ~~Enterprise Florida, Inc. The president of Enterprise Florida,~~  
7 ~~Inc., shall appoint private sector members from this slate for~~  
8 ~~terms of 4 years, except that in making the initial~~  
9 ~~appointments, the president shall appoint members for~~  
10 ~~staggered terms, one for 1 year, 2 years, 3 years, and 4~~  
11 ~~years, respectively. To the maximum extent possible, the~~  
12 ~~president shall select private sector members who are~~  
13 ~~representative of diverse industries and regions of the state.~~  
14 ~~The importance of minority representation must be considered~~  
15 ~~when making appointments for each private sector position.~~  
16 ~~Private sector members may be removed for cause. Absence from~~  
17 ~~three consecutive meetings results in the automatic removal of~~  
18 ~~a private sector member.~~

19 ~~(c) The Quick-Response Advisory Committee shall meet~~  
20 ~~at the call of its chair, at the request of a majority of the~~  
21 ~~membership, at the request of Enterprise Florida, Inc., or at~~  
22 ~~times prescribed by its rules. The committee shall serve to~~  
23 ~~advise Enterprise Florida, Inc., regarding the administration~~  
24 ~~of the Quick-Response Training Program.~~

25 ~~(2)(3)~~ Workforce Enterprise Florida, Inc., shall  
26 ensure that instruction funded pursuant to this section is not  
27 available through the local community college or, school  
28 district, ~~or private industry council~~ and that the instruction  
29 promotes economic development by providing specialized  
30 training entry-level skills to new workers or retraining for  
31 supplemental skills to current employees to meet changing

1 skill requirements caused by new technology or new product  
2 lines and to prevent potential layoffs ~~whose job descriptions~~  
3 ~~are changing~~. Such funds may not be expended ~~to subsidize the~~  
4 ~~ongoing staff development program of any business or industry~~  
5 ~~or~~ to provide training for instruction related to retail  
6 businesses or to reimburse businesses for trainee wages. Funds  
7 made available pursuant to this section may not be expended in  
8 connection with the relocation of a business from one  
9 community to another community in this state unless Workforce  
10 ~~Enterprise~~ Florida, Inc., determines that without such  
11 relocation the business will move outside this state or  
12 determines that the business has a compelling economic  
13 rationale for the relocation which creates additional jobs.

14 ~~(3)(4)~~ Requests for funding through the Quick-Response  
15 Training Program may be produced through inquiries from a  
16 specific business or industry, inquiries from a school  
17 district director of career education or community college  
18 occupational dean on behalf of a business or industry, or  
19 through official state or local economic development efforts.  
20 In allocating funds for the purposes of the program, Workforce  
21 ~~Enterprise~~ Florida, Inc., shall establish criteria for  
22 approval of requests for funding and shall select the entity  
23 that provides the most efficient, cost-effective instruction  
24 meeting such criteria. Program funds may be allocated to any  
25 area technical center, community college, or state university.  
26 Program funds may be allocated to private postsecondary  
27 institutions only upon a review that includes, but is not  
28 limited to, accreditation and licensure documentation and  
29 prior approval by Workforce Florida, Inc. ~~a majority of the~~  
30 ~~advisory committee~~. Instruction funded through the program  
31 must terminate when participants demonstrate competence at the

1 level specified in the request; however, the grant term  
2 ~~instruction~~ may not exceed 24 ~~18~~ months. Costs and  
3 expenditures for the Quick-Response Training Program must be  
4 documented and separated from those incurred by the training  
5 provider.

6 ~~(4)(5)~~ For the first 6 months of each fiscal year,  
7 Workforce Enterprise Florida, Inc., shall set aside 30 percent  
8 of the amount appropriated for the Quick-Response Training  
9 Program by the Legislature to fund instructional programs for  
10 businesses located in an enterprise zone or brownfield area ~~to~~  
11 ~~instruct residents of an enterprise zone~~. Any unencumbered  
12 funds remaining undisbursed from this set-aside at the end of  
13 the 6-month period may be used to provide funding for any  
14 program qualifying for funding pursuant to this section.

15 ~~(5)(6)~~ Prior to the allocation of funds for any  
16 request pursuant to this section, Workforce Enterprise  
17 Florida, Inc., shall prepare a grant agreement between the  
18 business or industry requesting funds, the educational  
19 institution receiving funding through the program, and  
20 Workforce Enterprise Florida, Inc. Such agreement must  
21 include, but is not limited to:

22 ~~(a) An identification of the facility in which the~~  
23 ~~instruction will be conducted and the respective~~  
24 ~~responsibilities of the parties for paying costs associated~~  
25 ~~with facility use.~~

26 ~~(b) An identification of the equipment necessary to~~  
27 ~~conduct the program, the respective responsibilities of the~~  
28 ~~parties for paying costs associated with equipment purchase,~~  
29 ~~maintenance, and repair, as well as an identification of which~~  
30 ~~party owns the equipment upon completion of the instruction.~~

31



1        (a)~~(e)~~ An identification of the personnel necessary to  
2 conduct the instructional program, the qualifications of such  
3 personnel, and the respective responsibilities of the parties  
4 for paying costs associated with the employment of such  
5 personnel.

6        (b)~~(d)~~ An identification of the estimated length of  
7 the instructional program. ~~Such program may not exceed 12~~  
8 ~~months of full-time instruction or 18 months of total~~  
9 ~~instruction.~~

10        (c) An identification of all direct, training-related  
11 costs, including tuition and fees, curriculum development,  
12 books and classroom materials, and overhead or indirect costs,  
13 not to exceed 5 percent of the grant amount.

14        (d)~~(e)~~ An identification of special program  
15 requirements that are not addressed otherwise in the  
16 agreement.

17        (e)~~(f)~~ Permission to access information specific to  
18 the wages and performance of participants upon the completion  
19 of instruction for evaluation purposes. Information which, if  
20 released, would disclose the identity of the person to whom  
21 the information pertains or disclose the identity of the  
22 person's employer is confidential and exempt from the  
23 provisions of s. 119.07(1). The agreement must specify that  
24 any evaluations published subsequent to the instruction may  
25 not identify the employer or any individual participant.

26        (6)~~(7)~~ For the purposes of this section, Workforce  
27 ~~Enterprise~~ Florida, Inc., may accept grants of money,  
28 materials, services, or property of any kind from any agency,  
29 corporation, or individual.

30        ~~(8)~~ ~~Enterprise Florida, Inc., may procure equipment as~~  
31 ~~necessary to meet the purposes of this section. Title to and~~

1 ~~control of such equipment is vested in the Department of~~  
2 ~~Education. Upon the conclusion of instruction, the Department~~  
3 ~~of Education may transfer title to the district school board,~~  
4 ~~community college district board of trustees, or Board of~~  
5 ~~Regents on behalf of a specific state university, where the~~  
6 ~~equipment is physically located. The department may also~~  
7 ~~lease such equipment to the district school board, community~~  
8 ~~college district board of trustees, or Board of Regents for a~~  
9 ~~maximum of 1 year. Such lease may provide for automatic~~  
10 ~~renewal. Either party to a lease has the right to cancel the~~  
11 ~~lease upon a 60-day notice in writing. Any equipment for which~~  
12 ~~no title transfer or lease exists must be returned to a~~  
13 ~~warehouse reserve and be available for use by an instructional~~  
14 ~~program in any area of the state.~~

15 (7)(9) In providing instruction pursuant to this  
16 section, materials that relate to methods of manufacture or  
17 production, potential trade secrets, business transactions, or  
18 proprietary information received, produced, ascertained, or  
19 discovered by employees of the respective departments,  
20 district school boards, community college district boards of  
21 trustees, or other personnel employed for the purposes of this  
22 section is confidential and exempt from the provisions of s.  
23 119.07(1). The state may seek copyright protection for all  
24 instructional materials and ancillary written documents  
25 developed wholly or partially with state funds as a result of  
26 instruction provided pursuant to this section, except for  
27 materials that are confidential and exempt from the provisions  
28 of s. 119.07(1).

29 (8)(10) There is created a Quick-Response Training  
30 Program for ~~Work and Gain Economic Self-sufficiency (WAGES)~~  
31 participants in the welfare transition program. Workforce

1 ~~Enterprise Florida, Inc., may, at the discretion of the State~~  
2 ~~WAGES Emergency Response Team,~~ award quick-response training  
3 grants and develop applicable guidelines for the training of  
4 participants in the welfare transition ~~WAGES~~ program. In  
5 addition to a local economic development organization, grants  
6 must be endorsed by the applicable ~~local WAGES coalition and~~  
7 regional workforce ~~development~~ board.

8 (a) Training funded pursuant to this subsection may  
9 not exceed 12 months, and may be provided by the local  
10 community college, school district, regional workforce  
11 ~~development~~ board, or the business employing the participant,  
12 including on-the-job training. Training will provide  
13 entry-level skills to new workers, including those employed in  
14 retail, who are participants in the welfare transition ~~WAGES~~  
15 program.

16 (b) ~~WAGES~~ Participants trained pursuant to this  
17 subsection must be employed at a wage not less than \$6.00  
18 per hour.

19 (c) Funds made available pursuant to this subsection  
20 may be expended in connection with the relocation of a  
21 business from one community to another community if approved  
22 by Workforce Florida, Inc. ~~the State WAGES Emergency Response~~  
23 ~~Team.~~

24 (9) Notwithstanding any other provision of law,  
25 eligible matching contributions received under the  
26 Quick-Response Training Program under this section may be  
27 counted toward the private-sector support of Enterprise  
28 Florida, Inc., under s. 288.90151(5)(d).

29 (10) Workforce Florida, Inc., and Enterprise Florida,  
30 Inc., shall ensure maximum coordination and cooperation in  
31 administering this section, in such a manner that any division

1 of responsibility between the two organizations which relates  
2 to marketing or administering the Quick-Response Training  
3 Program is not apparent to a business that inquires about or  
4 applies for funding under this section. The organizations  
5 shall provide such a business with a single point of contact  
6 for information and assistance.

7 Section 79. Subsection (7) of section 288.0656,  
8 Florida Statutes, is amended to read:

9 288.0656 Rural Economic Development Initiative.--

10 (7) REDI may recommend to the Governor up to three  
11 rural areas of critical economic concern. A rural area of  
12 critical economic concern must be a rural community, or a  
13 region composed of such, that has been adversely affected by  
14 an extraordinary economic event or a natural disaster or that  
15 presents a unique economic development opportunity of regional  
16 impact that will create more than 1,000 jobs over a 5-year  
17 period. The Governor may by executive order designate up to  
18 three rural areas of critical economic concern which will  
19 establish these areas as priority assignments for REDI as well  
20 as to allow the Governor, acting through REDI, to waive  
21 criteria, requirements, or similar provisions of any economic  
22 development incentive. Such incentives shall include, but not  
23 be limited to: the Qualified Target Industry Tax Refund  
24 Program under s. 288.106, the Quick Response Training Program  
25 under s. 288.047, the ~~WAGES~~ Quick Response Training Program  
26 for participants in the welfare transition program under s.  
27 288.047(8)~~s. 288.047(10)~~, transportation projects under s.  
28 288.063, the brownfield redevelopment bonus refund under s.  
29 288.107, and the rural job tax credit program under ss.  
30 212.098 and 220.1895. Designation as a rural area of critical  
31 economic concern under this subsection shall be contingent

1 upon the execution of a memorandum of agreement among the  
2 Office of Tourism, Trade, and Economic Development; the  
3 governing body of the county; and the governing bodies of any  
4 municipalities to be included within a rural area of critical  
5 economic concern. Such agreement shall specify the terms and  
6 conditions of the designation, including, but not limited to,  
7 the duties and responsibilities of the county and any  
8 participating municipalities to take actions designed to  
9 facilitate the retention and expansion of existing businesses  
10 in the area, as well as the recruitment of new businesses to  
11 the area.

12 Section 80. Paragraph (f) of subsection (3) of section  
13 288.901, Florida Statutes, is amended to read:

14 288.901 Enterprise Florida, Inc.; creation;  
15 membership; organization; meetings; disclosure.--

16 (3) Enterprise Florida, Inc., shall be governed by a  
17 board of directors. The board of directors shall consist of  
18 the following members:

19 (f) The chairperson of the board of directors of ~~the~~  
20 Workforce Florida, Inc. ~~Development Board.~~

21 Section 81. Paragraph (i) of subsection (1) of section  
22 288.904, Florida Statutes, is amended to read:

23 288.904 Powers of the board of directors of Enterprise  
24 Florida, Inc.--

25 (1) The board of directors of Enterprise Florida,  
26 Inc., shall have the power to:

27 (i) Use the state seal, notwithstanding the provisions  
28 of s. 15.03, when appropriate, to establish that Enterprise  
29 Florida, Inc., is the principal economic, ~~workforce,~~ and trade  
30 development organization for the state, and for other standard  
31 corporate identity applications. Use of the state seal is not

1 to replace use of a corporate seal as provided in this  
2 section.

3 Section 82. Subsections (1) and (3) of section  
4 288.905, Florida Statutes, are amended to read:

5 288.905 Duties of the board of directors of Enterprise  
6 Florida, Inc.--

7 (1) In the performance of its functions and duties,  
8 the board of directors may establish, implement, and manage  
9 policies, strategies, and programs for Enterprise Florida,  
10 Inc., and its boards. These policies, strategies, and programs  
11 shall promote business formation, expansion, recruitment, and  
12 retention through aggressive marketing and international  
13 development and export assistance; ~~and workforce development,~~  
14 which together lead to more and better jobs with higher wages  
15 for all geographic regions and communities of the state,  
16 including rural areas and urban core areas, and for all  
17 residents, including minorities. In developing such policies,  
18 strategies, and programs, the board of directors shall solicit  
19 advice from and consider the recommendations of its boards,  
20 any advisory committees or similar groups created by  
21 Enterprise Florida, Inc., and local and regional partners.

22 (3)(a) The strategic plan required under this section  
23 shall include, but is not limited to, strategies for the  
24 promotion of business formation, expansion, recruitment, and  
25 retention through aggressive marketing, international  
26 development, and export assistance, ~~and workforce development~~  
27 ~~programs~~ which lead to more and better jobs and higher wages  
28 for all geographic regions and disadvantaged communities and  
29 populations of the state, including rural areas, minority  
30 businesses, and urban core areas. Further, the strategic plan  
31 shall give consideration to the economic diversity of the

1 state and its regions and their associated industrial clusters  
2 and develop realistic policies and programs to further their  
3 development.

4 (b)1. The strategic plan required under this section  
5 shall include specific provisions for the stimulation of  
6 economic development and job creation in rural areas and  
7 midsize cities and counties of the state.

8 2. Enterprise Florida, Inc., shall involve local  
9 governments, local and regional economic development  
10 organizations, and other local, state, and federal economic,  
11 international, and workforce development entities, both public  
12 and private, in developing and carrying out policies,  
13 strategies, and programs, seeking to partner and collaborate  
14 to produce enhanced public benefit at a lesser cost.

15 3. Enterprise Florida, Inc., shall involve rural,  
16 urban, small-business, and minority-business development  
17 agencies and organizations, both public and private, in  
18 developing and carrying out policies, strategies, and  
19 programs.

20 ~~(c) The strategic plan required under this section~~  
21 ~~shall include the creation of workforce training programs that~~  
22 ~~lead to better employment opportunities and higher wages.~~

23 (c)(d) The strategic plan required under this section  
24 shall include the promotion of the successful long-term  
25 economic development of the state with increased emphasis in  
26 market research and information to local economic development  
27 entities and generation of foreign investment in the state  
28 that creates jobs with above-average wages,  
29 internationalization of this state, with strong emphasis in  
30 reverse investment that creates high wage jobs for the state  
31 and its many regions, including programs that establish viable

1 overseas markets, generate foreign investment, assist in  
2 meeting the financing requirements of export-ready firms,  
3 broaden opportunities for international joint venture  
4 relationships, use the resources of academic and other  
5 institutions, coordinate trade assistance and facilitation  
6 services, and facilitate availability of and access to  
7 education and training programs which will assure requisite  
8 skills and competencies necessary to compete successfully in  
9 the global marketplace.

10 (d)~~(e)~~ The strategic plan required under this section  
11 shall include the identification of business sectors that are  
12 of current or future importance to the state's economy and to  
13 the state's worldwide business image, and development of  
14 specific strategies to promote the development of such  
15 sectors.

16 Section 83. Paragraph (f) of subsection (1) of section  
17 288.906, Florida Statutes, is amended to read:

18 288.906 Annual report of Enterprise Florida, Inc.;  
19 audits; confidentiality.--

20 (1) Prior to December 1 of each year, Enterprise  
21 Florida, Inc., shall submit to the Governor, the President of  
22 the Senate, the Speaker of the House of Representatives, the  
23 Senate Minority Leader, and the House Minority Leader a  
24 complete and detailed report including, but not limited to:

25 (f) An assessment of ~~employee training and job~~  
26 creation that directly benefits participants in the welfare  
27 transition ~~WAGES~~ program.

28  
29 The detailed report required by this subsection shall also  
30 include the information identified in paragraphs (a)-(g), if  
31



1 applicable, for any board established within the corporate  
2 structure of Enterprise Florida, Inc.

3 Section 84. Subsection (4) of section 320.20, Florida  
4 Statutes, is amended to read:

5 320.20 Disposition of license tax moneys.--The revenue  
6 derived from the registration of motor vehicles, including any  
7 delinquent fees and excluding those revenues collected and  
8 distributed under the provisions of s. 320.081, must be  
9 distributed monthly, as collected, as follows:

10 (4) Notwithstanding any other provision of law except  
11 subsections (1), (2), and (3), on July 1, 1999, and annually  
12 thereafter, \$10 million shall be deposited in the State  
13 Transportation Trust Fund solely for the purposes of funding  
14 the Florida Seaport Transportation and Economic Development  
15 Program as provided in chapter 311 and for funding seaport  
16 intermodal access projects of statewide significance as  
17 provided in s. 341.053. Such revenues shall be distributed to  
18 any port listed in s. 311.09(1), to be used for funding  
19 projects as follows:

20 (a) For any seaport intermodal access projects that  
21 are identified in the 1997-1998 Tentative Work Program of the  
22 Department of Transportation, up to the amounts needed to  
23 offset the funding requirements of this section; ~~and~~

24 (b) For seaport intermodal access projects as  
25 described in s. 341.053(5) that are identified in the 5-year  
26 Florida Seaport Mission Plan as provided in s. 311.09(3).  
27 Funding for such projects shall be on a matching basis as  
28 mutually determined by the Florida Seaport Transportation and  
29 Economic Development Council and the Department of  
30 Transportation, provided a minimum of 25 percent of total  
31

1 project funds shall come from any port funds, local funds,  
2 private funds, or specifically earmarked federal funds; ~~or~~  
3 (c) On a 50-50 matching basis for projects as  
4 described in s. 311.07(3)(b); or-  
5 (d) For seaport intermodal access projects that  
6 involve the dredging or deepening of channels, turning basins,  
7 or harbors; or the rehabilitation of wharves, docks, or  
8 similar structures. Funding for such projects shall require a  
9 25 percent match of the funds received pursuant to this  
10 subsection. Matching funds shall come from any port funds,  
11 federal funds, local funds, or private funds.  
12  
13 Such revenues may be assigned, pledged, or set aside as a  
14 trust for the payment of principal or interest on bonds, tax  
15 anticipation certificates, or any other form of indebtedness  
16 issued by an individual port or appropriate local government  
17 having jurisdiction thereof, or collectively by interlocal  
18 agreement among any of the ports, or used to purchase credit  
19 support to permit such borrowings. However, such debt shall  
20 not constitute a general obligation of the state. This state  
21 does hereby covenant with holders of such revenue bonds or  
22 other instruments of indebtedness issued hereunder that it  
23 will not repeal or impair or amend this subsection in any  
24 manner which will materially and adversely affect the rights  
25 of holders so long as bonds authorized by this subsection are  
26 outstanding. Any revenues that are not pledged to the  
27 repayment of bonds as authorized by this section may be  
28 utilized for purposes authorized under the Florida Seaport  
29 Transportation and Economic Development Program. This revenue  
30 source is in addition to any amounts provided for and  
31 appropriated in accordance with s. 311.07 and subsection (3).

1 The Florida Seaport Transportation and Economic Development  
2 Council shall approve distribution of funds to ports for  
3 projects that have been approved pursuant to s. 311.09(5)-(9),  
4 or for seaport intermodal access projects identified in the  
5 5-year Florida Seaport Mission Plan as provided in s.  
6 311.09(3) and mutually agreed upon by the FSTED Council and  
7 the Department of Transportation. All contracts for actual  
8 construction of projects authorized by this subsection must  
9 include a provision encouraging employment of ~~WAGES~~  
10 participants in the welfare transition program. The goal for  
11 employment of ~~WAGES~~ participants in the welfare transition  
12 program is 25 percent of all new employees employed  
13 specifically for the project, unless the Department of  
14 Transportation and the Florida Seaport Transportation and  
15 Economic Development Council demonstrates ~~can demonstrate~~ to  
16 ~~the satisfaction of the Secretary of Labor and Employment~~  
17 ~~Security~~ that such a requirement would severely hamper the  
18 successful completion of the project. In such an instance,  
19 Workforce Florida, Inc., ~~the Secretary of Labor and Employment~~  
20 ~~Security~~ shall establish an appropriate percentage of  
21 employees that must be ~~WAGES~~ participants in the welfare  
22 transition program. The council and the Department of  
23 Transportation are authorized to perform such acts as are  
24 required to facilitate and implement the provisions of this  
25 subsection. To better enable the ports to cooperate to their  
26 mutual advantage, the governing body of each port may exercise  
27 powers provided to municipalities or counties in s.  
28 163.01(7)(d) subject to the provisions of chapter 311 and  
29 special acts, if any, pertaining to a port. The use of funds  
30 provided pursuant to this subsection is limited to eligible  
31 projects listed in this subsection. The provisions of s.

1 311.07(4) do not apply to any funds received pursuant to this  
2 subsection.

3 Section 85. Paragraph (c) of subsection (9) of section  
4 322.34, Florida Statutes, is amended to read:

5 322.34 Driving while license suspended, revoked,  
6 canceled, or disqualified.--

7 (9)

8 (c) Notwithstanding s. 932.703(1)(c) or s. 932.7055,  
9 when the seizing agency obtains a final judgment granting  
10 forfeiture of the motor vehicle under this section, 30 percent  
11 of the net proceeds from the sale of the motor vehicle shall  
12 be retained by the seizing law enforcement agency and 70  
13 percent shall be deposited in the General Revenue Fund for use  
14 by regional workforce boards ~~local WAGES coalitions~~ in  
15 providing transportation services for participants of the  
16 welfare transition ~~WAGES~~ program. In a forfeiture proceeding  
17 under this section, the court may consider the extent that the  
18 family of the owner has other public or private means of  
19 transportation.

20 Section 86. Subsection (1) of section 341.052, Florida  
21 Statutes, is amended to read:

22 341.052 Public transit block grant program;  
23 administration; eligible projects; limitation.--

24 (1) There is created a public transit block grant  
25 program which shall be administered by the department. Block  
26 grant funds shall only be provided to "Section 9" providers  
27 and "Section 18" providers designated by the United States  
28 Department of Transportation and community transportation  
29 coordinators as defined in chapter 427. Eligible providers  
30 must establish public transportation development plans  
31 consistent, to the maximum extent feasible, with approved

1 local government comprehensive plans of the units of local  
2 government in which the provider is located. In developing  
3 public transportation development plans, eligible providers  
4 must solicit comments from regional workforce boards ~~local~~  
5 ~~WAGES coalitions~~ established under chapter 445 ~~414~~. The  
6 development plans must address how the public transit provider  
7 will work with the appropriate regional workforce board ~~local~~  
8 ~~WAGES coalition~~ to provide services to ~~WAGES~~ participants in  
9 the welfare transition program. Eligible providers must ~~review~~  
10 ~~program and financial plans established under s. 414.028 and~~  
11 provide information to the regional workforce board ~~local~~  
12 ~~WAGES coalition~~ serving the county in which the provider is  
13 located regarding the availability of transportation services  
14 to assist ~~WAGES~~ program participants.

15 Section 87. Subsections (1) and (8) of section  
16 402.3015, Florida Statutes, are amended, and subsection (10)  
17 is added to said section, to read:

18 402.3015 Subsidized child care program; purpose; fees;  
19 contracts.--

20 (1) The purpose of the subsidized child care program  
21 is to provide quality child care to enhance the development,  
22 including language, cognitive, motor, social, and self-help  
23 skills of children who are at risk of abuse or neglect and  
24 children of low-income families, and to promote financial  
25 self-sufficiency and life skills for the families of these  
26 children, unless prohibited by federal law. Priority for  
27 participation in the subsidized child care program shall be  
28 accorded to children under 13 years of age who are:

29 (a) Determined to be at risk of abuse, neglect, or  
30 exploitation and who are currently clients of the department's  
31 Children and Families Program Office;

1 (b) Children at risk of welfare dependency, including  
2 children of participants in the welfare transition ~~WAGES~~  
3 program, children of migrant farmworkers, children of teen  
4 parents, and children from other families at risk of welfare  
5 dependency due to a family income of less than 100 percent of  
6 the federal poverty level;

7 (c) Children of working families whose family income  
8 is equal to or greater than 100 percent, but does not exceed  
9 150 percent, of the federal poverty level; ~~and~~

10 (d) Children of working families enrolled in the Child  
11 Care Executive Partnership Program whose family income does  
12 not exceed 200 percent of the federal poverty level; ~~and-~~

13 (e) Children of working families who participate in  
14 the diversion program to strengthen Florida's families under  
15 s. 445.018.

16 (8) The community child care coordinating agencies  
17 shall assist participants in the welfare transition ~~WAGES~~  
18 program and former participants of the program who are  
19 eligible for subsidized child care in developing cooperative  
20 child care arrangements whereby participants support and  
21 assist one another in meeting child care needs at minimal cost  
22 to the individual participant.

23 (10) A family that is eligible to participate in the  
24 subsidized child care program shall be considered a needy  
25 family for purposes of the program funded through the federal  
26 Temporary Assistance for Needy Families (TANF) block grant, to  
27 the extent permitted by the appropriation of funds.

28 Section 88. Paragraph (g) of subsection (1) of section  
29 402.33, Florida Statutes, is amended to read:

30 402.33 Department authority to charge fees for  
31 services provided.--

1 (1) As used in this section, the term:

2 (g) "State and federal aid" means cash assistance or  
3 cash equivalent benefits based on an individual's proof of  
4 financial need, including, but not limited to, temporary cash  
5 assistance ~~under the WAGES Program~~ and food stamps.

6 Section 89. Paragraph (a) of subsection (3) of section  
7 402.40, Florida Statutes, is amended to read:

8 402.40 Child welfare training academies established;  
9 Child Welfare Standards and Training Council created;  
10 responsibilities of council; Child Welfare Training Trust Fund  
11 created.--

12 (3) CHILD WELFARE STANDARDS AND TRAINING COUNCIL.--

13 (a) There is created within the Department of Children  
14 and Family Services the Child Welfare Training Council,  
15 hereinafter referred to as the council. The 21-member council  
16 shall consist of the Commissioner of Education or his or her  
17 designee; a member of the judiciary who has experience in the  
18 area of dependency and has served at least 3 years in the  
19 Juvenile Division of the circuit court, to be appointed by the  
20 Chief Justice of the Supreme Court; and 19 members to be  
21 appointed by the Secretary of Children and Family Services as  
22 follows:

23 1. Nine members shall be dependency program staff:

24 a. An intake supervisor or counselor, a protective  
25 services supervisor or counselor, a foster care supervisor or  
26 counselor, and an adoption and related services supervisor or  
27 counselor. Each such member shall have at least 5 years'  
28 experience working with children and families, at least two  
29 members shall each have a master's degree in social work, and  
30 any member not having a master's degree in social work shall  
31 have at least a bachelor's degree in social work, child

1 development, behavioral psychology, or any other discipline  
2 directly related to providing care or counseling for families.  
3         b. A representative from a licensed, residential  
4 child-caring agency contracted with by the state; a  
5 representative from a runaway shelter or similar program  
6 primarily serving adolescents, which shelter or program must  
7 be contracted with by the state; and a representative from a  
8 licensed child-placing agency contracted with by the state.  
9 At least two of these members shall each have a master's  
10 degree in social work, and any member not having a master's  
11 degree in social work shall have a degree as cited in  
12 sub-subparagraph a. All three members shall have at least 5  
13 years' experience working with children and families.  
14         c. A family foster home parent and an emergency  
15 shelter home parent, both of whom shall have been providing  
16 such care for at least 5 years and shall have participated in  
17 training for foster parents or shelter parents on an ongoing  
18 basis.  
19         2. One member shall be a supervisor or counselor from  
20 the temporary cash assistance ~~WAGES~~ program.  
21         3. Two members shall be educators from the state's  
22 university and community college programs of social work,  
23 child development, psychology, sociology, or other field of  
24 study pertinent to the training of dependency program staff.  
25         4. One member shall be a pediatrician with expertise  
26 in the area of child abuse and neglect.  
27         5. One member shall be a psychiatrist or licensed  
28 clinical psychologist with extensive experience in counseling  
29 children and families.  
30         6. One member shall be an attorney with extensive  
31 experience in the practice of family law.



1           7. One member shall be a guardian ad litem or a child  
2 welfare attorney, either of whom shall have extensive  
3 experience in the representation of children.

4           8. One member shall be a state attorney with  
5 experience and expertise in the area of dependency and family  
6 law.

7           9. One member shall be a representative from a local  
8 law enforcement unit specializing in child abuse and neglect.

9           10. One member shall be a lay citizen who is a member  
10 of a child advocacy organization.

11  
12 The initial members of the council shall be appointed within  
13 30 days of the effective date of this section. Of the initial  
14 appointments, the member appointed by the Chief Justice of the  
15 Supreme Court, three members appointed pursuant to  
16 subparagraph 1., one member appointed pursuant to subparagraph  
17 3., and the members specified in subparagraphs 4. and 5. shall  
18 be appointed to terms of 3 years each; three members appointed  
19 pursuant to subparagraph 1., one of the members appointed  
20 pursuant to subparagraph 3., and the members specified in  
21 subparagraphs 2., 6., and 7. shall be appointed for terms of 2  
22 years each; and three members appointed pursuant to  
23 subparagraph 1., and the members specified in subparagraphs  
24 8., 9., and 10. shall be appointed to terms of 1 year each.  
25 Thereafter, all appointed members shall serve terms of 3 years  
26 each. No person shall serve more than two consecutive terms.

27           Section 90. Subsection (4) of section 402.45, Florida  
28 Statutes, is amended to read:

29           402.45 Community resource mother or father program.--

30           (4) A community resource mother or father shall be an  
31 individual who by residence and resources is able to identify

1 with the target population, and meets the following minimum  
2 criteria:

- 3 (a) Is at least 25 years of age.  
4 (b) Is a mother or father.  
5 (c) Is a recipient of temporary cash assistance ~~under~~  
6 ~~the WAGES Program~~ or a person with an income below the federal  
7 poverty level, or has an income equivalent to community  
8 clients.

9 Section 91. Subsection (3) of section 403.973, Florida  
10 Statutes, is amended to read:

11 403.973 Expedited permitting; comprehensive plan  
12 amendments.--

13 (3)(a) The Governor, through the office, shall direct  
14 the creation of regional permit action teams, for the purpose  
15 of expediting review of permit applications and local  
16 comprehensive plan amendments submitted by:

- 17 1. Businesses creating at least 100 jobs, or  
18 2. Businesses creating at least 50 jobs if the project  
19 is located in an enterprise zone, or in a county having a  
20 population of less than 75,000 or in a county having a  
21 population of less than 100,000 which is contiguous to a  
22 county having a population of less than 75,000, as determined  
23 by the most recent decennial census, residing in incorporated  
24 and unincorporated areas of the county, or

25 (b) On a case-by-case basis and at the request of a  
26 county or municipal government, the office may certify as  
27 eligible for expedited review a project not meeting the  
28 minimum job creation thresholds but creating a minimum of 10  
29 jobs. The recommendation from the governing body of the county  
30 or municipality in which the project may be located is  
31 required in order for the office to certify that any project

1 is eligible for expedited review under this paragraph. When  
2 considering projects that do not meet the minimum job creation  
3 thresholds but that are recommended by the governing body in  
4 which the project may be located, the office shall consider  
5 economic impact factors that include, but are not limited to:  
6       1. The proposed wage and skill levels relative to  
7 those existing in the area in which the project may be  
8 located;  
9       2. The project's potential to diversify and strengthen  
10 the area's economy;  
11       3. The amount of capital investment; and  
12       4. The number of jobs that will be made available for  
13 persons served by the welfare transition ~~WAGES~~ program.  
14       (c) At the request of a county or municipal  
15 government, the office or a Quick Permitting County may  
16 certify projects located in counties where the ratio of new  
17 jobs per participant in the welfare transition program ~~WAGES~~  
18 ~~client~~, as determined by ~~the~~ Workforce Florida, Inc.  
19 ~~Development Board of Enterprise Florida~~, is less than one or  
20 otherwise critical, as eligible for the expedited permitting  
21 process. Such projects must meet the numerical job creation  
22 criteria of this subsection, but the jobs created by the  
23 project do not have to be high-wage jobs that diversify the  
24 state's economy.  
25       Section 92. Subsection (7) of section 409.2554,  
26 Florida Statutes, is amended to read:  
27       409.2554 Definitions.--As used in ss.  
28 409.2551-409.2598, the term:  
29       (7) "Public assistance" means food stamps, money  
30 assistance paid on the basis of Title IV-E and Title XIX of  
31

1 the Social Security Act, or temporary cash assistance ~~paid~~  
2 ~~under the WAGES Program.~~

3 Section 93. Subsection (7) of section 409.2564,  
4 Florida Statutes, is amended to read:

5 409.2564 Actions for support.--

6 (7) In a judicial circuit with a work experience and  
7 job training pilot project, if the obligor is a noncustodial  
8 parent of a child receiving public assistance as defined in  
9 this chapter, is unemployed or underemployed or has no income,  
10 then the court shall order the obligor to seek employment, if  
11 the obligor is able to engage in employment, and to  
12 immediately notify the court upon obtaining employment, upon  
13 obtaining any income, or upon obtaining any ownership of any  
14 asset with a value of \$500 or more. If the obligor is still  
15 unemployed 30 days after any order for support, the court  
16 shall order the obligor to enroll in a work experience, job  
17 placement, and job training program ~~for noncustodial parents~~  
18 ~~as established in s. 414.38.~~

19 Section 94. Subsection (1) of section 409.259, Florida  
20 Statutes, is amended to read:

21 409.259 Partial payment of filing fees.--

22 (1) Notwithstanding s. 28.241, each clerk of the  
23 circuit court shall only be reimbursed at the prevailing rate  
24 of federal financial participation on the amount of \$40 for  
25 each civil action, suit, or proceeding for support instituted  
26 in the circuit court in which the parent is not receiving  
27 temporary cash assistance ~~under the WAGES Program.~~ The  
28 prevailing rate of the state match shall be paid by the local  
29 government in the form of a certified public expenditure. The  
30 clerk of the circuit court shall bill the department monthly.  
31 The clerk of the circuit court and the department shall

1 maintain a monthly log of the number of civil actions, suits,  
2 or proceedings filed in which the parent does not receive  
3 temporary assistance. These monthly logs will be used to  
4 determine the number of \$40 filings the clerk of court may  
5 submit for reimbursement at the prevailing rate of federal  
6 financial participation.

7 Section 95. Paragraph (c) of subsection (1) of section  
8 409.903, Florida Statutes, is amended to read:

9 409.903 Mandatory payments for eligible persons.--The  
10 agency shall make payments for medical assistance and related  
11 services on behalf of the following persons who the agency  
12 determines to be eligible, subject to the income, assets, and  
13 categorical eligibility tests set forth in federal and state  
14 law. Payment on behalf of these Medicaid eligible persons is  
15 subject to the availability of moneys and any limitations  
16 established by the General Appropriations Act or chapter 216.

17 (1) Low-income families with children are eligible for  
18 Medicaid provided they meet the following requirements:

19 (c) The family's countable income and resources do not  
20 exceed the applicable Aid to Families with Dependent Children  
21 (AFDC) income and resource standards under the AFDC state plan  
22 in effect in July 1996, except as amended in the Medicaid  
23 state plan to conform as closely as possible to the  
24 requirements of the welfare transition ~~WAGES~~ program ~~as~~  
25 ~~created in s. 414.015~~, to the extent permitted by federal law.

26 Section 96. Section 409.942, Florida Statutes, is  
27 amended to read:

28 409.942 Electronic benefit transfer program.--

29 (1) The Department of Children and Family Services  
30 shall establish an electronic benefit transfer program for the  
31 dissemination of food stamp benefits and temporary assistance

1 payments, including refugee cash assistance payments, asylum  
2 applicant payments, and child support disregard payments. If  
3 the Federal Government does not enact legislation or  
4 regulations providing for dissemination of supplemental  
5 security income by electronic benefit transfer, the state may  
6 include supplemental security income in the electronic benefit  
7 transfer program.

8 (2) The department shall, in accordance with  
9 applicable federal laws and regulations, develop minimum  
10 program requirements and other policy initiatives for the  
11 electronic benefit transfer program ~~and shall have at least~~  
12 ~~one operational pilot program in place by July 1, 1996.~~

13 (3) The department shall enter into public-private  
14 contracts for all provisions of electronic transfer of public  
15 assistance benefits, including, but not limited to, the  
16 necessary electronic equipment and technical support for the  
17 electronic benefit transfer pilot program.

18 (4) Workforce Florida, Inc., through the Agency for  
19 Workforce Innovation, shall establish an electronic benefit  
20 transfer program for the use and management of education,  
21 training, childcare, transportation, and other program  
22 benefits under its direction. The workforce electronic benefit  
23 transfer program shall fulfill all federal and state  
24 requirements for Individual Training Accounts, Retention  
25 Incentive Training Accounts, Individual Development Accounts,  
26 and Individual Services Accounts. The workforce electronic  
27 benefit transfer program shall be designed to enable an  
28 individual who receives an electronic benefit transfer card  
29 under subsection (1) to use that card for purposes of benefits  
30 provided under the workforce development system as well. The  
31 Department of Children and Family Services shall assist

1 Workforce Florida, Inc., in developing an electronic benefit  
2 transfer program for the workforce development system that is  
3 fully compatible with the department's electronic benefit  
4 transfer program. The agency shall reimburse the department  
5 for all costs incurred in providing such assistance and shall  
6 pay all costs for the development of the workforce electronic  
7 benefit transfer program.

8           Section 97. Paragraph (b) of subsection (4) and  
9 paragraph (a) of subsection (6) of section 411.01, Florida  
10 Statutes, are amended to read:

11           411.01 Florida Partnership for School Readiness;  
12 school readiness coalitions.--

13           (4) FLORIDA PARTNERSHIP FOR SCHOOL READINESS.--

14           (b)1. The Florida Partnership for School Readiness  
15 shall include the Lieutenant Governor or his or her designee,  
16 the Commissioner of Education, the Secretary of Children and  
17 Family Services, the Secretary of Health, the chair of the  
18 Child Care Executive Partnership Board, and the chairperson of  
19 the ~~WAGES Program State~~ board of directors of Workforce  
20 Florida, Inc.

21           2. The partnership shall also include 10 members of  
22 the public who shall be business, community, and civic leaders  
23 in the state who are not elected to public office. These  
24 members and their families must not be providers in the early  
25 education and child care industry. The members must be  
26 geographically and demographically representative of the  
27 state. Each member shall be appointed by the Governor. Eight  
28 of the members shall be appointed from a list of 10 nominees,  
29 of which five must be submitted by the President of the Senate  
30 and five must be submitted by the Speaker of the House of  
31 Representatives. Members shall be appointed to 4-year terms of

1 office. However, of the initial appointees, two shall be  
2 appointed to 1-year terms, two shall be appointed to 2-year  
3 terms, three shall be appointed to 3-year terms, and three  
4 shall be appointed to 4-year terms. The members of the  
5 partnership shall elect a chairperson annually from the  
6 nongovernmental members of the partnership. Any vacancy on the  
7 partnership shall be filled in the same manner as the original  
8 appointment.

9  
10 To ensure that the system for measuring school readiness is  
11 comprehensive and appropriate statewide, as the system is  
12 developed and implemented, the partnership must consult with  
13 representatives of district school systems, providers of  
14 public and private child care, health care providers, large  
15 and small employers, experts in education for children with  
16 disabilities, and experts in child development.

17 (6) PROGRAM ELIGIBILITY.--The school readiness program  
18 shall be established for children under the age of  
19 kindergarten eligibility. Priority for participation in the  
20 school readiness program shall be given to children who meet  
21 one or more of the following criteria:

22 (a) Children under the age of kindergarten eligibility  
23 who are:

24 1. Children determined to be at risk of abuse,  
25 neglect, or exploitation and who are currently clients of the  
26 Children and Family Services Program Office of the Department  
27 of Children and Family Services.

28 2. Children at risk of welfare dependency, including  
29 economically disadvantaged children, children of participants  
30 in the welfare transition ~~WAGES~~ program, children of migrant  
31 farmworkers, and children of teen parents.



1           3. Children of working families whose family income  
2 does not exceed 150 percent of the federal poverty level.

3  
4 An "economically disadvantaged" child means a child whose  
5 family income is below 150 percent of the federal poverty  
6 level. Notwithstanding any change in a family's economic  
7 status, but subject to additional family contributions in  
8 accordance with the sliding fee scale, a child who meets the  
9 eligibility requirements upon initial registration for the  
10 program shall be considered eligible until the child reaches  
11 kindergarten age.

12           Section 98. Paragraph (a) of subsection (3) of section  
13 411.232, Florida Statutes, is amended to read:

14           411.232 Children's Early Investment Program.--

15           (3) ESSENTIAL ELEMENTS.--

16           (a) Initially, the program shall be directed to  
17 geographic areas where at-risk young children and their  
18 families are in greatest need because of an unfavorable  
19 combination of economic, social, environmental, and health  
20 factors, including, without limitation, extensive poverty,  
21 high crime rate, great incidence of low birthweight babies,  
22 high incidence of alcohol and drug abuse, and high rates of  
23 teenage pregnancy. The selection of a geographic site shall  
24 also consider the incidence of young children within these  
25 at-risk geographic areas who are cocaine babies, children of  
26 single mothers who receive temporary cash assistance  
27 ~~participate in the WAGES Program~~, children of teenage parents,  
28 low birthweight babies, and very young foster children. To  
29 receive funding under this section, an agency, board, council,  
30 or provider must demonstrate:

31

- 1           1. Its capacity to administer and coordinate the
- 2 programs and services in a comprehensive manner and provide a
- 3 flexible range of services;
- 4           2. Its capacity to identify and serve those children
- 5 least able to access existing programs and case management
- 6 services;
- 7           3. Its capacity to administer and coordinate the
- 8 programs and services in an intensive and continuous manner;
- 9           4. The proximity of its facilities to young children,
- 10 parents, and other family members to be served by the program,
- 11 or its ability to provide offsite services;
- 12           5. Its ability to use existing federal, state, and
- 13 local governmental programs and services in implementing the
- 14 investment program;
- 15           6. Its ability to coordinate activities and services
- 16 with existing public and private, state and local agencies and
- 17 programs such as those responsible for health, education,
- 18 social support, mental health, child care, respite care,
- 19 housing, transportation, alcohol and drug abuse treatment and
- 20 prevention, income assistance, employment training and
- 21 placement, nutrition, and other relevant services, all the
- 22 foregoing intended to assist children and families at risk;
- 23           7. How its plan will involve project participants and
- 24 community representatives in the planning and operation of the
- 25 investment program;
- 26           8. Its ability to participate in the evaluation
- 27 component required in this section; and
- 28           9. Its consistency with the strategic plan pursuant to
- 29 s. 411.221.
- 30           Section 99. Paragraph (a) of subsection (3) of section
- 31 411.242, Florida Statutes, is amended to read:

1           411.242 Florida Education Now and Babies Later (ENABL)  
2 program.--  
3           (3) ESSENTIAL ELEMENTS.--  
4           (a) The ENABL program should be directed to geographic  
5 areas in the state where the childhood birth rate is higher  
6 than the state average and where the children and their  
7 families are in greatest need because of an unfavorable  
8 combination of economic, social, environmental, and health  
9 factors, including, without limitation, extensive poverty,  
10 high crime rate, great incidence of low birthweight babies,  
11 high incidence of alcohol and drug abuse, and high rates of  
12 childhood pregnancy. The selection of a geographic site shall  
13 also consider the incidence of young children within these  
14 at-risk geographic areas who are cocaine babies, children of  
15 single mothers who receive temporary cash assistance  
16 ~~participate in the WAGES Program~~, children of teenage parents,  
17 low birthweight babies, and very young foster children. To  
18 receive funding under this section, a community-based local  
19 contractor must demonstrate:  
20           1. Its capacity to administer and coordinate the ENABL  
21 pregnancy prevention public education program and services for  
22 children and their families in a comprehensive manner and to  
23 provide a flexible range of age-appropriate educational  
24 services.  
25           2. Its capacity to identify and serve those children  
26 least able to access existing pregnancy prevention public  
27 education programs.  
28           3. Its capacity to administer and coordinate the ENABL  
29 programs and services in an intensive and continuous manner.  
30           4. The proximity of its program to young children,  
31 parents, and other family members to be served by the ENABL

1 program, or its ability to provide offsite educational  
2 services.

3 5. Its ability to incorporate existing federal, state,  
4 and local governmental educational programs and services in  
5 implementing the ENABL program.

6 6. Its ability to coordinate its activities and  
7 educational services with existing public and private state  
8 and local agencies and programs, such as those responsible for  
9 health, education, social support, mental health, child care,  
10 respite care, housing, transportation, alcohol and drug abuse  
11 treatment and prevention, income assistance, employment  
12 training and placement, nutrition, and other relevant  
13 services, all of the foregoing intended to assist children and  
14 families at risk.

15 7. How its plan will involve project participants and  
16 community representatives in the planning and operation of the  
17 ENABL program.

18 8. Its ability to participate in the evaluation  
19 component required in this section.

20 9. Its consistency with the strategic plan pursuant to  
21 s. 411.221.

22 10. Its capacity to match state funding for the ENABL  
23 program at the rate of \$1 in cash or in matching services for  
24 each dollar funded by the state.

25 Section 100. Subsection (6) of section 413.82, Florida  
26 Statutes, is amended to read:

27 413.82 Definitions.--As used in ss. 413.81-413.93, the  
28 term:

29 (6) "Region" means a service area for a regional  
30 workforce ~~development~~ board established by ~~the~~ Workforce  
31 Florida Inc. Development Board.

1           Section 101. Paragraph (d) of subsection (1) of  
2 section 421.10, Florida Statutes, is amended to read:

3           421.10 Rentals and tenant selection.--

4           (1) In the operation or management of housing projects  
5 an authority shall at all times observe the following duties  
6 with respect to rentals and tenants selection:

7           (d) The Department of Children and Family Services,  
8 pursuant to 45 C.F.R. s. 233.20(a)(3)(vii)(c), may not  
9 consider as income for recipients of temporary cash assistance  
10 ~~any participants in the WAGES Program~~ assistance received by  
11 recipients from other agencies or organizations such as public  
12 housing authorities.

13           Section 102. Subsection (27) of section 427.013,  
14 Florida Statutes, is amended to read:

15           427.013 The Commission for the Transportation  
16 Disadvantaged; purpose and responsibilities.--The purpose of  
17 the commission is to accomplish the coordination of  
18 transportation services provided to the transportation  
19 disadvantaged. The goal of this coordination shall be to  
20 assure the cost-effective provision of transportation by  
21 qualified community transportation coordinators or  
22 transportation operators for the transportation disadvantaged  
23 without any bias or presumption in favor of multioperator  
24 systems or not-for-profit transportation operators over single  
25 operator systems or for-profit transportation operators. In  
26 carrying out this purpose, the commission shall:

27           (27) Ensure that local community transportation  
28 coordinators work cooperatively with regional workforce boards  
29 ~~local WAGES coalitions~~ established in chapter 445 414 to  
30 provide assistance in the development of innovative  
31

1 transportation services for ~~WAGES~~ participants in the welfare  
2 transition program.

3 Section 103. Subsection (9) of section 427.0155,  
4 Florida Statutes, is amended to read:

5 427.0155 Community transportation coordinators; powers  
6 and duties.--Community transportation coordinators shall have  
7 the following powers and duties:

8 (9) Work cooperatively with regional workforce boards  
9 ~~local WAGES coalitions~~ established in chapter 445 ~~414~~ to  
10 provide assistance in the development of innovative  
11 transportation services for ~~WAGES~~ participants in the welfare  
12 transition program.

13 Section 104. Subsection (7) of section 427.0157,  
14 Florida Statutes, is amended to read:

15 427.0157 Coordinating boards; powers and duties.--The  
16 purpose of each coordinating board is to develop local service  
17 needs and to provide information, advice, and direction to the  
18 community transportation coordinators on the coordination of  
19 services to be provided to the transportation disadvantaged.  
20 The commission shall, by rule, establish the membership of  
21 coordinating boards. The members of each board shall be  
22 appointed by the metropolitan planning organization or  
23 designated official planning agency. The appointing authority  
24 shall provide each board with sufficient staff support and  
25 resources to enable the board to fulfill its responsibilities  
26 under this section. Each board shall meet at least quarterly  
27 and shall:

28 (7) Work cooperatively with regional workforce boards  
29 ~~local WAGES coalitions~~ established in chapter 445 ~~414~~ to  
30 provide assistance in the development of innovative  
31

1 transportation services for ~~WAGES~~ participants in the welfare  
2 transition program.

3 Section 105. Paragraph (b) of subsection (1) of  
4 section 443.091, Florida Statutes, is amended to read:

5 443.091 Benefit eligibility conditions.--

6 (1) An unemployed individual shall be eligible to  
7 receive benefits with respect to any week only if the division  
8 finds that:

9 (b) She or he has registered for work at, and  
10 thereafter continued to report at, the division, which shall  
11 be responsible for notification of the Agency for Workforce  
12 Innovation ~~Division of Jobs and Benefits~~ in accordance with  
13 such rules as the division may prescribe; except that the  
14 division may, by rule not inconsistent with the purposes of  
15 this law, waive or alter either or both of the requirements of  
16 this subsection as to individuals attached to regular jobs;  
17 but no such rule shall conflict with s. 443.111(1).

18 Section 106. Subsection (8) of section 443.151,  
19 Florida Statutes, is amended to read:

20 443.151 Procedure concerning claims.--

21 (8) BILINGUAL REQUIREMENTS.--

22 (a) Based on the estimated total number of households  
23 in a county which speak the same non-English language, a  
24 single-language minority, the division shall provide printed  
25 bilingual instructional and educational materials in the  
26 appropriate language in those counties in which 5 percent or  
27 more of the households in the county are classified as a  
28 single-language minority.

29 (b) The division shall ensure that one-stop career  
30 centers ~~jobs and benefits offices~~ and appeals bureaus in  
31 counties subject to the requirements of paragraph (c)

1 prominently post notices in the appropriate languages that  
2 translators are available in those centers ~~offices~~ and  
3 bureaus.

4 (c) Single-language minority refers to households  
5 which speak the same non-English language and which do not  
6 contain an adult fluent in English. The division shall develop  
7 estimates of the percentages of single-language minority  
8 households for each county by using data made available by the  
9 United States Bureau of the Census.

10 Section 107. Section 443.181, Florida Statutes, is  
11 amended to read:

12 443.181 State Employment Service.--

13 (1) A state public employment service is ~~hereby~~  
14 established in the Agency for Workforce Innovation, under  
15 policy direction from Workforce Florida, Inc.~~Division of Jobs~~  
16 ~~and Benefits.~~The agency division shall establish and maintain  
17 free public employment offices in such number and in such  
18 places as may be necessary for the proper administration of  
19 this chapter and for the purposes of performing such duties as  
20 are within the purview of the Act of Congress entitled "An Act  
21 to provide for the establishment of a national employment  
22 system and for cooperation with the states in the promotion of  
23 such system and for other purposes," approved June 6, 1933 (48  
24 Stat. 113; 29 U.S.C. s. 49(c)), as amended. Notwithstanding  
25 any provisions in this section to the contrary, the one-stop  
26 delivery system shall be the primary method for delivering  
27 services under this section, consistent with Pub. L. No.  
28 105-220 and chapter 445.It shall be the duty of the agency  
29 ~~division~~ to cooperate with any official or agency of the  
30 United States having power or duties under the provisions of  
31 the Act of Congress, as amended, and to do and perform all



1 things necessary to secure to this state the benefits of said  
2 Act of Congress, as amended, in the promotion and maintenance  
3 of a system of public employment offices. The provisions of  
4 the said Act of Congress, as amended, are hereby accepted by  
5 this state, in conformity with s. 4 of that act, and this  
6 state will observe and comply with the requirements thereof.  
7 The Agency for Workforce Innovation ~~Division of Jobs and~~  
8 ~~Benefits of the Department of Labor and Employment Security~~ is  
9 hereby designated and constituted the agency of this state for  
10 the purpose of that act. The agency division is authorized  
11 and directed to appoint sufficient employees to carry out the  
12 purposes of this section. The agency division may cooperate  
13 with or enter into agreements with the Railroad Retirement  
14 Board with respect to the establishment, maintenance, and use  
15 of free employment service facilities.

16 (2) FINANCING.--All moneys received by this state  
17 under the said Act of Congress, as amended, shall be paid into  
18 the Employment Security Administration Trust Fund, and such  
19 moneys are hereby made available to the agency division to be  
20 expended as provided by this chapter and by said Act of  
21 Congress. For the purpose of establishing and maintaining  
22 free public employment offices, the agency division is  
23 authorized to enter into agreements with the Railroad  
24 Retirement Board or any other agency of the United States  
25 charged with the administration of an unemployment  
26 compensation law, with any political subdivision of this  
27 state, or with any private, nonprofit organization, and as a  
28 part of any such agreement the agency division may accept  
29 moneys, services, or quarters as a contribution to the  
30 Employment Security Administration Trust Fund.

31

1           (3) References to "the agency ~~division~~" in this  
2 section mean the Agency for Workforce Innovation ~~Division of~~  
3 ~~Jobs and Benefits~~.

4           Section 108. Subsections (2) and (5) of section  
5 443.211, Florida Statutes, are amended to read:

6           443.211 Employment Security Administration Trust Fund;  
7 appropriation; reimbursement.--

8           (2) SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST  
9 FUND.--There is created in the State Treasury a special fund,  
10 to be known as the "Special Employment Security Administration  
11 Trust Fund," into which shall be deposited or transferred all  
12 interest on contributions, penalties, and fines or fees  
13 collected under this chapter. Interest on contributions,  
14 penalties, and fines or fees deposited during any calendar  
15 quarter in the clearing account in the Unemployment  
16 Compensation Trust Fund shall, as soon as practicable after  
17 the close of such calendar quarter and upon certification of  
18 the division, be transferred to the Special Employment  
19 Security Administration Trust Fund. However, there shall be  
20 withheld from any such transfer the amount certified by the  
21 division to be required under this chapter to pay refunds of  
22 interest on contributions, penalties, and fines or fees  
23 collected and erroneously deposited into the clearing account  
24 in the Unemployment Compensation Trust Fund. Such amounts of  
25 interest and penalties so certified for transfer shall be  
26 deemed to have been erroneously deposited in the clearing  
27 account, and the transfer thereof to the Special Employment  
28 Security Administration Trust Fund shall be deemed to be a  
29 refund of such erroneous deposits. All moneys in this fund  
30 shall be deposited, administered, and disbursed in the same  
31 manner and under the same conditions and requirements as are

1 provided by law for other special funds in the State Treasury.  
2 These moneys shall not be expended or be available for  
3 expenditure in any manner which would permit their  
4 substitution for, or permit a corresponding reduction in,  
5 federal funds which would, in the absence of these moneys, be  
6 available to finance expenditures for the administration of  
7 the Unemployment Compensation Law. But nothing in this  
8 section shall prevent these moneys from being used as a  
9 revolving fund to cover expenditures, necessary and proper  
10 under the law, for which federal funds have been duly  
11 requested but not yet received, subject to the charging of  
12 such expenditures against such funds when received. The  
13 moneys in this fund, with the approval of the Executive Office  
14 of the Governor, shall be used by the Division of Unemployment  
15 Compensation and the Agency for Workforce Innovation ~~Division~~  
16 ~~of Jobs and Benefits~~ for the payment of costs of  
17 administration which are found not to have been properly and  
18 validly chargeable against funds obtained from federal  
19 sources. All moneys in the Special Employment Security  
20 Administration Trust Fund shall be continuously available to  
21 the division for expenditure in accordance with the provisions  
22 of this chapter and shall not lapse at any time. All payments  
23 from the Special Employment Security Administration Trust Fund  
24 shall be approved by the division or by a duly authorized  
25 agent thereof and shall be made by the Treasurer upon warrants  
26 issued by the Comptroller. The moneys in this fund are hereby  
27 specifically made available to replace, as contemplated by  
28 subsection (3), expenditures from the Employment Security  
29 Administration Trust Fund, established by subsection (1),  
30 which have been found by the Bureau of Employment Security, or  
31 other authorized federal agency or authority, because of any

1 action or contingency, to have been lost or improperly  
2 expended. The Treasurer shall be liable on her or his  
3 official bond for the faithful performance of her or his  
4 duties in connection with the Special Employment Security  
5 Administration Trust Fund.

6 (5) In connection with its duties under s. 443.181,  
7 the Agency for Workforce Innovation ~~Division of Jobs and~~  
8 ~~Benefits~~ shall have several authority and responsibility for  
9 deposit, requisition, expenditure, approval of payment,  
10 reimbursement, and reporting in regard to the trust funds  
11 established by this section.

12 Section 109. Subsection (3) of section 443.221,  
13 Florida Statutes, is amended to read:

14 443.221 Reciprocal arrangements.--

15 (3) The administration of this chapter and of other  
16 state and federal unemployment compensation and public  
17 employment service laws will be promoted by cooperation  
18 between this state and such other states and the appropriate  
19 federal agencies and therefore the division is authorized to  
20 enter into reciprocal arrangements with appropriate and duly  
21 authorized agencies of other states or the Federal Government  
22 or both in exchanging services, determining and enforcing  
23 payment obligations, and making available facilities and  
24 information. The Division of Unemployment Compensation and  
25 the Agency for Workforce Innovation ~~Division of Jobs and~~  
26 ~~Benefits~~ are each, therefore, authorized to make such  
27 investigations, secure and transmit such information, make  
28 available such services and facilities, and exercise such of  
29 the other powers provided herein with respect to the  
30 administration of this chapter as each deems necessary or  
31 appropriate to facilitate the administration of any such

1 unemployment compensation or public employment service law  
2 and, in like manner, to accept and utilize information,  
3 services, and facilities made available to this state by the  
4 agency charged with the administration of any such other  
5 unemployment compensation or public employment service law.

6 Section 110. Subsection (6) of section 443.231,  
7 Florida Statutes, is amended to read:

8 443.231 Florida Training Investment Program.--The  
9 Florida Training Investment Program is designed to extend  
10 additional benefit eligibility to dislocated workers  
11 throughout Florida who have lost their jobs, have limited  
12 marketable skills, and enroll in vocational training intended  
13 to lead to employment in a recognized occupation for which  
14 there is labor market demand. Pursuant thereto:

15 (6) PROCEDURE.--

16 (a) Any dislocated worker may apply to receive  
17 benefits under this section while enrolled in an approved  
18 course of training pursuant to this section.

19 (b) Upon approval of an application the division shall  
20 notify both the applicant and the training institution by mail  
21 of the applicant's status under this section and shall request  
22 the training institution to promptly notify the regular claims  
23 reporting office in writing if the participant's attendance or  
24 progress should become unsatisfactory.

25 (c) The division is required to notify applicants of  
26 the determination of eligibility by mail at the claimant's  
27 last known address. In addition to the initial approval or  
28 denial of the applicant, the division shall make any further  
29 determinations pursuant to s. 443.151(3) and rules 38B-3.016  
30 and 38B-3.017, Florida Administrative Code.

31

1           (d) A determination or redetermination will become  
2 final unless the claimant files, by mail or in person at the  
3 local one-stop career center ~~jobs and benefits office~~, an  
4 appeal of a determination or redetermination within 20  
5 calendar days after the mailing of the Notice of Determination  
6 or Redetermination to the claimant's last known address, or if  
7 such notice is not mailed, within 20 calendar days after the  
8 date of delivery of such notice. Appeals by mail shall be  
9 considered filed when postmarked by the United States Postal  
10 Service.

11           Section 111. Subsections (2) and (3) of section  
12 446.011, Florida Statutes, are amended to read:

13           446.011 Legislative intent regarding apprenticeship  
14 training.--

15           (2) It is the intent of the Legislature that the  
16 Division of Workforce Development ~~Jobs and Benefits~~ of the  
17 Department of Education ~~Labor and Employment Security~~ have  
18 responsibility for the development of the apprenticeship and  
19 preapprenticeship uniform minimum standards for the  
20 apprenticeable trades and that the Division of Workforce  
21 Development of the Department of Education have responsibility  
22 for assisting district school boards and community college  
23 district boards of trustees in developing preapprenticeship  
24 programs ~~in compliance with the standards established by the~~  
25 ~~Division of Jobs and Benefits.~~

26           (3) It is the further intent of ss. 446.011-446.092  
27 ~~this act~~ that the Division of Workforce Development ~~Jobs and~~  
28 ~~Benefits~~ ensure quality training through the adoption and  
29 enforcement of uniform minimum standards and that the Bureau  
30 of Apprenticeship ~~of the division of Jobs and Benefits~~  
31 promote, register, monitor, and service apprenticeship and

1 training programs and ensure that such programs adhere to the  
2 standards.

3           Section 112. The Office of Program Policy Analysis and  
4 Government Accountability, in cooperation with Workforce  
5 Florida, Inc., and the Department of Education, shall submit a  
6 report to the Legislature by January 1, 2002, regarding joint  
7 programs, nonjoint programs, and other programs that provide  
8 formalized on-the-job training for skilled trades. The report  
9 must include recommendations for improving the efficiency of  
10 the programs, decreasing the cost of the programs, improving  
11 or retaining current practices regarding admission  
12 requirements, reducing the duration of the programs, and  
13 increasing the number of persons who successfully complete the  
14 programs.

15           Section 113. Subsections (1), (5), (12), and (13) of  
16 section 446.021, Florida Statutes, are amended to read:

17           446.021 Definitions of terms used in ss.  
18 446.011-446.092.--As used in ss. 446.011-446.092, the  
19 following words and terms shall have the following meanings  
20 unless the context clearly indicates otherwise:

21           (1) "Preapprentice" means any person 16 years of age  
22 or over engaged in any course of instruction in the public  
23 school system or elsewhere, which course is registered as a  
24 preapprenticeship program with the Division of Workforce  
25 Development Jobs and Benefits of the Department of Education  
26 Labor and Employment Security.

27           (5) "Preapprenticeship program" means an organized  
28 course of instruction in the public school system or  
29 elsewhere, which course is designed to prepare a person 16  
30 years of age or older to become an apprentice and which course  
31 is approved by and registered with the Bureau of

1 Apprenticeship of the Division of Workforce Development ~~Jobs~~  
2 ~~and Benefits~~ and sponsored by a registered apprenticeship  
3 program.

4 (12) "Division" means the Division of Workforce  
5 Development ~~Jobs and Benefits~~ of the Department of Education  
6 ~~Labor and Employment Security~~.

7 (13) "Director" means the director of the Division of  
8 Workforce Development ~~Jobs and Benefits~~.

9 Section 114. Section 446.032, Florida Statutes, is  
10 amended to read:

11 446.032 General duties of division with respect to  
12 apprenticeship training.--The Division of Workforce  
13 Development ~~Jobs and Benefits~~ shall:

14 (1) Establish uniform minimum standards and policies  
15 governing apprentice programs and agreements. Such standards  
16 and policies shall govern the terms and conditions of the  
17 apprentice's employment and training, including the quality  
18 training of the apprentice with respect to, but not limited  
19 to, such matters as ratios of apprentices to journeymen,  
20 safety, related instruction, and on-the-job training; but such  
21 standards and policies shall not include rules, standards, or  
22 guidelines that require the use of apprentices and job  
23 trainees on state, county, or municipal contracts. The  
24 division may adopt rules as necessary to carry out such  
25 standards and policies.

26 (2) Establish ~~by rule~~ procedures to be used ~~utilized~~  
27 by the State Apprenticeship Advisory Council ~~in accordance~~  
28 ~~with the provisions of s. 446.045~~.

29 (3) Establish a Bureau of Apprenticeship pursuant to  
30 the instructions of the Commissioner of Education ~~Secretary of~~  
31 ~~Labor and Employment Security~~.



1           Section 115. Section 446.041, Florida Statutes, is  
2 amended to read:

3           446.041 Apprenticeship program, duties of  
4 division.--The Division of Workforce Development ~~Jobs and~~  
5 ~~Benefits~~ shall:

6           (1) Administer the provisions of ss. 446.011-446.092.

7           (2) Administer the standards established by the  
8 division.

9           (3) Register in accordance with this chapter any  
10 apprenticeship or preapprenticeship program, regardless of  
11 affiliation, which meets standards established by the  
12 division.

13           (4) Investigate complaints concerning the failure of  
14 any registered program to meet the standards established by  
15 the division.

16           (5) Cancel the registration of any program that ~~which~~  
17 fails to comply with the standards and policies of the  
18 division or that ~~which~~ unreasonably fails or refuses to  
19 cooperate with the division in monitoring and enforcing  
20 compliance with such standards.

21           (6) Develop and encourage apprenticeship programs.

22           (7) Cooperate with and assist local apprenticeship  
23 sponsors in the development of their apprenticeship standards  
24 and training requirements.

25           ~~(8) Cooperate with and assist the Division of~~  
26 ~~Workforce Development of the Department of Education and~~  
27 ~~appropriate education institutions in the development of~~  
28 ~~viable apprenticeship and preapprenticeship programs.~~

29           (8)~~(9)~~ Encourage registered apprenticeship programs to  
30 grant consideration and credit to individuals completing  
31 registered preapprenticeship programs.

1           (9)~~(10)~~ Monitor registered apprenticeship programs to  
2 ensure that they are being operated in compliance with all  
3 applicable standards.  
4           (10)~~(11)~~ Supervise all apprenticeship programs which  
5 are registered with the division.  
6           (11) Ensure that minority and gender diversity are  
7 considered in administering this program.  
8           (12) Adopt rules as required to implement ss.  
9 446.011-446.092 ~~the provisions of this act.~~  
10           Section 116. Section 446.045, Florida Statutes, is  
11 amended to read:  
12           446.045 State Apprenticeship Advisory Council.--  
13           (1) For the purposes of this section, the term:  
14           (a) "Joint employee organization" means an  
15 apprenticeship sponsor who participates in a collective  
16 bargaining agreement and represents employees.  
17           (b) "Nonjoint employer organization" means an  
18 apprenticeship sponsor who does not participate in a  
19 collective bargaining agreement and who represents management.  
20           (2)(a) There is created a State Apprenticeship  
21 Advisory Council to be composed of 13 members, which shall be  
22 advisory to the Division of Workforce Development. ~~Jobs and~~  
23 ~~Benefits of the Department of Labor and Employment Security.~~  
24 The purpose of the advisory council is to advise the division  
25 and the council on matters relating to apprenticeship. The  
26 advisory council may not establish policy, adopt rules, or  
27 consider whether particular apprenticeship programs should be  
28 approved by the division ~~or bureau~~. ~~Only those matters~~  
29 ~~contained in the notice of meeting provided by the division~~  
30 ~~shall be considered by the council at council meetings.~~  
31

1           (b) The division director or the division director's  
2 designee shall be ex officio chair of the State Apprenticeship  
3 Advisory Council, but may not vote. The ~~administrator of~~  
4 ~~industrial education of the Department of Education and the~~  
5 state director of the Bureau of Apprenticeship and Training of  
6 the United States Department of Labor shall be appointed a  
7 nonvoting member ~~members~~ of the council. The Governor shall  
8 appoint two three-member committees for the purpose of  
9 nominating candidates for appointment to the council. One  
10 nominating committee shall be composed of joint employee  
11 organization representatives, and the other nominating  
12 committee shall be composed of nonjoint employer organization  
13 representatives. The joint employee organization nominating  
14 committee shall submit to the Governor the names of three  
15 persons for each vacancy occurring among the joint employee  
16 organization members on the council, and the nonjoint employer  
17 organization nominating committee likewise shall submit to the  
18 Governor the names of three persons for each vacancy occurring  
19 among the nonjoint employer organization members on the  
20 council. The Governor shall appoint to the council five  
21 members representing joint employee organizations and five  
22 members representing nonjoint employer organizations from the  
23 candidates nominated for each position by the respective  
24 nominating committees. Each member shall represent industries  
25 which have registered apprenticeship programs or in which a  
26 need for apprenticeship programs has been demonstrated.  
27 Initially, the Governor shall appoint four members for terms  
28 of 4 years, two members for terms of 3 years, two members for  
29 terms of 2 years, and two members for terms of 1 year.  
30 Thereafter, members shall be appointed for 4-year terms. A  
31

1 vacancy shall be filled for the remainder of the unexpired  
2 term.

3 (c) The council shall meet at the call of the chair or  
4 at the request of a majority of its membership, but at least  
5 twice a year. A majority of the voting members shall  
6 constitute a quorum, and the affirmative vote of a majority of  
7 a quorum is necessary to take action.

8 (d) The Governor may remove any member for cause.

9 (e) The council shall maintain minutes of each  
10 meeting. The division shall keep on file the minutes of each  
11 meeting and shall make such minutes available to any  
12 interested person.

13 (f) Members of the council shall serve without  
14 compensation, but shall be entitled to receive reimbursement  
15 for per diem and travel expenses as provided in s. 112.061.

16 Section 117. Subsection (3) of section 446.052,  
17 Florida Statutes, is amended to read:

18 446.052 Preapprenticeship program.--

19 (3) The Division of Workforce Development, the  
20 district school boards, and the community college district  
21 boards of trustees, ~~and the Division of Jobs and Benefits~~  
22 shall work together with existing registered apprenticeship  
23 programs so that individuals completing such preapprenticeship  
24 programs may be able to receive credit towards completing a  
25 registered apprenticeship program.

26 Section 118. Section 446.061, Florida Statutes, is  
27 amended to read:

28 446.061 Expenditures.--The Division of Workforce  
29 Development of the Department of Education ~~Jobs and Benefits~~  
30 shall make necessary expenditures from the appropriation  
31

1 provided by law for personal services, travel, printing,  
2 equipment, office space, and supplies as provided by law.

3 Section 119. Subsection (1) of section 446.071,  
4 Florida Statutes, is amended to read:

5 446.071 Apprenticeship sponsors.--

6 (1) One or more local apprenticeship sponsors shall be  
7 approved in any trade or group of trades by the Division of  
8 Workforce Development of the Department of Education ~~Jobs and~~  
9 ~~Benefits~~, upon a determination of need, provided the  
10 apprenticeship sponsor meets all of the standards established  
11 by the division. "Need" refers to the need of state residents  
12 for apprenticeship training. In the absence of proof to the  
13 contrary, it shall be presumed that there is need for  
14 apprenticeship and preapprenticeship training in each county  
15 in this state.

16 Section 120. Section 446.075, Florida Statutes, is  
17 amended to read:

18 446.075 Federal and state cooperation.--The Division  
19 of Workforce Development of the Department of Education ~~may~~  
20 ~~Jobs and Benefits of the Department of Labor and Employment~~  
21 ~~Security is authorized to~~ make and enter into contracts with  
22 the United States Department of Labor, and may ~~to~~ assume ~~such~~  
23 other functions and duties as are necessary for the division  
24 to serve as registration agent for federal apprenticeship  
25 registration purposes, except that the division may ~~shall~~ not  
26 enforce any federal apprenticeship requirement unless the  
27 division first adopts such requirement as a rule. All rules  
28 adopted ~~promulgated~~ and administrative hearings afforded by  
29 the division under ~~because of~~ this section must ~~shall~~ be in  
30 accordance with the requirements of chapter 120.

31

1           Section 121. Section 446.40, Florida Statutes, is  
2 amended to read:

3           446.40 Rural Workforce ~~Manpower~~ Services Act; short  
4 title.--Sections 446.40-446.44 may ~~shall~~ be cited as the  
5 "Rural Workforce ~~Manpower~~ Services Act."

6           Section 122. Section 446.41, Florida Statutes, is  
7 amended to read:

8           446.41 Legislative intent with respect to rural  
9 workforce ~~manpower~~ training and development; establishment of  
10 Rural Workforce ~~Manpower~~ Services Program.--In order that the  
11 state may achieve its full economic and social potential,  
12 consideration must be given to rural workforce ~~manpower~~  
13 training and development to enable its rural citizens as well  
14 as urban citizens to develop their maximum capacities and  
15 participate productively in our society. It is, therefore,  
16 the policy of the state to make available those services  
17 needed to assist individuals and communities in rural areas to  
18 improve their quality of life. It is with a great sense of  
19 urgency that a Rural Workforce ~~Manpower~~ Services Program is  
20 established within the Agency for Workforce Innovation, under  
21 the direction of Workforce Florida, Inc.,~~Division of Jobs and~~  
22 ~~Benefits of the Department of Labor and Employment Security~~ to  
23 provide equal access to all manpower training programs  
24 available to rural as well as urban areas.

25           Section 123. Section 446.42, Florida Statutes, is  
26 amended to read:

27           446.42 General purpose of Rural Workforce ~~Manpower~~  
28 Services Program.--A trained labor force is an essential  
29 ingredient for industrial as well as agricultural growth.  
30 Therefore, it shall be the general responsibility of the Rural  
31 Workforce ~~Manpower~~ Services Program to provide rural business

1 and potential rural businesses with the employment and  
2 workforce ~~manpower~~ training services and resources necessary  
3 to train and retain Florida's rural workforce.

4 Section 124. Section 446.43, Florida Statutes, is  
5 amended to read:

6 446.43 Scope and coverage of Rural Workforce ~~Manpower~~  
7 Services Program.--The scope of the area to be covered by the  
8 Rural Workforce ~~Manpower~~ Services Program will include all  
9 counties of the state not classified as standard metropolitan  
10 statistical areas (SMSA) by the United States Department of  
11 Labor Manpower Administration. Florida's designated SMSA labor  
12 areas include: Broward, Dade, Duval, Escambia, Hillsborough,  
13 Pinellas, Leon, Orange, and Palm Beach Counties.

14 Section 125. Section 446.44, Florida Statutes, is  
15 amended to read:

16 446.44 Duties of Rural Workforce ~~Manpower~~ Services  
17 Program.--It shall be the direct responsibility of the Rural  
18 Workforce ~~Manpower~~ Services Program to promote and deliver ~~all~~  
19 employment and workforce ~~manpower~~ services and resources to  
20 the rural undeveloped and underdeveloped counties of the state  
21 in an effort to:

22 (1) Slow down out-migration of untrained rural  
23 residents to the state's overcrowded large metropolitan  
24 centers.

25 (2) Assist Enterprise Florida, Inc., ~~the department's~~  
26 ~~Economic Development Division~~ in attracting light,  
27 pollution-free industry to the rural counties.

28 (3) Improve the economic status of the impoverished  
29 rural residents.

30  
31

1           (4) Provide present and new industry with the  
2 workforce ~~manpower~~ training resources necessary for them to  
3 train the untrained rural workforce toward gainful employment.

4           (5) Develop rural workforce ~~manpower~~ programs that  
5 ~~which~~ will be evaluated, planned, and implemented through  
6 communications and planning with appropriate:

7           (a) Departments of state and federal governments.

8           (b) Units of Enterprise Florida, Inc. ~~Divisions,~~  
9 ~~bureaus, or sections of the Department of Commerce.~~

10           (c) Agencies and organizations of the public and  
11 private sectors at the state, regional, and local levels.

12           Section 126. Section 446.50, Florida Statutes, is  
13 amended to read:

14           446.50 Displaced homemakers; multiservice programs;  
15 report to the Legislature; Displaced Homemaker Trust Fund  
16 created.--

17           (1) INTENT.--It is the intent of the Legislature to  
18 require the Agency for Workforce Innovation ~~Division of~~  
19 ~~Community Colleges of the Department of Education~~ to enter  
20 into contracts with, and make grants to, public and nonprofit  
21 private entities for purposes of establishing multipurpose  
22 service programs to provide necessary training, counseling,  
23 and services for displaced homemakers so that they may enjoy  
24 the independence and economic security vital to a productive  
25 life.

26           (2) DEFINITIONS.--For the purposes of this section  
27 ~~act~~:

28           (a) "Displaced homemaker" means an individual who:

29           1. Is 35 years of age or older;

30           2. Has worked in the home, providing unpaid household  
31 services for family members;



1           3. Is not adequately employed, as defined by rule of  
2 the division;

3           4. Has had, or would have, difficulty in securing  
4 adequate employment; and

5           5. Has been dependent on the income of another family  
6 member but is no longer supported by such income, or has been  
7 dependent on federal assistance.

8           (b) "Agency Division" means the Agency for Workforce  
9 Innovation ~~Division of Community Colleges of the Department of~~  
10 ~~Education.~~

11           (3) AGENCY DIVISION POWERS AND DUTIES.--

12           (a) The agency division, under plans established by  
13 Workforce Florida, Inc., shall establish, or contract for the  
14 establishment of, programs for displaced homemakers which  
15 shall include:

16           1. Job counseling, by professionals and peers,  
17 specifically designed for a person entering the job market  
18 after a number of years as a homemaker.

19           2. Job training and placement services, including:

20           a. Training programs for available jobs in the public  
21 and private sectors, taking into account the skills and job  
22 experiences of a homemaker and developed by working with  
23 public and private employers.

24           b. Assistance in locating available employment for  
25 displaced homemakers, some of whom could be employed in  
26 existing job training and placement programs.

27           c. Utilization of the services of the state employment  
28 service, ~~which shall cooperate with the division~~ in locating  
29 employment opportunities.

30           3. Financial management services providing information  
31 and assistance with respect to insurance, including, but not

1 limited to, life, health, home, and automobile insurance, and  
2 taxes, estate and probate problems, mortgages, loans, and  
3 other related financial matters.

4 4. Educational services, including high school  
5 equivalency degree and such other courses as the agency  
6 ~~division~~ determines would be of interest and benefit to  
7 displaced homemakers.

8 5. Outreach and information services with respect to  
9 federal and state employment, education, health, and  
10 unemployment assistance programs which the division determines  
11 would be of interest and benefit to displaced homemakers.

12 (b)1. The agency ~~division~~ shall enter into contracts  
13 with, and make grants to, public and nonprofit private  
14 entities for purposes of establishing multipurpose service  
15 programs for displaced homemakers under this section ~~act~~.  
16 Such grants and contracts shall be awarded pursuant to chapter  
17 287 and based on criteria established in the state plan  
18 developed pursuant to this section. The agency ~~division~~ shall  
19 designate catchment areas which together shall comprise the  
20 entire state, and, to the extent possible from revenues in the  
21 Displaced Homemaker Trust Fund, the agency ~~division~~ shall  
22 contract with, and make grants to, entities which will serve  
23 entire catchment areas so that displaced homemaker service  
24 programs are available statewide. These catchment areas shall  
25 be coterminous with the state's workforce development regions.  
26 The agency ~~division~~ may give priority to existing displaced  
27 homemaker programs when evaluating bid responses to the  
28 agency's ~~division's~~ request for proposals.

29 2. In order to receive funds under this section, and  
30 unless specifically prohibited by law from doing so, an entity  
31 that provides displaced homemaker service programs must, ~~by~~

1 ~~the 1991-1992 fiscal year~~, receive at least 25 percent of its  
2 funding from one or more local, municipal, or county sources  
3 or nonprofit private sources. In-kind contributions may be  
4 evaluated by the agency division and counted as part of the  
5 required local fundi ng.

6         3. The agency division shall require an entity that  
7 receives funds under this section to maintain appropriate data  
8 to be compiled in an annual report to the agency division.  
9 Such data shall include, but shall not be limited to, the  
10 number of clients served, the units of services provided,  
11 designated client-specific information including intake and  
12 outcome information specific to each client, costs associated  
13 with specific services and program administration, total  
14 program revenues by source and other appropriate financial  
15 data, and client followup information at specified intervals  
16 after the placement of a displaced home maker in a job.

17         (c) The agency division shall consult and cooperate  
18 with the Commissioner of Education, the United States  
19 Commissioner of the Social Security Administration, and such  
20 other persons in the executive branch of the state government  
21 as the agency division considers appropriate to facilitate the  
22 coordination of multipurpose service programs established  
23 under this section act with existing programs of a similar  
24 nature.

25         (d) Supervisory, technical, and administrative  
26 positions relating to programs established under this section  
27 ~~act~~ shall, to the maximum extent practicable, be filled by  
28 displaced homemakers.

29         (e) The agency division shall adopt rules establishing  
30 minimum standards necessary for entities that provide  
31 displaced homemaker service programs to receive funds from the

1 ~~agency division~~ and any other rules necessary to administer  
2 this section.

3 (4) STATE PLAN.--

4 (a) The Agency for Workforce Innovation ~~division~~ shall  
5 develop a 3-year state plan for the displaced homemaker  
6 program which shall be updated annually. The plan must  
7 address, at a minimum, the need for programs specifically  
8 designed to serve displaced homemakers, any necessary service  
9 components for such programs in addition to those enumerated  
10 in this section, goals of the displaced homemaker program with  
11 an analysis of the extent to which those goals are being met,  
12 and recommendations for ways to address any unmet program  
13 goals. Any request for funds for program expansion must be  
14 based on the state plan.

15 (b) Each annual update must address any changes in the  
16 components of the 3-year state plan and a report which must  
17 include, but need not be limited to, the following:

18 1. The scope of the incidence of displaced homemakers;  
19 2. A compilation and report, by program, of data  
20 submitted to the agency division pursuant to subparagraph 3.  
21 by funded displaced homemaker service programs;  
22 3. An identification and description of the programs  
23 in the state that receive funding from the agency division,  
24 including funding information; and  
25 4. An assessment of the effectiveness of each  
26 displaced homemaker service program based on outcome criteria  
27 established by rule of the agency division.

28 (c) The 3-year state plan must be submitted to the  
29 President of the Senate, the Speaker of the House of  
30 Representatives, and the Governor on or before January 1, 2001  
31

1 ~~1989~~, and annual updates of the plan must be submitted by  
2 January 1 of each subsequent year.

3 (5) DISPLACED HOMEMAKER TRUST FUND.--

4 (a) There is established within the State Treasury a  
5 Displaced Homemaker Trust Fund to be used by the agency  
6 ~~division~~ for its administration of the displaced homemaker  
7 program and to fund displaced homemaker service programs  
8 according to criteria established under this section.

9 (b) The trust fund shall receive funds generated from  
10 an additional fee on marriage license applications and  
11 dissolution of marriage filings as specified in ss. 741.01(3)  
12 and 28.101, respectively, and may receive funds from any other  
13 public or private source.

14 (c) Funds that are not expended by the agency ~~division~~  
15 at the end of the budget cycle or through a supplemental  
16 budget approved by the agency ~~division~~ shall revert to the  
17 trust fund.

18 Section 127. Subsection (3) of section 447.02, Florida  
19 Statutes, is amended to read:

20 447.02 Definitions.--The following terms, when used in  
21 this chapter, shall have the meanings ascribed to them in this  
22 section:

23 (3) The term "department" ~~"division"~~ means the  
24 ~~Division of Jobs and Benefits of~~ the Department of Labor and  
25 Employment Security.

26 Section 128. Subsections (2), (3), and (4) of section  
27 447.04, Florida Statutes, are amended to read:

28 447.04 Business agents; licenses, permits.--

29 (2)(a) Every person desiring to act as a business  
30 agent in this state shall, before doing so, obtain a license  
31 or permit by filing an application under oath therefor with

1 ~~the Division of Jobs and Benefits of the department of Labor~~  
2 ~~and Employment Security~~, accompanied by a fee of \$25 and a  
3 full set of fingerprints of the applicant taken by a law  
4 enforcement agency qualified to take fingerprints. There  
5 shall accompany the application a statement signed by the  
6 president and the secretary of the labor organization for  
7 which he or she proposes to act as agent, showing his or her  
8 authority to do so. The department ~~division~~ shall hold such  
9 application on file for a period of 30 days, during which time  
10 any person may file objections to the issuing of such license  
11 or permit.

12 (b) The department ~~division~~ may also conduct an  
13 independent investigation of the applicant; and, if objections  
14 are filed, it may hold, or cause to be held, a hearing in  
15 accordance with the requirements of chapter 120. The  
16 objectors and the applicant shall be permitted to attend such  
17 hearing and present evidence.

18 (3) After the expiration of the 30-day period,  
19 regardless of whether or not any objections have been filed,  
20 the department ~~division~~ shall review the application, together  
21 with all information that it may have, including, but not  
22 limited to, any objections that may have been filed to such  
23 application, any information that may have been obtained  
24 pursuant to an independent investigation, and the results of  
25 any hearing on the application. If the department ~~division~~,  
26 from a review of the information, finds that the applicant is  
27 qualified, pursuant to the terms of this chapter, it shall  
28 issue such license or permit; and such license or permit shall  
29 run for the calendar year for which issued, unless sooner  
30 surrendered, suspended, or revoked.

31

1           (4) Licenses and permits shall expire at midnight,  
2 December 31, but may be renewed by the department ~~division~~ on  
3 a form prescribed by it; however, if any such license or  
4 permit has been surrendered, suspended, or revoked during the  
5 year, then such applicant must go through the same formalities  
6 as a new applicant.

7           Section 129. Section 447.041, Florida Statutes, is  
8 amended to read:

9           447.041 Hearings.--

10           (1) Any person or labor organization denied a license,  
11 permit, or registration shall be afforded the opportunity for  
12 a hearing by the department ~~division~~ in accordance with the  
13 requirements of chapter 120.

14           (2) The department ~~division~~ may, pursuant to the  
15 requirements of chapter 120, suspend or revoke the license or  
16 permit of any business agent or the registration of any labor  
17 organization for the violation of any provision of this  
18 chapter.

19           Section 130. Section 447.045, Florida Statutes, is  
20 amended to read:

21           447.045 Information confidential.--Neither the  
22 department ~~division~~ nor any investigator or employee of the  
23 department ~~division~~ shall divulge in any manner the  
24 information obtained pursuant to the processing of applicant  
25 fingerprint cards, and such information is confidential and  
26 exempt from the provisions of s. 119.07(1).

27           Section 131. Section 447.06, Florida Statutes, is  
28 amended to read:

29           447.06 Registration of labor organizations required.--

30           (1) Every labor organization operating in the state  
31 shall make a report under oath, in writing, to ~~the Division of~~

1 ~~Jobs and Benefits~~ of the department of Labor and Employment  
2 ~~Security~~ annually, on or before December 31. Such report shall  
3 be filed by the secretary or business agent of such labor  
4 organization, shall be in such form as the department  
5 prescribes ~~division may prescribe~~, and shall show the  
6 following facts:

- 7 (a) The name of the labor organization;  
8 (b) The location of its office; and  
9 (c) The name and address of the president, secretary,  
10 treasurer, and business agent.

11 (2) At the time of filing such report, it shall be the  
12 duty of every such labor organization to pay the department  
13 ~~division~~ an annual fee therefor in the sum of \$1.

14 Section 132. Section 447.12, Florida Statutes, is  
15 amended to read:

16 447.12 Fees for registration.--All fees collected by  
17 ~~the Division of Jobs and Benefits~~ of the department under this  
18 part of Labor and Employment Security hereunder shall be paid  
19 to the Treasurer and credited to the General Revenue Fund.

20 Section 133. Section 447.16, Florida Statutes, is  
21 amended to read:

22 447.16 Applicability of chapter ~~when effective~~.--Any  
23 labor business agent licensed on July 1, 1965, may renew such  
24 license each year on forms provided by ~~the Division of Jobs~~  
25 ~~and Benefits~~ of the department of Labor and Employment  
26 ~~Security~~ without submitting fingerprints so long as such  
27 license or permit has not expired or has not been surrendered,  
28 suspended, or revoked. The fingerprinting requirements of  
29 this act shall become effective for a new applicant for a  
30 labor business agent license immediately upon this act  
31 becoming a law.



1           Section 134. Subsection (4) of section 447.305,  
2 Florida Statutes, is amended to read:

3           447.305 Registration of employee organization.--

4           (4) Notification of registrations and renewals of  
5 registration shall be furnished at regular intervals by the  
6 commission to ~~the Division of Jobs and Benefits~~ of the  
7 Department of Labor and Employment Security.

8           Section 135. Subsection (4) of section 450.012,  
9 Florida Statutes, is amended to read:

10           450.012 Definitions.--For the purpose of this chapter,  
11 the word, phrase, or term:

12           (4) "Department" ~~"Division"~~ means ~~the Division of Jobs~~  
13 ~~and Benefits~~ of the Department of Labor and Employment  
14 Security.

15           Section 136. Subsection (3) of section 450.061,  
16 Florida Statutes, is amended to read:

17           450.061 Hazardous occupations prohibited;  
18 exemptions.--

19           (3) No minor under 18 years of age, whether such  
20 person's disabilities of nonage have been removed by marriage  
21 or otherwise, shall be employed or permitted or suffered to  
22 work in any place of employment or at any occupation hazardous  
23 or injurious to the life, health, safety, or welfare of such  
24 minor, as such places of employment or occupations may be  
25 determined and declared by ~~the Division of Jobs and Benefits~~  
26 ~~of the department of Labor and Employment Security~~ to be  
27 hazardous and injurious to the life, health, safety, or  
28 welfare of such minor.

29           Section 137. Paragraph (c) of subsection (5) of  
30 section 450.081, Florida Statutes, is amended to read:

31           450.081 Hours of work in certain occupations.--

1           (5) The provisions of subsections (1) through (4)  
2 shall not apply to:

3           (c) Minors enrolled in a public educational  
4 institution who qualify on a hardship basis such as economic  
5 necessity or family emergency. Such determination shall be  
6 made by the school superintendent or his or her designee, and  
7 a waiver of hours shall be issued to the minor and the  
8 employer. The form and contents thereof shall be prescribed by  
9 the department ~~division~~.

10           Section 138. Section 450.095, Florida Statutes, is  
11 amended to read:

12           450.095 Waivers.--In extenuating circumstances when it  
13 clearly appears to be in the best interest of the child, the  
14 department ~~division~~ may grant a waiver of the restrictions  
15 imposed by the Child Labor Law on the employment of a child.  
16 Such waivers shall be granted upon a case-by-case basis and  
17 shall be based upon such factors as the department ~~division~~,  
18 by rule, establishes as determinative of whether such waiver  
19 is in the best interest of a child.

20           Section 139. Subsections (1), (2), and (5) of section  
21 450.121, Florida Statutes, are amended to read:

22           450.121 Enforcement of Child Labor Law.--

23           (1) The department ~~Division of Jobs and Benefits~~ shall  
24 administer this chapter. It shall employ such help as is  
25 necessary to effectuate the purposes of this chapter. Other  
26 agencies of the state may cooperate with the department  
27 ~~division~~ in the administration and enforcement of this part.  
28 To accomplish this joint, cooperative effort, the department  
29 ~~division~~ may enter into intergovernmental agreements with  
30 other agencies of the state whereby the other agencies may  
31 assist the department ~~division~~ in the administration and

1 enforcement of this part. Any action taken by an agency  
2 pursuant to an intergovernmental agreement entered into  
3 pursuant to this section shall be considered to have been  
4 taken by the department ~~division~~.

5 (2) It is the duty of the department ~~division~~ and its  
6 agents and all sheriffs or other law enforcement officers of  
7 the state or of any municipality of the state to enforce the  
8 provisions of this law, to make complaints against persons  
9 violating its provisions, and to prosecute violations of the  
10 same. The department ~~division~~ and its agents have authority to  
11 enter and inspect at any time any place or establishment  
12 covered by this law and to have access to age certificates  
13 kept on file by the employer and such other records as may aid  
14 in the enforcement of this law. A designated school  
15 representative acting in accordance with s. 232.17 shall  
16 report to the department ~~division~~ all violations of the Child  
17 Labor Law that may come to his or her knowledge.

18 (5) The department ~~division~~ may adopt rules:

19 (a) Defining words, phrases, or terms used in the  
20 child labor rule or in this part, as long as the word, phrase,  
21 or term is not a word, phrase, or term defined in s. 450.012.

22 (b) Prescribing additional documents that may be used  
23 to prove the age of a minor and the procedure to be followed  
24 before a person who claims his or her disability of nonage has  
25 been removed by a court of competent jurisdiction may be  
26 employed.

27 (c) Requiring certain safety equipment and a safe  
28 workplace environment for employees who are minors.

29 (d) Prescribing the deadlines applicable to a response  
30 to a request for records under subsection (2).

31

1 (e) Providing an official address from which child  
2 labor forms, rules, laws, and posters may be requested and  
3 prescribing the forms to be used in connection with this part.

4 Section 140. Subsections (1), (2), (3), (4), and (5)  
5 of section 450.132, Florida Statutes, are amended to read:

6 450.132 Employment of children by the entertainment  
7 industry; rules; procedures.--

8 (1) Children within the protection of our child labor  
9 statutes may, notwithstanding such statutes, be employed by  
10 the entertainment industry in the production of motion  
11 pictures, legitimate plays, television shows, still  
12 photography, recording, publicity, musical and live  
13 performances, circuses, and rodeos, in any work not determined  
14 by the department ~~Division of Jobs and Benefits~~ to be  
15 hazardous, or detrimental to their health, morals, education,  
16 or welfare.

17 (2) The department ~~Division of Jobs and Benefits~~  
18 shall, as soon as convenient, and after such investigation as  
19 to the department ~~division~~ may seem necessary or advisable,  
20 determine what work in connection with the entertainment  
21 industry is not hazardous or detrimental to the health,  
22 morals, education, or welfare of minors within the purview and  
23 protection of our child labor laws. When so adopted, such  
24 rules shall have the force and effect of law in this state.

25 (3) Entertainment industry employers or agents wishing  
26 to qualify for the employment of minors in work not hazardous  
27 or detrimental to their health, morals, or education shall  
28 make application to the department ~~division~~ for a permit  
29 qualifying them to employ minors in the entertainment  
30 industry. The form and contents thereof shall be prescribed by  
31 the department ~~division~~.

1           (4) Any duly qualified entertainment industry employer  
2 may employ any minor. However, if any entertainment industry  
3 employer employing a minor causes, permits, or suffers such  
4 minor to be placed under conditions which are dangerous to the  
5 life or limb or injurious or detrimental to the health or  
6 morals or education of the minor, the right of that  
7 entertainment industry employer and its representatives and  
8 agents to employ minors as provided herein shall stand  
9 revoked, unless otherwise ordered by the department ~~division~~,  
10 and the person responsible for such unlawful employment is  
11 guilty of a misdemeanor of the second degree, punishable as  
12 provided in s. 775.082 or s. 775.083.

13           (5) Any entertainment industry employer and its agents  
14 employing minors hereunder are required to notify the  
15 department ~~division~~, showing the date of the commencement of  
16 work, the number of days worked, the location of the work, and  
17 the date of termination.

18           Section 141. Subsections (2) and (3) of section  
19 450.141, Florida Statutes, are amended to read:

20           450.141 Employing minor children in violation of law;  
21 penalties.--

22           (2) Any person, firm, corporation, or governmental  
23 agency, or agent thereof, that has employed minors in  
24 violation of this part, or any rule adopted pursuant thereto,  
25 may be subject by the department ~~division~~ to fines not to  
26 exceed \$2,500 per offense. The department ~~division~~ shall  
27 adopt, by rule, disciplinary guidelines specifying a  
28 meaningful range of designated penalties based upon the  
29 severity and repetition of the offenses, and which distinguish  
30 minor violations from those which endanger a minor's health  
31 and safety.

1           (3) If the department ~~division~~ has reasonable grounds  
2 for believing there has been a violation of this part or any  
3 rule adopted pursuant thereto, it shall give written notice to  
4 the person alleged to be in violation. Such notice shall  
5 include the provision or rule alleged to be violated, the  
6 facts alleged to constitute such violation, and requirements  
7 for remedial action within a time specified in the notice. No  
8 fine may be levied unless the person alleged to be in  
9 violation fails to take remedial action within the time  
10 specified in the notice.

11           Section 142. Paragraph (j) of subsection (1) of  
12 section 450.191, Florida Statutes, is amended to read:

13           450.191 Executive Office of the Governor; powers and  
14 duties.--

15           (1) The Executive Office of the Governor is authorized  
16 and directed to:

17           (j) Cooperate with the farm labor office of the  
18 Department of Labor and Employment Security ~~Florida State~~  
19 ~~Employment Service~~ in the recruitment and referral of migrant  
20 laborers and other persons for the planting, cultivation, and  
21 harvesting of agricultural crops in Florida.

22           Section 143. Subsection (2) of section 450.28, Florida  
23 Statutes, is amended to read:

24           450.28 Definitions.--

25           (2) "Department" ~~"Division"~~ means ~~the Division of Jobs~~  
26 ~~and Benefits~~ of the Department of Labor and Employment  
27 Security.

28           Section 144. Section 450.30, Florida Statutes, is  
29 amended to read:

30           450.30 Requirement of certificate of registration;  
31 education and examination program.--

1           (1) No person may act as a farm labor contractor until  
2 a certificate of registration has been issued to him or her by  
3 the department ~~division~~ and unless such certificate is in full  
4 force and effect and is in his or her possession.

5           (2) No certificate of registration may be transferred  
6 or assigned.

7           (3) Unless sooner revoked, each certificate of  
8 registration, regardless of the date of issuance, shall be  
9 renewed on the last day of the birth month following the date  
10 of issuance and, thereafter, each year on the last day of the  
11 birth month of the registrant. The date of incorporation shall  
12 be used in lieu of birthdate for registrants that are  
13 corporations. Applications for certificates of registration  
14 and renewal thereof shall be on a form prescribed by the  
15 department ~~division~~.

16           (4) The department ~~division~~ shall provide a program of  
17 education and examination for applicants under this part. The  
18 program may be provided by the department ~~division~~ or through  
19 a contracted agent. The program shall be designed to ensure  
20 the competency of those persons to whom the department  
21 ~~division~~ issues certificates of registration.

22           (5) The department ~~division~~ shall require each  
23 applicant to demonstrate competence by a written or oral  
24 examination in the language of the applicant, evidencing that  
25 he or she is knowledgeable concerning the duties and  
26 responsibilities of a farm labor contractor. The examination  
27 shall be prepared, administered, and evaluated by the  
28 department ~~division~~ or through a contracted agent.

29           (6) The department ~~division~~ shall require an applicant  
30 for renewal of a certificate of registration to retake the  
31 examination only if:

1           (a) During the prior certification period, the  
2 department ~~division~~ issued a final order assessing a civil  
3 monetary penalty or revoked or refused to renew or issue a  
4 certificate of registration; or

5           (b) The department ~~division~~ determines that new  
6 requirements related to the duties and responsibilities of a  
7 farm labor contractor necessitate a new examination.

8           (7) The department ~~division~~ shall charge each  
9 applicant a \$35 fee for the education and examination program.  
10 Such fees shall be deposited in the Crew Chief Registration  
11 Trust Fund.

12           (8) The department ~~division~~ may adopt rules  
13 prescribing the procedures to be followed to register as a  
14 farm labor contractor.

15           Section 145. Subsections (1), (2), and (4) of section  
16 450.31, Florida Statutes, are amended to read:

17           450.31 Issuance, revocation, and suspension of, and  
18 refusal to issue or renew, certificate of registration.--

19           (1) The department ~~division~~ shall not issue to any  
20 person a certificate of registration as a farm labor  
21 contractor, nor shall it renew such certificate, until:

22           (a) Such person has executed a written application  
23 therefor in a form and pursuant to regulations prescribed by  
24 the department ~~division~~ and has submitted such information as  
25 the department ~~division~~ may prescribe.

26           (b) Such person has obtained and holds a valid federal  
27 certificate of registration as a farm labor contractor, or a  
28 farm labor contractor employee, unless exempt by federal law.

29           (c) Such person pays to the department ~~division~~, in  
30 cash, certified check, or money order, a nonrefundable  
31 application fee of \$75. Fees collected by the department



1 ~~division~~ under this subsection shall be deposited in the State  
2 Treasury into the Crew Chief Registration Trust Fund, which is  
3 hereby created, and shall be utilized for administration of  
4 this part.

5 (d) Such person has successfully taken and passed the  
6 farm labor contractor examination.

7 (2) The department ~~division~~ may revoke, suspend, or  
8 refuse to renew any certificate of registration when it is  
9 shown that the farm labor contractor has:

10 (a) Violated or failed to comply with any provision of  
11 this part or the rules adopted pursuant to s. 450.36.

12 (b) Made any misrepresentation or false statement in  
13 his or her application for a certificate of registration.

14 (c) Given false or misleading information concerning  
15 terms, conditions, or existence of employment to persons who  
16 are recruited or hired to work on a farm.

17 (4) The department ~~division~~ may refuse to issue or  
18 renew, or may suspend or revoke, a certificate of registration  
19 if the applicant or holder is not the real party in interest  
20 in the application or certificate of registration and the real  
21 party in interest is a person who has been refused issuance or  
22 renewal of a certificate, has had a certificate suspended or  
23 revoked, or does not qualify under this section for a  
24 certificate.

25 Section 146. Subsections (1), (4), (5), (6), (8), (9),  
26 and (10) of section 450.33, Florida Statutes, are amended to  
27 read:

28 450.33 Duties of farm labor contractor.--Every farm  
29 labor contractor must:

30 (1) Carry his or her certificate of registration with  
31 him or her at all times and exhibit it to all persons with

1 | whom the farm labor contractor intends to deal in his or her  
2 | capacity as a farm labor contractor prior to so dealing and,  
3 | upon request, to persons designated by the department  
4 | ~~division~~.

5 |         (4) Display prominently, at the site where the work is  
6 | to be performed and on all vehicles used by the registrant for  
7 | the transportation of employees, a single posting containing a  
8 | written statement in English and in the language of the  
9 | majority of the non-English-speaking employees disclosing the  
10 | terms and conditions of employment in a form prescribed by the  
11 | department ~~division~~ or by the United States Department of  
12 | Labor for this purpose.

13 |         (5) Take out a policy of insurance with any insurance  
14 | carrier which policy insures such registrant against liability  
15 | for damage to persons or property arising out of the operation  
16 | or ownership of any vehicle or vehicles for the transportation  
17 | of individuals in connection with his or her business,  
18 | activities, or operations as a farm labor contractor. In no  
19 | event may the amount of such liability insurance be less than  
20 | that required by the provisions of the financial  
21 | responsibility law of this state. Any insurance carrier that  
22 | is licensed to operate in this state and that has issued a  
23 | policy of liability insurance to operate a vehicle used to  
24 | transport farm workers shall notify the department ~~division~~  
25 | when it intends to cancel such policy.

26 |         (6) Maintain such records as may be designated by the  
27 | department ~~division~~.

28 |         (8) File, within such time as the department ~~division~~  
29 | may prescribe, a set of his or her fingerprints.

30 |         (9) Produce evidence to the department ~~division~~ that  
31 | each vehicle he or she uses for the transportation of

1 employees complies with the requirements and specifications  
2 established in chapter 316, s. 316.620, or Pub. L. No. 93-518  
3 as amended by Pub. L. No. 97-470 meeting Department of  
4 Transportation requirements or, in lieu thereof, bears a valid  
5 inspection sticker showing that the vehicle has passed the  
6 inspection in the state in which the vehicle is registered.

7 (10) Comply with all applicable statutes, rules, and  
8 regulations of the United States and of the State of Florida  
9 for the protection or benefit of labor, including, but not  
10 limited to, those providing for wages, hours, fair labor  
11 standards, social security, workers' compensation,  
12 unemployment compensation, child labor, and transportation.  
13 The department ~~division~~ shall not suspend or revoke a  
14 certificate of registration pursuant to this subsection  
15 unless:

16 (a) A court or agency of competent jurisdiction  
17 renders a judgment or other final decision that a violation of  
18 one of the laws, rules, or regulations has occurred and, if  
19 invoked, the appellate process is exhausted;

20 (b) An administrative hearing pursuant to ss. 120.569  
21 and 120.57 is held on the suspension or revocation and the  
22 administrative law judge finds that a violation of one of the  
23 laws, rules, or regulations has occurred and, if invoked, the  
24 appellate process is exhausted; or

25 (c) The holder of a certificate of registration  
26 stipulates that a violation has occurred or defaults in the  
27 administrative proceedings brought to suspend or revoke his or  
28 her registration.

29 Section 147. Section 450.35, Florida Statutes, is  
30 amended to read:

31

1           450.35 Certain contracts prohibited.--It is unlawful  
2 for any person to contract for the employment of farm workers  
3 with any farm labor contractor as defined in this act until  
4 the labor contractor displays to him or her a current  
5 certificate of registration issued by the department ~~division~~  
6 pursuant to the requirements of this part.

7           Section 148. Section 450.36, Florida Statutes, is  
8 amended to read:

9           450.36 Rules and regulations.--The department ~~division~~  
10 may adopt rules necessary to enforce and administer this part.

11           Section 149. Section 450.37, Florida Statutes, is  
12 amended to read:

13           450.37 Cooperation with federal agencies.--The  
14 department ~~division~~ shall, whenever appropriate, cooperate  
15 with any federal agency.

16           Section 150. Subsections (2), (3), and (4) of section  
17 450.38, Florida Statutes, are amended to read:

18           450.38 Enforcement of farm labor contractor laws.--

19           (2) Any person who, on or after June 19, 1985, commits  
20 a violation of this part or of any rule adopted thereunder may  
21 be assessed a civil penalty of not more than \$1,000 for each  
22 such violation. Such assessed penalties shall be paid in cash,  
23 certified check, or money order and shall be deposited into  
24 the General Revenue Fund. The department ~~division~~ shall not  
25 institute or maintain any administrative proceeding to assess  
26 a civil penalty under this subsection when the violation is  
27 the subject of a criminal indictment or information under this  
28 section which results in a criminal penalty being imposed, or  
29 of a criminal, civil, or administrative proceeding by the  
30 United States government or an agency thereof which results in  
31 a criminal or civil penalty being imposed. The department

1 ~~division~~ may adopt rules prescribing the criteria to be used  
2 to determine the amount of the civil penalty and to provide  
3 notification to persons assessed a civil penalty under this  
4 section.

5 (3) Upon a complaint of the department ~~division~~ being  
6 filed in the circuit court of the county in which the farm  
7 labor contractor may be doing business, any farm labor  
8 contractor who fails to obtain a certificate of registration  
9 as required by this part may, in addition to such penalties,  
10 be enjoined from engaging in any activity which requires the  
11 farm labor contractor to possess a certificate of  
12 registration.

13 (4) For the purpose of any investigation or proceeding  
14 conducted by the department ~~division~~, the secretary of the  
15 department or the secretary's designee shall have the power to  
16 administer oaths, take depositions, make inspections when  
17 authorized by statute, issue subpoenas which shall be  
18 supported by affidavit, serve subpoenas and other process, and  
19 compel the attendance of witnesses and the production of  
20 books, papers, documents, and other evidence. The secretary of  
21 the department or the secretary's designee shall exercise this  
22 power on the secretary's own initiative.

23 Section 151. Subsection (7) of section 497.419,  
24 Florida Statutes, is amended to read:

25 497.419 Cancellation of, or default on, preneed  
26 contracts.--

27 (7) All preneed contracts are cancelable and revocable  
28 as provided in this section, provided that a preneed contract  
29 does not restrict any contract purchaser who is a qualified  
30 applicant for, or a recipient of, supplemental security  
31

1 income, temporary cash assistance ~~under the WAGES Program~~, or  
2 Medicaid from making her or his contract irrevocable.

3 Section 152. Subsection (3) of section 240.3341,  
4 Florida Statutes, is amended, and subsection (5) is added to  
5 said section, to read:

6 240.3341 Incubator facilities for small business  
7 concerns.--

8 (3)~~(a)~~ The incubator facility and any improvements to  
9 the facility shall be owned by or leased the community  
10 college. The community college may charge residents of the  
11 facility all or part of the cost for facilities, utilities,  
12 and support personnel and equipment. No small business  
13 concern shall reside in the incubator facility for more than 5  
14 calendar years. The state shall not be liable for any act or  
15 failure to act of any small business concern residing in an  
16 incubator facility pursuant to this section or of any such  
17 concern benefiting from the incubator facilities program.

18 ~~(b) Notwithstanding any provision of paragraph (a) to~~  
19 ~~the contrary, and for the 1999-2000 fiscal year only, the~~  
20 ~~incubator facility may be leased by the community college.~~  
21 ~~This paragraph is repealed on July 1, 2000.~~

22 (5) Community colleges are encouraged to establish  
23 incubator facilities through which emerging small businesses  
24 supportive of development of content and technology for  
25 digital broadband media and digital broadcasting may be  
26 served.

27 Section 153. Section 240.710, Florida Statutes, is  
28 created to read:

29 240.710 Digital Media Education Coordination Group.--

30 (1) The Board of Regents shall create a Digital Media  
31 Education Coordination Group composed of representatives of

1 the universities within the State University System that shall  
2 work in conjunction with the Department of Education, the  
3 State Board of Community Colleges, and the Articulation  
4 Coordinating Committee on the development of a plan to enhance  
5 Florida's ability to meet the current and future workforce  
6 needs of the digital media industry. The following purposes  
7 of the group shall be included in its plan development  
8 process:

9       (a) Coordination of the use of existing academic  
10 programs and research and faculty resources to promote the  
11 development of a digital media industry in this state.

12       (b) Address strategies to improve opportunities for  
13 interdisciplinary study and research within the emerging field  
14 of digital media through the development of tracts in existing  
15 degree programs, new interdisciplinary degree programs, and  
16 interdisciplinary research centers.

17       (c) Address the sharing of resources among  
18 universities in such a way as to allow a student to take  
19 courses from multiple departments or multiple educational  
20 institutions in pursuit of competency, certification, and  
21 degrees in digital information and media technology.

22       (2) Where practical, private accredited institutions  
23 of higher learning in this state should be encouraged to  
24 participate.

25       (3) In addition to the elements of the plan governed  
26 by the purposes described in (1), the plan shall include, to  
27 the maximum extent practical, the coordination of educational  
28 resources to be provided by distance learning and shall  
29 facilitate to the maximum extent possible articulation and  
30 transfer of credits between community colleges and the state  
31 universities. The plan shall address student enrollment in

1 affected programs with emphasis on enrollment beginning as  
2 early as fall term, 2001.

3 (4) The Digital Media Education Coordination Group  
4 shall submit its plan to the President of the Senate and the  
5 Speaker of the House of Representatives no later than January  
6 1, 2001.

7 Section 154. Workforce Florida, Inc., through the  
8 Agency for Workforce Innovation, may use funds dedicated for  
9 Incumbent Worker Training for the digital media industry.  
10 Training may be provided by public or private training  
11 providers for broadband digital media jobs listed on the  
12 targeted occupations list developed by the Workforce  
13 Estimating Conference or Workforce Florida Inc. Programs that  
14 operate outside the normal semester time periods and  
15 coordinate the use of industry and public resources should be  
16 given priority status for funding.

17 Section 155. (1) For the purchase of workforce  
18 marketing materials required by section 445.006, Florida  
19 Statutes, the sum of \$250,000 in nonrecurring general revenue  
20 is appropriated to the Agency for Workforce Innovation.

21 (2) For the workforce training institute established  
22 pursuant to section 445.008, Florida Statutes, the sum of  
23 \$200,000 is appropriated from nonrecurring Temporary  
24 Assistance for Needy Families funds to the Agency for  
25 Workforce Innovation.

26 (3) For diversion services for needy families  
27 authorized by section 445.018, Florida Statutes, the sum of \$8  
28 million is appropriated from recurring Temporary Assistance  
29 for Needy Families funds to the Agency for Workforce  
30 Innovation.

31



1           Section 156. Paragraph (b) of subsection (4) of  
2 section 402.305, Florida Statutes, is amended to read:  
3           402.305 Licensing standards; child care facilities.--  
4           (4) STAFF-TO-CHILDREN RATIO.--  
5           (b) This subsection does not apply to nonpublic  
6 schools and their integral programs as defined in s.  
7 402.3025(2)(d)1. In addition, an individual participating in a  
8 community service work experience activity under s.  
9 445.024(1)(d)~~414.065(1)(d)~~, or a work experience activity  
10 under s. 445.024(1)(e)~~414.065(1)(e)~~, at a child care facility  
11 may not be considered in calculating the staff-to-children  
12 ratio.

13           Section 157. Nothing in this act shall be construed as  
14 creating an entitlement to services or benefits authorized by  
15 any section of the act.

16           Section 158. If any provision of this act or its  
17 application to any person or circumstance is held invalid, the  
18 invalidity does not affect other provisions or applications of  
19 the act which can be given effect without the invalid  
20 provision or application, and to this end the provisions of  
21 this act are severable.

22           Section 159. Except as otherwise expressly provided in  
23 this act, this act shall take effect July 1, 2000.  
24  
25  
26  
27  
28  
29  
30  
31