

Amendment No. \_\_\_\_ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

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Representative(s) Hart offered the following:

**Amendment (with title amendment)**

remove from the bill: everything after the enacting clause,  
and insert in lieu thereof:

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

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

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

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

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

(2) "Services and one-time payments" or "services,"  
when used in reference to individuals who are not receiving  
temporary cash assistance, means nonrecurrent, short-term  
benefits designed to deal with a specific crisis situation or  
episode of need and other services; work subsidies; supportive

1 services such as child care and transportation; services such  
2 as counseling, case management, peer support, and child care  
3 information and referral; transitional services, job  
4 retention, job advancement, and other employment-related  
5 services; nonmedical treatment for substance abuse or mental  
6 health problems; teen pregnancy prevention; two-parent family  
7 support, including noncustodial parent employment;  
8 court-ordered supervised visitation, and responsible  
9 fatherhood services; and any other services that are  
10 reasonably calculated to further the purposes of the welfare  
11 transition program. Such terms do not include assistance as  
12 defined in federal regulations at 45 C.F.R. s. 260.31(a).

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

16 Section 3. Section 288.9956, Florida Statutes, is  
17 transferred, renumbered as section 445.003, Florida Statutes,  
18 and amended to read:

19 445.003 ~~288.9956~~ Implementation of the federal  
20 Workforce Investment Act of 1998.--

21 (1) WORKFORCE INVESTMENT ACT PRINCIPLES.--The state's  
22 approach to implementing the federal Workforce Investment Act  
23 of 1998, Pub. L. No. 105-220, should have six elements:

24 (a) Streamlining Services.--Florida's employment and  
25 training programs must be coordinated and consolidated at  
26 locally managed one-stop delivery system ~~Career~~ centers.

27 (b) Empowering Individuals.--Eligible participants  
28 will make informed decisions, choosing the qualified training  
29 program that best meets their needs.

30 (c) Universal Access.--Through a one-stop delivery  
31 system ~~Career Centers~~, every Floridian will have access to

1 employment services.

2 (d) Increased Accountability.--The state, localities,  
3 and training providers will be held accountable for their  
4 performance.

5 (e) Local Board and Private Sector Leadership.--Local  
6 boards will focus on strategic planning, policy development,  
7 and oversight of the local system, choosing local managers to  
8 direct the operational details of their one-stop delivery  
9 system centers ~~Career Centers~~.

10 (f) Local Flexibility and Integration.--Localities  
11 will have exceptional flexibility to build on existing  
12 reforms. Unified planning will free local groups from  
13 conflicting micromanagement, while waivers and WorkFlex will  
14 allow local innovations.

15 (2) FIVE-YEAR PLAN.--~~The~~ Workforce Florida, Inc.,  
16 ~~Development Board~~ shall prepare and submit a 5-year plan,  
17 which includes secondary vocational education, to fulfill the  
18 early implementation requirements of Pub. L. No. 105-220 and  
19 applicable state statutes. Mandatory federal partners and  
20 optional federal partners, ~~including the WAGES Program State~~  
21 ~~Board of Directors~~, shall be fully involved in designing the  
22 plan's one-stop delivery ~~Career Center~~ system strategy. The  
23 plan shall detail a process to clearly define each program's  
24 statewide duties and role relating to the system. Any optional  
25 federal partner may immediately choose to fully integrate its  
26 program's plan with this plan, which shall, notwithstanding  
27 any other state provisions, fulfill all their state planning  
28 and reporting requirements as they relate to the one-stop  
29 delivery system ~~Career Centers~~. The plan shall detail a  
30 process that would fully integrate all federally mandated and  
31 optional partners by the second year of the plan. All optional

1 federal program partners in the planning process shall be  
2 mandatory participants in the second year of the plan.

3 (3) FUNDING.--

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

11 1. At least 50 percent of the Title I funds for Adults  
12 and Dislocated Workers that are passed through to regional  
13 workforce ~~development~~ boards shall be allocated to Individual  
14 Training Accounts unless a regional workforce ~~development~~  
15 board obtains a waiver from ~~the~~ Workforce Florida, Inc.  
16 ~~Development Board.~~ Tuition, fees, and performance-based  
17 incentive awards paid in compliance with Florida's  
18 Performance-Based Incentive Fund Program qualify as an  
19 Individual Training Account expenditure, as do other programs  
20 developed by regional workforce ~~development~~ boards in  
21 compliance with ~~the Workforce Development Board's~~ policies of  
22 Workforce Florida, Inc.

23 2. Fifteen percent of Title I funding shall be  
24 retained at the state level and shall be dedicated to state  
25 administration and used to design, develop, induce, and fund  
26 innovative Individual Training Account pilots, demonstrations,  
27 and programs. Of such funds retained at the state level, \$2  
28 million shall be reserved for the Incumbent Worker Training  
29 Program, created under subparagraph 3. Eligible state  
30 administration costs include the costs of: funding for ~~of~~ the  
31 ~~Workforce Development~~ board and ~~Workforce Development Board's~~

1 staff of Workforce Florida, Inc.; operating fiscal,  
2 compliance, and management accountability systems through ~~the~~  
3 Workforce Florida, Inc. Development Board; conducting  
4 evaluation and research on workforce development activities;  
5 and providing technical and capacity building assistance to  
6 regions at the direction of ~~the~~ Workforce Florida, Inc.  
7 ~~Development Board~~. Notwithstanding s. 445.004 288.9952, such  
8 administrative costs shall not exceed 25 percent of these  
9 funds. An amount not to exceed 75 ~~Seventy~~ percent of these  
10 funds shall be allocated to Individual Training Accounts and  
11 other workforce development strategies for: the Minority  
12 Teacher Education Scholars program, the Certified Teacher-Aide  
13 program, the Self-Employment Institute, and other training  
14 ~~Individual Training Accounts~~ designed and tailored by ~~the~~  
15 Workforce Florida, Inc. Development Board, including, but not  
16 limited to, programs for incumbent workers, displaced  
17 homemakers, nontraditional employment, empowerment zones, and  
18 enterprise zones. ~~The~~ Workforce Florida, Inc., Development  
19 ~~Board~~ shall design, adopt, and fund Individual Training  
20 Accounts for distressed urban and rural communities. ~~The~~  
21 ~~remaining 5 percent shall be reserved for the Incumbent Worker~~  
22 ~~Training Program.~~

23 3. The Incumbent Worker Training Program is created  
24 for the purpose of providing grant funding for continuing  
25 education and training of incumbent employees at existing  
26 Florida businesses. The program will provide reimbursement  
27 grants to businesses that pay for preapproved, direct,  
28 training-related costs.

29 a. The Incumbent Worker Training Program will be  
30 administered by ~~a private business organization, known as the~~  
31 ~~grant administrator, under contract with the~~ Workforce

1 Florida, Inc.~~Development Board.~~Workforce Florida, Inc., at  
2 its discretion, may contract with a private business  
3 organization to serve as grant administrator.

4       b. To be eligible for the program's grant funding, a  
5 business must have been in operation in Florida for a minimum  
6 of 1 year prior to the application for grant funding; have at  
7 least one full-time employee; demonstrate financial viability;  
8 and be current on all state tax obligations. Priority for  
9 funding shall be given to businesses with 25 employees or  
10 fewer, businesses in rural areas, businesses in distressed  
11 inner-city areas, businesses in a qualified targeted industry,  
12 ~~or~~ businesses whose grant proposals represent a significant  
13 upgrade in employee skills, or businesses whose grant  
14 proposals represent a significant layoff avoidance strategy.

15       c. All costs reimbursed by the program must be  
16 preapproved by Workforce Florida, Inc., or the grant  
17 administrator. The program will not reimburse businesses for  
18 trainee wages, the purchase of capital equipment, or the  
19 purchase of any item or service that may possibly be used  
20 outside the training project. A business approved for a grant  
21 may be reimbursed for preapproved, direct, training-related  
22 costs including tuition and fees; books and classroom  
23 materials; and overhead or indirect ~~administrative~~ costs not  
24 to exceed 5 percent of the grant amount.

25       d. A business that is selected to receive grant  
26 funding must provide a matching contribution to the training  
27 project, including, but not limited to, wages paid to trainees  
28 or the purchase of capital equipment used in the training  
29 project; must sign an agreement with Workforce Florida, Inc.,  
30 or the grant administrator to complete the training project as  
31 proposed in the application; must keep accurate records of the

1 project's implementation process; and must submit monthly or  
2 quarterly reimbursement requests with required documentation.

3 e. All Incumbent Worker Training Program grant  
4 projects shall be performance-based with specific measurable  
5 performance outcomes, including completion of the training  
6 project and job retention. Workforce Florida, Inc., or the  
7 grant administrator shall withhold the final payment to the  
8 grantee until a final grant report is submitted and all  
9 performance criteria specified in the grant contract have been  
10 achieved.

11 f. ~~The~~ Workforce Florida, Inc., ~~may~~ ~~Development Board~~  
12 ~~is authorized to~~ establish guidelines necessary to implement  
13 the Incumbent Worker Training Program.

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

17 h. Workforce Florida, Inc., shall ~~The grant~~  
18 ~~administrator is required to~~ submit a report to the ~~Workforce~~  
19 ~~Development Board and~~ the Legislature on the financial and  
20 general operations of the Incumbent Worker Training Program.  
21 Such report will be due before October ~~December~~ 1 of any  
22 fiscal year for which the program is funded by the  
23 Legislature.

24 4. At least 50 percent of Rapid Response funding shall  
25 be dedicated to Intensive Services Accounts and Individual  
26 Training Accounts for dislocated workers and incumbent workers  
27 who are at risk of dislocation. ~~The~~ Workforce Florida, Inc.,  
28 ~~Development Board~~ shall also maintain an Emergency  
29 Preparedness Fund from Rapid Response funds which will  
30 immediately issue Intensive Service Accounts and Individual  
31 Training Accounts as well as other federally authorized

1 assistance to eligible victims of natural or other disasters.  
2 At the direction of the Governor, for events that qualify  
3 under federal law, these Rapid Response funds shall be  
4 released to regional workforce ~~development~~ boards for  
5 immediate use. Funding shall also be dedicated to maintain a  
6 unit at the state level to respond to Rapid Response  
7 emergencies around the state, to work with state emergency  
8 management officials, and to work with regional workforce  
9 ~~development~~ boards. All Rapid Response funds must be expended  
10 based on a plan developed by the Workforce Florida, Inc.,  
11 ~~Development Board~~ and approved by the Governor.

12 (b) The administrative entity for Title I, Workforce  
13 Investment Act of 1998 funds, and Rapid Response activities,  
14 shall will be the Agency for Workforce Innovation, which shall  
15 provide ~~determined by the Workforce Development Board, except~~  
16 ~~that the administrative entity for Rapid Response for fiscal~~  
17 ~~year 1999-2000 must be the Department of Labor and Employment~~  
18 ~~Security. The administrative entity will provide services~~  
19 ~~through a contractual agreement with the Workforce Development~~  
20 ~~Board. The terms and conditions of the agreement may include,~~  
21 ~~but are not limited to, the following:~~

22 1. ~~All policy direction to regional workforce~~  
23 ~~development boards regarding Title I programs and Rapid~~  
24 ~~Response activities pursuant to the direction of~~ shall emanate  
25 ~~from the Workforce Florida, Inc Development Board.~~

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

30 3. ~~The administrative entity will operate under a~~  
31 ~~procedures manual, approved by the Workforce Development~~



1 ~~Board, addressing: financial services including cash~~  
2 ~~management, accounting, and auditing; procurement; management~~  
3 ~~information system services; and federal and state compliance~~  
4 ~~monitoring, including quality control.~~

5 ~~4. State Career Service employees in the Department of~~  
6 ~~Labor and Employment Security may be leased or assigned to the~~  
7 ~~administrative entity to provide administrative and~~  
8 ~~professional functions.~~

9 (4) FEDERAL REQUIREMENTS, EXCEPTIONS AND REQUIRED  
10 MODIFICATIONS.--

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

15 (b) ~~The Workforce Florida, Inc., Development Board~~ may  
16 negotiate and settle all outstanding issues with the United  
17 States Department of Labor relating to decisions made by ~~the~~  
18 Workforce Florida, Inc., any predecessor workforce  
19 organization, Development Board and the Legislature with  
20 regard to the Job Training Partnership Act, making settlements  
21 and closing out all JTPA program year grants ~~before the repeal~~  
22 ~~of the act June 30, 2000.~~

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

31 (5) The Department of Labor and Employment Security

1 shall phase-down JTPA duties before the federal program is  
2 abolished July 1, 2000. Outstanding accounts and issues shall  
3 be completed prior to transfer to the Agency for Workforce  
4 Innovation promptly closed out after this date.

5 (6) LONG-TERM CONSOLIDATION OF WORKFORCE  
6 DEVELOPMENT.--

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

11 (b) ~~By December 31, 1999,~~ The Office of Program Policy  
12 Analysis and Government Accountability shall review the  
13 workforce development system, as established by this act  
14 ~~identifying divisions, bureaus, units, programs, duties,~~  
15 ~~commissions, boards, and councils that could be eliminated,~~  
16 ~~consolidated, or privatized.~~ The office shall submit  
17 ~~preliminary findings by December 31, 1999,~~ and its final  
18 report and recommendations by December January 31, 2002 2000,  
19 to the President of the Senate and the Speaker of the House of  
20 Representatives. ~~As part of the report, the Office of Program~~  
21 ~~Policy Analysis and Government Accountability shall~~  
22 ~~specifically identify, by funding stream, indirect,~~  
23 ~~administrative, management information system, and overhead~~  
24 ~~costs of the Department of Labor and Employment Security.~~

25 (7) ~~TERMINATION OF SET-ASIDE.--~~For those state and  
26 federal set-asides terminated by the federal Workforce  
27 Investment Act of 1998, the Department of Education, the  
28 Office of Tourism, Trade, and Economic Development within the  
29 Executive Office of the Governor, and the Department of Elder  
30 Affairs shall keep all unexpended JTPA 123 (Education  
31 Coordination), JTPA III (Dislocated Workers), or JTPA IIA

1 ~~(Services for Older Adults) funds to closeout their education~~  
2 ~~and coordination activities. The Workforce Development Board~~  
3 ~~shall develop guidelines under which the departments may~~  
4 ~~negotiate with the regional workforce development boards to~~  
5 ~~provide continuation of activities and services currently~~  
6 ~~conducted with the JTPA Section 123 or JTPA IIA funds.~~

7 Section 4. Section 288.9952, Florida Statutes, is  
8 transferred, renumbered as section 445.004, Florida Statutes,  
9 and amended to read:

10 445.004 288.9952 Workforce Florida, Inc.; creation;  
11 purpose; membership; duties and powers Development Board.--

12 (1) There is created ~~within the not-for-profit~~  
13 ~~corporate structure of Enterprise Florida, Inc., a~~  
14 not-for-profit corporation, to be known as "Workforce Florida,  
15 Inc.," which shall be registered, incorporated, organized, and  
16 operated in compliance with chapter 617, and which shall not  
17 be a unit or entity of state government. Workforce Florida,  
18 Inc., shall be administratively housed within the Agency for  
19 Workforce Innovation; however, Workforce Florida, Inc., shall  
20 not be subject to control, supervision, or direction by the  
21 Agency for Workforce Innovation in any manner. The Legislature  
22 determines, however, that public policy dictates that  
23 Workforce Florida, Inc., operate in the most open and  
24 accessible manner consistent with its public purpose. To this  
25 end, the Legislature specifically declares that Workforce  
26 Florida, Inc., its board, councils, and any advisory  
27 committees or similar groups created by Workforce Florida,  
28 Inc., are subject to the provisions of chapter 119 relating to  
29 public records, and those provisions of chapter 286 relating  
30 to public meetings public-private Workforce Development Board.

31 (2) Workforce Florida, Inc., is the principal

1 workforce policy organization for the state.The purpose of  
2 ~~the Workforce Florida, Inc., Development Board~~ is to design  
3 and implement strategies that help Floridians enter, remain  
4 in, and advance in the workplace, becoming more highly skilled  
5 and successful, benefiting these Floridians, Florida  
6 businesses, and the entire state, and to assist in developing  
7 the state's business climate.

8 (3)(2)(a) The Workforce Florida, Inc., Development  
9 ~~Board~~ shall be governed by a ~~25-voting-member~~ board of  
10 directors, the number of directors to be determined by the  
11 Governor, whose membership and appointment must be consistent  
12 with Pub. L. No. 105-220, Title I, s. 111(b), and contain one  
13 member representing the licensed nonpublic postsecondary  
14 educational institutions authorized as individual training  
15 account providers, one member from the staffing service  
16 industry, and two ~~three~~ representatives of organized labor who  
17 shall be appointed by the Governor. Notwithstanding s.  
18 114.05(1)(f)~~s. 114.05(f)~~, the Governor may appoint remaining  
19 members to Workforce Florida, Inc., from of the current  
20 Workforce Development Board and the WAGES Program State Board  
21 of Directors, established pursuant to chapter 96-175, Laws of  
22 Florida, to serve on the reconstituted board ~~as required by~~  
23 ~~this section.~~ By July 1, 2000 ~~June 1, 1999~~, the Workforce  
24 Development Board will provide to the Governor a transition  
25 plan to incorporate the changes required by this act and Pub.  
26 L. No. 105-220, specifying the ~~timeframe and~~ manner of changes  
27 to the board. This plan shall govern the transition, unless  
28 otherwise notified by the Governor. The importance of  
29 minority, ~~and~~ gender, and geographic representation shall be  
30 considered when making appointments to the board. ~~Additional~~  
31 ~~members may be appointed when necessary to conform to the~~

1 ~~requirements of Pub. L. No. 105-220.~~

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

5 (c) ~~Private-sector~~ Members appointed by the Governor  
6 must be appointed for 2-year ~~4-year, staggered~~ terms.  
7 ~~Public-sector members appointed by the Governor must be~~  
8 ~~appointed to 4-year terms.~~ Private sector representatives of  
9 businesses, appointed by the Governor pursuant to Pub. L. No.  
10 105-220, shall constitute a majority of the membership of the  
11 board. Private sector representatives shall be appointed from  
12 nominations received by the Governor from any member of the  
13 Legislature. A member of the Legislature may submit more than  
14 one board nomination to the Governor. Private sector  
15 appointments to the board shall be representative of the  
16 business community of this state and no less than one-half of  
17 the appointments to the board must be representative of small  
18 businesses. Members appointed by the Governor serve at the  
19 pleasure of the Governor and are eligible for reappointment.

20 (d) The Governor shall appoint members to the board of  
21 directors of ~~the~~ Workforce Florida, Inc., Development Board  
22 within 30 days after the receipt of a sufficient number of  
23 nominations.

24 (e) A member of the board of directors of ~~the~~  
25 Workforce Florida, Inc., Development Board may be removed by  
26 the Governor for cause. Absence from three consecutive  
27 meetings results in automatic removal. The chair of ~~the~~  
28 Workforce Florida, Inc., Development Board shall notify the  
29 Governor of such absences.

30 (f) Representatives of businesses appointed to the  
31 board of directors may not include providers of workforce

1 services.

2 ~~(4)(3)~~(a) The president of ~~the~~ Workforce Florida,  
3 Inc., Development Board shall be hired by the board of  
4 directors of Workforce ~~president of Enterprise~~ Florida, Inc.,  
5 and shall serve at the pleasure of the Governor in the  
6 capacity of an executive director and secretary of ~~the~~  
7 Workforce Florida, Inc. Development Board.

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

11 (c) A majority of the total current membership of the  
12 board of directors of ~~the~~ Workforce Florida, Inc., Development  
13 Board comprises a quorum of the board.

14 (d) A majority of those voting is required to organize  
15 and conduct the business of the ~~Workforce Development~~ board,  
16 except that a majority of the entire board of directors ~~of the~~  
17 ~~Workforce Development Board~~ is required to adopt or amend the  
18 operational plan.

19 (e) Except as delegated or authorized by the board of  
20 directors of ~~the~~ Workforce Florida, Inc. Development Board,  
21 individual members have no authority to control or direct the  
22 operations of ~~the~~ Workforce Florida, Inc., Development Board  
23 or the actions of its officers and employees, including the  
24 president.

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

28 ~~(f)(g)~~ Members of the board of directors of ~~the~~  
29 Workforce Florida, Inc., Development Board and its committees  
30 shall serve without compensation, but these members, the  
31 president, and all employees of ~~the~~ Workforce Florida, Inc.,

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1 ~~Development Board~~ may be reimbursed for all reasonable,  
2 necessary, and actual expenses pursuant to s. 112.061, ~~as~~  
3 ~~determined by the board of directors of Enterprise Florida,~~  
4 ~~Inc.~~

5 (g)(h) The board of directors of ~~the~~ Workforce  
6 Florida, Inc., Development Board may establish an executive  
7 committee consisting of the chair and at least six ~~two~~  
8 additional board members selected by the board of directors,  
9 one of whom must be a representative of organized labor. The  
10 executive committee and the president shall have such  
11 authority as the board ~~of directors of the Workforce~~  
12 ~~Development Board~~ delegates to it, except that the board of  
13 directors may not delegate to the executive committee  
14 authority to take action that requires approval by a majority  
15 of the entire board of directors.

16 (h)(i) The chair ~~board of directors of the Workforce~~  
17 ~~Development Board~~ may appoint committees to fulfill its  
18 responsibilities, to comply with federal requirements, or to  
19 obtain technical assistance, and must incorporate members of  
20 regional workforce development boards into its structure. At a  
21 minimum, the chair shall establish the following standing  
22 councils: the First Jobs/First Wages Council, the Better  
23 Jobs/Better Wages Council, and the High Skills/High Wages  
24 Council. For purposes of Pub. L. No. 105-220, the First  
25 Jobs/First Wages Council shall serve as the state's youth  
26 council.

27 (i)(j) Each member of the board of directors ~~of the~~  
28 ~~Workforce Development Board~~ who is not otherwise required to  
29 file a financial disclosure pursuant to s. 8, Art. II of the  
30 State Constitution or s. 112.3144 must file disclosure of  
31 financial interests pursuant to s. 112.3145.

1           ~~(5)(4) The~~ Workforce Florida, Inc., Development Board  
2 shall have all the powers and authority, not explicitly  
3 prohibited by statute, necessary or convenient to carry out  
4 and effectuate the purposes as determined by statute, Pub. L.  
5 No. 105-220, and the Governor, as well as its functions,  
6 duties, and responsibilities, including, but not limited to,  
7 the following:

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

14           **(b) Providing oversight and policy direction to ensure**  
15 **that the following programs are administered by the Agency for**  
16 **Workforce Innovation in compliance with approved plans and**  
17 **under contract with Workforce Florida, Inc.:**

18           **1. Programs authorized under Title I of the Workforce**  
19 **Investment Act of 1998, Pub. L. No. 105-220, with the**  
20 **exception of programs funded directly by the United States**  
21 **Department of Labor under Title I, s. 167.**

22           **2. Programs authorized under the Wagner-Peyser Act of**  
23 **1933, as amended, 29 U.S.C. ss. 49 et seq.**

24           **3. Welfare-to-work grants administered by the United**  
25 **States Department of Labor under Title IV, s. 403, of the**  
26 **Social Security Act, as amended.**

27           **4. Activities authorized under Title II of the Trade**  
28 **Act of 1974, as amended, 2 U.S.C. ss. 2271 et seq., and the**  
29 **Trade Adjustment Assistance Program.**

30           **5. Activities authorized under 38 U.S.C., chapter 41,**  
31 **including job counseling, training, and placement for**



1 veterans.

2 6. Employment and training activities carried out  
3 under the Community Services Block Grant Act, 42 U.S.C. ss.  
4 9901 et seq.

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

8 8. Welfare transition services funded by the Temporary  
9 Assistance for Needy Families Program, created under the  
10 Personal Responsibility and Work Opportunity Reconciliation  
11 Act of 1996, as amended, Pub. L. No. 104-193, and Title IV, s.  
12 403, of the Social Security Act, as amended.

13 9. Displaced homemaker programs, provided under s.  
14 446.50.

15 10. The Florida Bonding Program, provided under Pub.  
16 L. No. 97-300, s. 164(a)(1).

17 11. The Food Stamp Employment and Training Program,  
18 provided under the Food Stamp Act of 1977, U.S.C. ss.  
19 2011-2032, the Food Security Act of 1988, Pub. L. No. 99-198,  
20 and the Hunger Prevention Act, Pub. L. No. 100-435.

21 12. The Quick-Response Training Program, provided  
22 under ss. 288.046-288.047. Matching funds and in-kind  
23 contributions that are provided by clients of the  
24 Quick-Response Training Program shall count toward the  
25 requirements of s. 299.90151(5)(d), pertaining to the return  
26 on investment from activities of Enterprise Florida, Inc.

27 13. The Work Opportunity Tax Credit, provided under  
28 the Tax and Trade Relief Extension Act of 1998, Pub. L. No.  
29 105-277, and the Taxpayer Relief Act of 1997, Pub. L. 105-34.

30 14. Offender placement services, provided under ss.  
31 944.707-944.708.

1           15. Programs authorized under the National and  
2 Community Service Act of 1990, 42 U.S.C. ss. 12501 et seq.,  
3 and the Service-America programs, the National Service Trust  
4 programs, the Civilian Community Corps, the Corporation for  
5 National and Community Service, the American Conservation and  
6 Youth Service Corps, and the Points of Light Foundation  
7 programs, if such programs are awarded to the state.

8           ~~(c)(b)~~ Contracting with public and private entities as  
9 necessary to further the directives of this section. All  
10 contracts executed by Workforce Florida, Inc., must include  
11 specific performance expectations and deliverables., except  
12 ~~that any contract made with an organization represented on the~~  
13 ~~board of directors of Enterprise Florida, Inc., or on the~~  
14 ~~board of directors of the Workforce Development Board must be~~  
15 ~~approved by a two-thirds vote of the entire board of directors~~  
16 ~~of the Workforce Development Board, and, if applicable, the~~  
17 ~~board member representing such organization shall abstain from~~  
18 ~~voting. No more than 65 percent of the dollar value of all~~  
19 ~~contracts or other agreements entered into in any fiscal year,~~  
20 ~~exclusive of grant programs, shall be made with an~~  
21 ~~organization represented on the board of directors of~~  
22 ~~Enterprise Florida, Inc., or the board of directors of the~~  
23 ~~Workforce Development Board. An organization represented on~~  
24 ~~the board of directors of the Workforce Development Board or~~  
25 ~~on the board of directors of Enterprise Florida, Inc., may not~~  
26 ~~enter into a contract to receive a state-funded economic~~  
27 ~~development incentive or similar grant unless such incentive~~  
28 ~~award is specifically endorsed by a two-thirds vote of the~~  
29 ~~entire board of directors of the Workforce Development Board.~~  
30 ~~The member of the board of directors of the Workforce~~  
31 ~~Development Board representing such organization, if~~

1 ~~applicable, shall abstain from voting and refrain from~~  
2 ~~discussing the issue with other members of the board. No more~~  
3 ~~than 50 percent of the dollar value of grants issued by the~~  
4 ~~board in any fiscal year may go to businesses associated with~~  
5 ~~members of the board of directors of the Workforce Development~~  
6 ~~Board.~~

7 ~~(c) Providing an annual report to the board of~~  
8 ~~directors of Enterprise Florida, Inc., by November 1 that~~  
9 ~~includes a copy of an annual financial and compliance audit of~~  
10 ~~its accounts and records conducted by an independent certified~~  
11 ~~public accountant and performed in accordance with rules~~  
12 ~~adopted by the Auditor General.~~

13 (d) Notifying the Governor, the President of the  
14 Senate, and the Speaker of the House of Representatives of  
15 noncompliance by the Agency for Workforce Innovation or other  
16 agencies or obstruction of the board's efforts by such  
17 agencies. Upon such notification, the Executive Office of the  
18 Governor shall assist agencies to bring them into compliance  
19 with board objectives.

20 (e) Ensuring that the state does not waste valuable  
21 training resources. Thus, the board shall direct that all  
22 resources, including equipment purchased for training  
23 Workforce Investment Act clients, be available for use at all  
24 times by eligible populations as first priority users. At  
25 times when eligible populations are not available, such  
26 resources shall be used for any other state authorized  
27 education and training purpose.

28 (f) Archiving records with the Bureau of Archives and  
29 Records Management of the Division of Library and Information  
30 Services of the Department of State.

31 ~~(5) Notwithstanding s. 216.351, to allow time for~~

1 ~~documenting program performance, funds allocated for the~~  
2 ~~incentives in s. 239.249 must be carried forward to the next~~  
3 ~~fiscal year and must be awarded for the current year's~~  
4 ~~performance, unless federal law requires the funds to revert~~  
5 ~~at the year's end.~~

6 (6) ~~The Workforce Florida, Inc., Development Board~~ may  
7 take action that it deems necessary to achieve the purposes of  
8 this section, including, but not limited to:~~and consistent~~  
9 ~~with the policies of the board of directors of Enterprise~~  
10 ~~Florida, Inc., in partnership with private enterprises, public~~  
11 ~~agencies, and other organizations. The Workforce Development~~  
12 ~~Board shall advise and make recommendations to the board of~~  
13 ~~directors of Enterprise Florida, Inc., and through that board~~  
14 ~~of directors to the State Board of Education and the~~  
15 ~~legislature concerning action needed to bring about the~~  
16 ~~following benefits to the state's social and economic~~  
17 ~~resources:~~

18 (a) Creating a state employment, education, and  
19 training policy that ensures that programs to prepare workers  
20 are responsive to present and future business and industry  
21 needs and complement the initiatives of Enterprise Florida,  
22 Inc.

23 (b) Establishing policy direction for a funding system  
24 that provides incentives to improve the outcomes of vocational  
25 education programs, and of registered apprenticeship and  
26 work-based learning programs, and that focuses resources on  
27 occupations related to new or emerging industries that add  
28 greatly to the value of the state's economy.

29 (c) Establishing a comprehensive policy related  
30 approach to the education and training of target populations  
31 such as those who have disabilities, are economically

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1 disadvantaged, receive public assistance, are not proficient  
2 in English, or are dislocated workers. This approach should  
3 ensure the effective use of federal, state, local, and private  
4 resources in reducing the need for public assistance.

5 (d) Designating ~~The designation of~~ Institutes of  
6 Applied Technology composed of public and private  
7 postsecondary institutions working together with business and  
8 industry to ensure that technical and vocational education  
9 programs use the most advanced technology and instructional  
10 methods available and respond to the changing needs of  
11 business and industry. ~~Of the funds reserved for activities of~~  
12 ~~the Workforce Investment Act at the state level, \$500,000~~  
13 ~~shall be reserved for an institute of applied technology in~~  
14 ~~construction excellence, which shall be a demonstration~~  
15 ~~project on the development of such institutes. The institute,~~  
16 ~~once established, shall contract with the Workforce~~  
17 ~~Development Board to provide a coordinated approach to~~  
18 ~~workforce development in this industry.~~

19 (e) Providing policy direction for a system to project  
20 and evaluate labor market supply and demand using the results  
21 of the Workforce Estimating Occupational Forecasting  
22 Conference created in s. 216.136 and the career education  
23 performance standards identified under s. 239.233.

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

28 (g) Expanding the occupations identified by the  
29 Workforce Estimating Conference to meet needs created by local  
30 emergencies or plant closings or to capture occupations within  
31 emerging industries.

1           (7) By December 1 of each year, Workforce Enterprise  
2 Florida, Inc., shall submit to the Governor, the President of  
3 the Senate, the Speaker of the House of Representatives, the  
4 Senate Minority Leader, and the House Minority Leader a  
5 complete and detailed annual report ~~by the Workforce~~  
6 ~~Development Board~~ setting forth:

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

9           (b) The operations and accomplishments of the  
10 partnership including the programs or entities listed in  
11 subsection (6).

12           (8) The Auditor General may, pursuant to his or her  
13 own authority or at the direction of the Legislative Auditing  
14 Committee, conduct an audit of ~~the Workforce Florida, Inc.,~~  
15 ~~Development Board~~ or the programs or entities created by ~~the~~  
16 Workforce Florida, Inc. Development Board. The Office of  
17 Program Policy Analysis and Government Accountability,  
18 pursuant to its authority or at the direction of the  
19 Legislative Auditing Committee, may review the systems and  
20 controls related to performance outcomes and quality of  
21 services of Workforce Florida, Inc.

22           (9) ~~The Workforce Florida, Inc. Development Board,~~ in  
23 collaboration with the regional workforce ~~development~~ boards  
24 and appropriate state agencies and local public and private  
25 service providers, and in consultation with the Office of  
26 Program Policy Analysis and Government Accountability, shall  
27 establish uniform measures and standards to gauge the  
28 performance of the workforce development strategy. These  
29 measures and standards must be organized into three outcome  
30 tiers.

31           (a) The first tier of measures must be organized to

1 provide benchmarks for systemwide outcomes. ~~The Workforce~~  
2 ~~Florida, Inc., Development Board~~ must, in collaboration with  
3 the Office of Program Policy Analysis and Government  
4 Accountability, establish goals for the tier-one outcomes.  
5 Systemwide outcomes may include employment in occupations  
6 demonstrating continued growth in wages; continued employment  
7 after 3, 6, 12, and 24 months; reduction in and elimination of  
8 public assistance reliance; job placement; employer  
9 satisfaction; and positive return on investment of public  
10 resources.

11 (b) The second tier of measures must be organized to  
12 provide a set of benchmark outcomes for the initiatives of the  
13 First Jobs/First Wages Council, the Better Jobs/Better Wages  
14 Council, and the High Skills/High Wages Council ~~one-stop~~  
15 ~~Career Centers~~ and for each of the strategic components of the  
16 workforce development strategy. ~~A set of standards and~~  
17 ~~measures must be developed for one-stop Career Centers, youth~~  
18 ~~employment activities, WAGES, and High Skills/High Wages,~~  
19 ~~targeting the specific goals of each particular strategic~~  
20 ~~component.~~ Cost per entered employment, earnings at placement,  
21 retention in employment, job placement, and entered employment  
22 rate must be included among the performance outcome measures.

23 ~~1. Appropriate measures for one-stop Career Centers~~  
24 ~~may include direct job placements at minimum wage, at a wage~~  
25 ~~level established by the Occupational Forecasting Conference,~~  
26 ~~and at a wage level above the level established by the~~  
27 ~~Occupational Forecasting Conference.~~

28 ~~2. Appropriate measures for youth employment~~  
29 ~~activities may include the number of students enrolling in and~~  
30 ~~completing work-based programs, including apprenticeship~~  
31 ~~programs; job placement rate; job retention rate; wage at~~

1 ~~placement; and wage growth.~~

2 ~~3. WAGES measures may include job placement rate, job~~  
3 ~~retention rate, wage at placement, wage growth, reduction and~~  
4 ~~elimination of reliance on public assistance, and savings~~  
5 ~~resulting from reduced reliance on public assistance.~~

6 ~~4. High Skills/High Wages measures may include job~~  
7 ~~placement rate, job retention rate, wage at placement, and~~  
8 ~~wage growth.~~

9 (c) The third tier of measures must be the operational  
10 output measures to be used by the agency implementing  
11 programs, and it may be specific to federal requirements. The  
12 tier-three measures must be developed by the agencies  
13 implementing programs, and ~~the~~ Workforce Florida, Inc.,  
14 ~~Development Board~~ may be consulted in this effort. Such  
15 measures must be reported to ~~the~~ Workforce Florida, Inc.,  
16 ~~Development Board~~ by the appropriate implementing agency.

17 (d) Regional differences must be reflected in the  
18 establishment of performance goals and may include job  
19 availability, unemployment rates, average worker wage, and  
20 available employable population. ~~All performance goals must be~~  
21 ~~derived from the goals, principles, and strategies established~~  
22 ~~in the Workforce Florida Act of 1996.~~

23 (e) Job placement must be reported pursuant to s.  
24 229.8075. Positive outcomes for providers of education and  
25 training must be consistent with ss. 239.233 and 239.245.

26 (f) The uniform measures of success that are adopted  
27 by ~~the~~ Workforce Florida, Inc., ~~Development Board~~ or the  
28 regional workforce ~~development~~ boards must be developed in a  
29 manner that provides for an equitable comparison of the  
30 relative success or failure of any service provider in terms  
31 of positive outcomes.



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

8           (10) The workforce development strategy for the state  
9 shall be designed by Workforce Florida, Inc., and shall be  
10 centered around the strategies of First Jobs/First Wages,  
11 Better Jobs/Better Wages, and High Skills/High Wages.

12           (a) First Jobs/First Wages is the state's strategy to  
13 promote successful entry into the workforce through education  
14 and workplace experience that lead to self-sufficiency and  
15 career advancement. The components of the strategy include  
16 efforts that enlist business, education, and community support  
17 for students to achieve long-term career goals, ensuring that  
18 young people have the academic and occupational skills  
19 required to succeed in the workplace.

20           (b) Better Jobs/Better Wages is the state's strategy  
21 for assisting employers in upgrading or updating the skills of  
22 their employees and for assisting incumbent workers in  
23 improving their performance in their current jobs or acquiring  
24 the education or training needed to secure a better job with  
25 better wages.

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

31           (11) The workforce development system shall use a

1 charter-process approach aimed at encouraging local design and  
2 control of service delivery and targeted activities. Workforce  
3 Florida, Inc., shall be responsible for granting charters to  
4 regional workforce boards that have a membership consistent  
5 with the requirements of federal and state law and that have  
6 developed a plan consistent with the state's workforce  
7 development strategy. The plan must specify methods for  
8 allocating the resources and programs in a manner that  
9 eliminates unwarranted duplication, minimizes administrative  
10 costs, meets the existing job market demands and the job  
11 market demands resulting from successful economic development  
12 activities, ensures access to quality workforce development  
13 services for all Floridians, allows for pro rata or partial  
14 distribution of benefits and services, prohibits the creation  
15 of a waiting list or other indication of an unserved  
16 population, serves as many individuals as possible within  
17 available resources, and maximizes successful outcomes. As  
18 part of the charter process, Workforce Florida, Inc., shall  
19 establish incentives for effective coordination of federal and  
20 state programs, outline rewards for successful job placements,  
21 and institute collaborative approaches among local service  
22 providers. Local decisionmaking and control shall be important  
23 components for inclusion in this charter application.

24 Section 5. Section 445.005, Florida Statutes, is  
25 created to read:

26 445.005 First Jobs/First Wages, Better Jobs/Better  
27 Wages, and High Skills/High Wages Councils of Workforce  
28 Florida, Inc.--

29 (1) The chair of Workforce Florida, Inc., shall  
30 establish by October 1, 2000, three standing councils, which  
31 shall be known as the First Jobs/First Wages Council, the

1 Better Jobs/Better Wages Council, and the High Skills/High  
2 Wages Council.

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

5 (b) Each council shall be composed of individuals  
6 appointed by the chair of Workforce Florida, Inc., from the  
7 membership of the board of directors and individuals from  
8 outside Workforce Florida, Inc., who possess relevant  
9 experience or expertise in the subject area of the council. A  
10 majority of the membership of each council must be members of  
11 the board of directors of Workforce Florida, Inc.

12 (c) The chair of Workforce Florida, Inc., shall name a  
13 chair for each council from among the members of the council  
14 who are also members of the board of directors.

15 (d) Each council may meet at the call of its chair or  
16 at the direction of the board of directors of Workforce  
17 Florida, Inc., but shall meet at least quarterly.

18 (2) The First Jobs/First Wages Council shall develop  
19 strategies for approval by the board of directors of Workforce  
20 Florida, Inc., which promote the successful entry of  
21 individuals, including young people and adults working for the  
22 first time, into the workforce. The council shall advise the  
23 board of directors and make recommendations on implementing  
24 programs and expending funds in support of the First  
25 Jobs/First Wages Program's strategies. The council shall serve  
26 as the state's youth council for purposes of Pub. L. No.  
27 105-220.

28 (3) The Better Jobs/Better Wages Council shall develop  
29 strategies for approval by the board of directors of Workforce  
30 Florida, Inc., which promote the ability of adult workers to  
31 build careers by obtaining and retaining jobs with potential

1 for advancement. The mission of the council includes  
2 developing strategies that promote the ability of participants  
3 in the welfare transition program to succeed in the workforce  
4 and avoid a return to dependence upon cash assistance from the  
5 government. The council shall advise the board of directors  
6 and make recommendations on implementing programs and  
7 expending funds in support of the Better Jobs/Better Wages  
8 Program's strategies.

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

19 Section 6. Section 445.006, Florida Statutes, is  
20 created to read:

21 445.006 Strategic plan for workforce development.--

22 (1) Workforce Florida, Inc., in conjunction with state  
23 and local partners in the workforce system, shall develop a  
24 strategic plan for workforce, with the goal of producing  
25 skilled employees for employers in the state. The strategic  
26 plan shall be submitted to the Governor, the President of the  
27 Senate, and the Speaker of the House of Representatives by  
28 February 1, 2001. The strategic plan shall be updated or  
29 modified by January 1 of each year thereafter. The plan must  
30 include, but need not be limited to, strategies for:

31 (a) Fulfilling the workforce system goals and

- 1 strategies prescribed in s. 445.004;  
2 (b) Aggregating, integrating, and leveraging workforce  
3 system resources;  
4 (c) Coordinating the activities of federal, state, and  
5 local workforce system partners;  
6 (d) Addressing the workforce needs of small  
7 businesses; and  
8 (e) Fostering the participation of rural communities  
9 and distressed urban cores in the workforce system.  
10 (2) As a component of the strategic plan required  
11 under this section, Workforce Florida, Inc., shall develop a  
12 workforce marketing plan, with the goal of educating  
13 individuals inside and outside the state about the employment  
14 market and employment conditions in the state. The marketing  
15 plan must include, but need not be limited to, strategies for:  
16 (a) Distributing information to secondary and  
17 postsecondary education institutions about the diversity of  
18 businesses in the state, specific clusters of businesses or  
19 business sectors in the state, and occupations by industry  
20 which are in demand by employers in the state;  
21 (b) Distributing information about and promoting use  
22 of the Internet-based job matching and labor market  
23 information system authorized under s. 445.011; and  
24 (c) Coordinating with Enterprise Florida, Inc., to  
25 ensure that workforce marketing efforts complement the  
26 economic development marketing efforts of the state.  
27 (3) The strategic plan must include performance  
28 measures, standards, measurement criteria, and contract  
29 guidelines in the following areas with respect to participants  
30 in the welfare transition program:  
31 (a) Work participation rates, by type of activity;

1           (b) Caseload trends;  
2           (c) Recidivism;  
3           (d) Participation in diversion and relocation  
4 assistance programs;  
5           (e) Employment retention;  
6           (f) Wage growth; and  
7           (g) Other issues identified by the board of directors  
8 of Workforce Florida, Inc.  
9           (4) The strategic plan must include criteria for  
10 allocating workforce resources to regional workforce boards.  
11 With respect to allocating funds to serve customers of the  
12 welfare transition program, such criteria may include  
13 weighting factors that indicate the relative degree of  
14 difficulty associated with securing and retaining employment  
15 placements for specific subsets of the welfare transition  
16 caseload.  
17           (5)(a) The strategic plan must include a  
18 performance-based payment structure to be used for all welfare  
19 transition program customers which takes into account:  
20           1. The degree of difficulty associated with placement  
21 and retention;  
22           2. The quality of the placement with respect to  
23 salary, benefits, and opportunities for advancement; and  
24           3. The employee's retention in the placement.  
25           (b) The payment structure must provide for bonus  
26 payments of up to 10 percent of the contract amount to  
27 providers that achieve notable success in achieving contract  
28 objectives, including, but not limited to, success in  
29 diverting families in which there is an adult who is subject  
30 to work requirements from receiving cash assistance and in  
31 achieving long-term job retention and wage growth with respect

1 to welfare transition program customers. A service provider  
2 shall be paid a maximum of one payment per service for each  
3 participant during any given 6-month period.

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

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

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

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

28 4. A component that fosters responsible fatherhood in  
29 families receiving assistance; and

30 5. A component that fosters provision of services that  
31 reduce the incidence and effects of domestic violence on women

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



1 transition program participants who have a deferral from work  
2 requirements but wish to participate in activities that meet  
3 federal participation requirements.

4 11. Expectations regarding continued participant  
5 awareness of available services and benefits.

6 Section 7. Section 288.9953, Florida Statutes, is  
7 transferred, renumbered as section 445.007, Florida Statutes,  
8 and amended to read:

9 445.007 ~~288.9953~~ Regional Workforce Development  
10 Boards.--

11 (1) One regional workforce ~~development~~ board shall be  
12 appointed in each designated service delivery area and shall  
13 serve as the local workforce investment board pursuant to Pub.  
14 L. No. 105-220. The membership of the board shall be  
15 consistent with Pub. L. No. 105-220, Title I, s. 117(b), and  
16 contain one representative from a nonpublic postsecondary  
17 educational institution that is an authorized individual  
18 training account provider within the region and confers  
19 certificates and diplomas, one representative from a nonpublic  
20 postsecondary educational institution that is an authorized  
21 individual training account provider within the region and  
22 confers degrees, and three representatives of organized labor.  
23 Individuals serving as members of regional workforce  
24 development boards or local WAGES coalitions, as of June 30,  
25 2000, are eligible for appointment to regional workforce  
26 boards, pursuant to this section. The importance of minority  
27 and gender representation shall be considered when making  
28 appointments to the board. If the regional workforce board  
29 enters into a contract with an organization or individual  
30 represented on the board of directors, the contract must be  
31 approved by a two-thirds vote of the entire board, and the

1 board member who could benefit financially from the  
2 transaction must abstain from voting on the contract. A board  
3 member must disclose any such conflict in a manner that is  
4 consistent with the procedures outlined in s. 112.3143.~~A~~  
5 ~~member of a regional workforce development board may not vote~~  
6 ~~on a matter under consideration by the board regarding the~~  
7 ~~provision of services by such member, or by an entity that~~  
8 ~~such member represents; vote on a matter that would provide~~  
9 ~~direct financial benefit to such member or the immediate~~  
10 ~~family of such member; or engage in any other activity~~  
11 ~~determined by the Governor to constitute a conflict of~~  
12 ~~interest as specified in the state plan.~~

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

17 (3) ~~The Workforce Florida, Inc., Development Board~~  
18 shall assign staff to meet with each regional workforce  
19 ~~development~~ board annually to review the board's performance  
20 and to certify that the board is in compliance with applicable  
21 state and federal law.

22 (4) In addition to the duties and functions specified  
23 by ~~the Workforce Florida, Inc., Development Board~~ and by the  
24 interlocal agreement approved by the local county or city  
25 governing bodies, the regional workforce ~~development~~ board  
26 shall have the following responsibilities:

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

30 (b) Conclude agreements necessary to designate the  
31 fiscal agent and administrative entity. A public or private

1 entity, including an entity established pursuant to s. 163.01,  
2 which makes a majority of the appointments to a regional  
3 workforce board may serve as the board's administrative entity  
4 if approved by Workforce Florida, Inc.

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

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

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

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

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

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

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

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

31 2. Integrated use of state education and federal

1 workforce development funds to enhance the training and  
2 placement of designated population individuals with local  
3 businesses and industries.

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

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

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

29       (9) Each regional workforce board shall establish a  
30 First Jobs/First Wages committee consisting of at least five  
31 members. This committee shall serve as the youth council for

1 purposes of Pub. L. No. 105-220.

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

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

13 Section 8. Section 445.008, Florida Statutes, is  
14 created to read:

15 445.008 Workforce Training Institute.--

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

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

31 (3) All moneys, fees, donations, or grants collected

1 by Workforce Florida, Inc., under this section shall be  
2 applied to cover all costs incurred in establishing and  
3 conducting the workforce training programs authorized under  
4 this section, including, but not limited to, salaries for  
5 instructors and costs of materials connected to such programs.

6 Section 9. Section 288.9951, Florida Statutes, is  
7 transferred, renumbered as section 445.009, Florida Statutes,  
8 and amended to read:

9 445.009 ~~288.9951~~ One-stop delivery system ~~Career~~  
10 ~~Centers~~.--

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

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

17 (b) Career counseling and educational planning.

18 (c) Consumer reports on service providers.

19 (d) Recruitment and eligibility determination.

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

22 (f) Employability skills training.

23 (g) Adult education and basic skills training.

24 (h) Technical training leading to a certification and  
25 degree.

26 (i) Claim filing for unemployment compensation  
27 services.

28 (j) Temporary income, health, nutritional, and housing  
29 assistance.

30 (k) Other appropriate and available workforce  
31 development services.

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

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

18           (b) A regional workforce board may designate as its  
19 one-stop delivery system operator any public or private entity  
20 that is eligible to provide services under any state or  
21 federal workforce program that is a mandatory or discretionary  
22 partner in the region's one-stop delivery system if approved  
23 by Workforce Florida, Inc., upon a showing by the regional  
24 workforce board that a fair and competitive process was used  
25 in the selection. As a condition of authorizing a regional  
26 workforce board to designate such an entity as its one-stop  
27 delivery system operator, Workforce Florida, Inc., must  
28 require the regional workforce board to demonstrate that  
29 safeguards are in place to ensure that the one-stop delivery  
30 system operator will not exercise an unfair competitive  
31 advantage or unfairly refer or direct customers of the



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1 one-stop delivery system to services provided by that one-stop  
2 delivery system operator. A regional workforce development  
3 board may retain its current One-Stop Career Center operator  
4 without further procurement action where the board has  
5 established a One-Stop Career Center that has complied with  
6 federal and state law.

7 (3)(4) Notwithstanding any other provision of law, any  
8 memorandum of understanding in effect on June 30, 2000,  
9 between a regional workforce board and the Department of Labor  
10 and Employment Security governing the delivery of workforce  
11 services shall remain in effect until September 30, 2000.

12 Beginning October 1, 2000, regional workforce boards shall  
13 enter into a memorandum of understanding with the Agency for  
14 Workforce Innovation for the delivery of employment services  
15 authorized by the federal Wagner-Peyser Act. This memorandum  
16 of understanding must be performance based. ~~effective July 1,~~  
17 ~~1999, regional workforce development boards shall enter into a~~  
18 ~~memorandum of understanding with the Department of Labor and~~  
19 ~~Employment Security for the delivery of employment services~~  
20 ~~authorized by Wagner-Peyser. For fiscal year 1999-2000, the~~  
21 ~~memorandum of understanding with the Department of Labor and~~  
22 ~~Employment Security must be performance-based, dedicating 15~~  
23 ~~percent of the funds to performance payments. Performance~~  
24 ~~payments shall be based on performance measures developed by~~  
25 ~~the Workforce Development Board.~~

26 (a) Unless otherwise required by federal law, at least  
27 90 percent of the Wagner-Peyser funding must go into direct  
28 customer service costs.

29 (b) Employment services must be provided through the  
30 one-stop delivery system Career Centers, under the guidance of  
31 one-stop delivery system Career Center operators. One-stop

1 delivery system operators shall have overall authority for  
2 directing the staff of the workforce system. Personnel matters  
3 shall remain under the ultimate authority of the Agency for  
4 Workforce Innovation. However, the one-stop delivery system  
5 operator shall submit to the agency information concerning the  
6 job performance of agency employees who deliver employment  
7 services. The agency shall consider any such information  
8 submitted by the one-stop delivery system operator in  
9 conducting performance appraisals of the employees.

10 (c) The agency shall retain fiscal responsibility and  
11 accountability for the administration of funds allocated to  
12 the state under the Wagner-Peyser Act. An agency employee who  
13 is providing services authorized under the Wagner-Peyser Act  
14 shall be paid using Wagner-Peyser Act funds.

15 (d) The Office of Program Policy Analysis and  
16 Government Accountability, in consultation with Workforce  
17 Florida, Inc., shall review the delivery of employment  
18 services under the Wagner-Peyser Act and the integration of  
19 those services with other activities performed through the  
20 one-stop delivery system and shall provide recommendations to  
21 the Legislature for improving the effectiveness of the  
22 delivery of employment services in this state. The Office of  
23 Program Policy Analysis and Government Accountability shall  
24 submit a report and recommendations to the Governor, the  
25 President of the Senate, and the Speaker of the House of  
26 Representatives by December 31, 2002.

27 (4)(5) One-stop delivery system ~~Career Center~~ partners  
28 identified in subsection (2) shall enter into a memorandum of  
29 understanding pursuant to Pub. L. No. 105-220, Title I, s.  
30 121, with the regional workforce ~~development~~ board. Failure of  
31 a local partner to participate cannot unilaterally block the

1 majority of partners from moving forward with their one-stop  
2 delivery system Career Centers, and the Workforce Florida,  
3 Inc. Development Board, pursuant to s. 445.004(5)(d)~~s.~~  
4 ~~288.9952(4)(d)~~, may make notification of a local partner that  
5 fails to participate.

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

12 1. Maintaining staff to serve as the first point of  
13 contact with the public seeking access to employment services  
14 who are knowledgeable about each program located in each  
15 one-stop delivery system center as well as related services.  
16 An initial determination of the programs for which a customer  
17 is likely to be eligible and any referral for a more thorough  
18 eligibility determination must be made at this first point of  
19 contact; and

20 2. Establishing an automated, integrated intake  
21 screening and eligibility process where customers will provide  
22 information through a self-service intake process that may be  
23 accessed by staff from any participating program.

24 (b) To expand electronic capabilities, the Workforce  
25 Florida, Inc. Development Board, working with regional  
26 workforce ~~development~~ boards, shall develop a centralized help  
27 center to assist regional workforce ~~development~~ boards in  
28 fulfilling core services, minimizing the need for fixed-site  
29 one-stop delivery system Career centers.

30 (c) To the extent feasible, core services shall be  
31 accessible through the Internet. Through this technology, core

1 services shall be made available at public libraries, public  
2 and private educational institutions, community centers,  
3 kiosks, neighborhood facilities, and satellite one-stop  
4 delivery system sites. Each regional workforce board's web  
5 page shall serve as a portal for contacting potential  
6 employees by integrating the placement efforts of universities  
7 and private companies, including staffing services firms, into  
8 the existing one-stop delivery system.

9       ~~(6)(7)~~ Intensive services and training provided  
10 pursuant to Pub. L. No. 105-220, shall be provided to  
11 individuals through Intensive Service Accounts and Individual  
12 Training Accounts. ~~The Workforce Florida, Inc., Development~~  
13 ~~Board~~ shall develop, ~~by July 1, 1999,~~ an implementation plan,  
14 including identification of initially eligible training  
15 providers, transition guidelines, and criteria for use of  
16 these accounts. Individual Training Accounts must be  
17 compatible with Individual Development Accounts for education  
18 allowed in federal and state welfare reform statutes.

19       ~~(7)(8)~~(a) Individual Training Accounts must be  
20 expended on programs that prepare people to enter high-wage  
21 occupations identified by the Workforce Estimating  
22 ~~Occupational Forecasting~~ Conference created by s. 216.136, and  
23 on other programs as approved by ~~the~~ Workforce Florida, Inc.  
24 ~~Development Board.~~

25       (b) For each approved training program, regional  
26 workforce ~~development~~ boards, in consultation with training  
27 providers, shall establish a fair-market purchase price to be  
28 paid through an Individual Training Account. The purchase  
29 price must be based on prevailing costs and reflect local  
30 economic factors, program complexity, and program benefits,  
31 including time to beginning of training and time to

1 completion. The price shall ensure the fair participation of  
2 public and nonpublic postsecondary educational institutions as  
3 authorized service providers and shall prohibit the use of  
4 unlawful remuneration to the student in return for attending  
5 an institution. Unlawful remuneration does not include student  
6 financial assistance programs.

7 (c) ~~The Workforce Florida, Inc., Development Board~~  
8 shall periodically review Individual Training Account pricing  
9 schedules developed by regional workforce ~~development~~ boards  
10 and present findings and recommendations for process  
11 improvement to the President of the Senate and the Speaker of  
12 the House of Representatives ~~by January 1, 2000~~.

13 (d) To the maximum extent possible, training providers  
14 shall use funding sources other than the funding provided  
15 under Pub. L. No. 105-220. A performance outcome related to  
16 alternative financing obtained by the training provider shall  
17 be established by ~~the Workforce Florida, Inc., Development~~  
18 ~~Board~~ and used for performance evaluation purposes. The  
19 performance evaluation must take into consideration the number  
20 of alternative funding sources.

21 (e) Training services provided through Individual  
22 Training Accounts must be performance-based, with successful  
23 job placement triggering full payment.

24 (f) The accountability measures to be used in  
25 documenting competencies acquired by the participant during  
26 training shall be literacy completion points and occupational  
27 completion points. Literacy completion points refers to the  
28 academic or workforce readiness competencies that qualify a  
29 person for further basic education, vocational education, or  
30 for employment. Occupational completion points refers to the  
31 vocational competencies that qualify a person to enter an

1 occupation that is linked to a vocational program.  
2 ~~(8)(9)(a)~~ Workforce Florida, Inc.~~The Department of~~  
3 ~~Management Services~~, working with the Agency for Workforce  
4 Innovation Workforce Development Board, shall coordinate among  
5 the agencies a plan for a One-Stop ~~Career Center~~ Electronic  
6 Network made up of one-stop delivery system ~~Career~~ centers and  
7 other partner agencies that are operated by authorized public  
8 or private for-profit or not-for-profit agents. The plan shall  
9 identify resources within existing revenues to establish and  
10 support this electronic network for service delivery that  
11 includes Government Services Direct. If necessary, the plan  
12 shall identify additional funding needed to achieve the  
13 provisions of this subsection.

14 (b) The network shall assure that a uniform method is  
15 used to determine eligibility for and management of services  
16 provided by agencies that conduct workforce development  
17 activities. The Department of Management Services shall  
18 develop strategies to allow access to the databases and  
19 information management systems of the following systems in  
20 order to link information in those databases with the one-stop  
21 delivery system ~~Career Centers~~:

- 22 1. The Unemployment Compensation System of the  
23 Department of Labor and Employment Security.
- 24 2. The Job Service System of the Department of Labor  
25 and Employment Security.
- 26 3. The FLORIDA System and the components related to  
27 WAGES, food stamps, and Medicaid eligibility.
- 28 4. The Workers' Compensation System of the Department  
29 of Labor and Employment Security.
- 30 5. The Student Financial Assistance System of the  
31 Department of Education.

1           6. Enrollment in the public postsecondary education  
2 system.

3           7. Other information systems determined appropriate by  
4 Workforce Florida, Inc.

5  
6 The systems shall be fully coordinated at both the state and  
7 local levels by July ~~January~~ 1, 2001 ~~2000~~.

8           (9) To the maximum extent feasible, the one-stop  
9 delivery system may use private sector staffing services firms  
10 in the provision of workforce services to individuals and  
11 employers in the state. Regional workforce boards may  
12 collaborate with staffing services firms in order to  
13 facilitate the provision of workforce services. Regional  
14 workforce boards may contract with private sector staffing  
15 services firms to design programs that meet the employment  
16 needs of the region. All such contracts must be  
17 performance-based and require a specific period of job tenure  
18 prior to payment.

19           (10) To avoid any delay or disruption of services, a  
20 participant or an individual redirected through up-front  
21 diversion is presumed to be eligible for transitional services  
22 except transitional Medicaid, which must be determined in  
23 accordance with federal policy. Upon notification that a  
24 participant or diverted individual has obtained employment,  
25 the regional workforce board shall provide all transitional  
26 benefits and services until the designated administering  
27 department or entity confirms eligibility or advises the  
28 regional workforce board that the individual does not meet the  
29 eligibility requirements. Regardless, the regional workforce  
30 board is responsible for payment of any child care  
31 registration fees and sick child care for all eligible

1 participants or redirected individuals.

2           Section 10. (1) It is the intent of the Legislature  
3 that the changes to the workforce system made by this act,  
4 including, but not limited to, the transfer of any workforce  
5 policy, program, or administrative responsibility to Workforce  
6 Florida, Inc., or to the Agency for Workforce Innovation, be  
7 accomplished with minimal disruption of services provided to  
8 the public and with minimal disruption to employees of any  
9 organization in the workforce system. To that end, the  
10 Legislature directs all applicable units of state government  
11 to contribute to the successful implementation of this act,  
12 and the Legislature believes that a transition period between  
13 the effective date of this act and October 1, 2000, is  
14 appropriate and warranted.

15           (2) Workforce Florida, Inc., shall coordinate the  
16 development and implementation of a transition plan that  
17 supports the implementation of this act. The Department of  
18 Management Services, the Department of Labor and Employment  
19 Security, and all other state agencies identified by Workforce  
20 Florida, Inc., shall cooperate fully in developing and  
21 implementing the plan and shall dedicate the financial and  
22 staff resources that are necessary to implement the plan.

23           (3) The Governor shall designate a staff member of the  
24 Office of Planning and Budgeting to serve as the Governor's  
25 primary representative on matters related to implementing this  
26 act and the transition plan required under this section. The  
27 representative shall report to the Governor, the President of  
28 the Senate, and the Speaker of the House of Representatives on  
29 the progress being made in implementing this act and the  
30 transition plan, including, but not limited to, the adverse  
31 impact on workforce services provided to the public, or any



1 other negative consequence, of meeting any deadline imposed by  
2 this act, any difficulties experienced by Workforce Florida,  
3 Inc., in securing the full participation and cooperation of  
4 applicable state agencies. The representative shall also  
5 coordinate the submission of any budget amendments, in  
6 accordance with chapter 216, Florida Statutes, that may be  
7 necessary to implement this act.

8 (4) Upon the recommendation and guidance from  
9 Workforce Florida, Inc., in order to carry out the changes  
10 made by this act to the workforce system, the Governor shall  
11 submit in a timely manner to the applicable departments or  
12 agencies of the Federal Government any necessary amendments or  
13 supplemental information concerning plans that the state is  
14 required to submit to the Federal Government in connection  
15 with any federal or state workforce program. The Governor  
16 shall seek any waivers from the requirements of federal law or  
17 rules which may be necessary to administer the provisions of  
18 this act.

19 (5) The transfer of any program, activity, or function  
20 under this act includes the transfer of any records and  
21 unexpended balances of appropriations, allocations, or other  
22 funds related to such program, activity, or function. Unless  
23 otherwise provided, the successor organization to any program,  
24 activity, or function transferred under this act shall become  
25 the custodian of any property of the organization that was  
26 responsible for the program, activity, or function immediately  
27 prior to the transfer.

28 (6) Workforce Florida, Inc., may contract with the  
29 Office of Tourism, Trade, and Economic Development within the  
30 Executive Office of the Governor to take any necessary initial  
31 steps in preparing to become the state's principal workforce

1 policy organization on October 1, 2000, consistent with the  
2 provisions of this act.

3 Section 11. (1) Effective July 1, 2000, the following  
4 programs and functions are assigned and transferred to  
5 Workforce Florida, Inc.:

6 (a) The WAGES Program State Board of Directors data,  
7 records, property, and unexpended balances of appropriations,  
8 allocations, and other funds from the Executive Office of the  
9 Governor.

10 (b) The programs, activities, and functions of the  
11 Workforce Development Board of Enterprise Florida, Inc.,  
12 including records, personnel, property, and unexpended  
13 balances of funds. To reduce administrative costs, Workforce  
14 Florida, Inc., may contract with Enterprise Florida, Inc.,  
15 for the provision of personnel, property management, and other  
16 support services.

17 (2) Effective July 1, 2000, the Bureau of  
18 Apprenticeship of the Division of Jobs and Benefits is  
19 transferred by a type two transfer, as defined in s. 20.06(2),  
20 Florida Statutes, from the Department of Labor and Employment  
21 Security to the Division of Workforce Development in the  
22 Department of Education.

23 (3) Effective October 1, 2000, employees of the  
24 Workforce Development Board of Enterprise Florida, Inc., who  
25 are leased from the Department of Management Services are  
26 transferred by a type two transfer, as defined in s. 20.06(2),  
27 Florida Statutes, to the Agency for Workforce Innovation.  
28 State employees leased to the Workforce Development Board as  
29 of June 30, 2000, may be leased to Workforce Florida, Inc., as  
30 of the same date to perform administrative and professional  
31 services. Additional state employees in the Agency for

1 Workforce Innovation may be assigned to Workforce Florida,  
2 Inc.

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

6 (a) The Division of Workforce and Employment  
7 Opportunities and the Office of Labor Market Statistics are  
8 transferred by a type two transfer, as defined in s. 20.06(2),  
9 Florida Statutes, from the Department of Labor and Employment  
10 Security. Employees who are responsible for information  
11 technology within the Division of Workforce and Employment  
12 Opportunities, employees who are responsible for licensing and  
13 permitting business agents and labor organizations under  
14 chapter 447, Florida Statutes, and employees who are  
15 responsible for regulations relating to minority labor groups  
16 under chapter 450, Florida Statutes, are not included in this  
17 transfer. The Agency for Workforce Innovation, in consultation  
18 with the Department of Labor and Employment Security, shall  
19 determine the number of positions needed for administrative  
20 support of the programs within the Division of Workforce and  
21 Employment Opportunities as transferred to the agency. The  
22 number of administrative support positions the agency  
23 determines are needed shall not exceed the number of  
24 administrative support positions that prior to the transfer  
25 were authorized to the Department of Labor and Employment  
26 Security for this purpose. Upon transfer of the Division of  
27 Workforce and Employment Opportunities, the number of required  
28 administrative support positions as determined by the agency  
29 shall be authorized within the agency.

30 (b) The resources, data, records, property, and  
31 unexpended balances of appropriations, allocations, and other

1 funds within the Office of the Secretary or any other  
2 division, office, bureau, or unit within the Department of  
3 Labor and Employment Security that support the Division of  
4 Workforce and Employment Opportunities are transferred by a  
5 type two transfer, as defined in s. 20.06(2), Florida  
6 Statutes, from the Department of Labor and Employment  
7 Security.

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

11 (d) The Agency for Workforce Innovation, in  
12 consultation with the Department of Management Services, shall  
13 determine the number of positions needed to perform the WAGES  
14 contracting function within the agency. The number of  
15 positions the agency determines are needed shall not exceed  
16 the number of positions that prior to the transfer were  
17 authorized to the WAGES Contracting Division within the  
18 Department of Management Services for this purpose. Upon  
19 transfer of the WAGES Contracting Division, the number of  
20 required positions as determined by the agency shall be  
21 authorized within the agency.

22 (e) The resources, data, records, property, and  
23 unexpended balances of appropriations, allocations, and other  
24 funds within the WAGES Contracting Division are transferred by  
25 a type two transfer, as defined in s. 20.06 (2), Florida  
26 Statutes, from the Department of Management Services to the  
27 Agency for Workforce Innovation.

28 (5) Unless already met or exceeded by reductions  
29 required by the General Appropriations Act to division  
30 positions authorized on June 30, 2000, prior to effecting the  
31 transfer of staff required by paragraph (4)(a), the Department

1 of Labor and Employment Security shall reduce by 25 percent  
2 within the Division of Workforce and Employment Opportunities  
3 the number of positions not engaged in directly providing  
4 workforce development services to customers or in supervising  
5 the direct provision of workforce development services. Prior  
6 to January 1, 2001, Workforce Florida, Inc., in cooperation  
7 with the Agency for Workforce Innovation, shall submit to the  
8 Governor, the President of the Senate, and the Speaker of the  
9 House of Representatives a plan for reorganizing and further  
10 reducing the number of staff members transferred pursuant to  
11 paragraph (4)(a).

12 (6) The Department of Labor and Employment Security  
13 shall develop a plan to reduce the department's existing  
14 full-time positions to reflect the remaining mission of the  
15 department. The department shall submit a budget amendment  
16 for legislative notice and review under s. 216.177, Florida  
17 Statutes, to implement the plan by October 1, 2000.

18 Section 12. Section 445.010, Florida Statutes, is  
19 created to read:

20 445.010 Workforce system information technology;  
21 principles and information sharing.--

22 (1) The following principles shall guide the  
23 development and management of workforce system information  
24 resources:

25 (a) Workforce system entities should be committed to  
26 information sharing.

27 (b) Cooperative planning by workforce system entities  
28 is a prerequisite for the effective development of systems to  
29 enable the sharing of data.

30 (c) Workforce system entities should maximize public  
31 access to data, while complying with legitimate security,

1 privacy, and confidentiality requirements.

2 (d) When the capture of data for the mutual benefit of  
3 workforce system entities can be accomplished, the costs for  
4 capturing, managing, and disseminating those data should be  
5 shared.

6 (e) The redundant capture of data should, insofar as  
7 possible, be eliminated.

8 (f) Only data that are auditable, or that otherwise  
9 can be determined to be accurate, valid, and reliable, should  
10 be maintained in workforce information systems.

11 (g) The design of workforce information systems should  
12 support technological flexibility for users without  
13 compromising system integration or data integrity, be based  
14 upon open standards, and use platform-independent technologies  
15 to the fullest extent possible.

16 (2) Information that is essential to the integrated  
17 delivery of services through the one-stop delivery system must  
18 be shared between partner agencies within the workforce system  
19 to the full extent permitted under state and federal law. In  
20 order to enable the full integration of services for a  
21 specific workforce system customer, that customer must be  
22 offered the opportunity to provide written consent prior to  
23 sharing any information concerning that customer between the  
24 workforce system partners which is subject to confidentiality  
25 under state or federal law.

26 Section 13. Section 445.011, Florida Statutes, is  
27 created to read:

28 445.011 Workforce information systems.--

29 (1) Workforce Florida, Inc., shall implement, subject  
30 to legislative appropriation, automated information systems  
31 that are necessary for the efficient and effective operation

1 and management of the workforce development system. These  
2 information systems shall include, but need not be limited to,  
3 the following:

4 (a) An integrated management system for the one-stop  
5 service delivery system, which includes, at a minimum, common  
6 registration and intake, screening for needs and benefits,  
7 case planning and tracking, training benefits management,  
8 service and training provider management, performance  
9 reporting, executive information and reporting, and  
10 customer-satisfaction tracking and reporting.

11 1. The system should report current budgeting,  
12 expenditure, and performance information for assessing  
13 performance related to outcomes, service delivery, and  
14 financial administration for workforce programs pursuant to  
15 ss. 445.004(5) and 445.004(9).

16 2. The information system should include auditable  
17 systems and controls to ensure financial integrity and valid  
18 and reliable performance information.

19 3. The system should support service integration and  
20 case management by providing for case tracking for  
21 participants in welfare transition programs.

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

25 1. Skill match information, including skill gap  
26 analysis; resume creation; job order creation; skill tests;  
27 job search by area, employer type, and employer name; and  
28 training provider linkage;

29 2. Job market information based on surveys, including  
30 local, state, regional, national, and international  
31 occupational and job availability information; and

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

5           (2) In procuring workforce information systems,  
6 Workforce Florida, Inc., shall employ competitive processes,  
7 including requests for proposals, competitive negotiation, and  
8 other competitive processes to ensure that the procurement  
9 results in the most cost-effective investment of state funds.

10          (3) Workforce Florida, Inc., may procure independent  
11 verification and validation services associated with  
12 developing and implementing any workforce information system.

13          (4) Workforce Florida, Inc., shall coordinate  
14 development and implementation of workforce information  
15 systems with the state's Chief Information Officer in the  
16 State Technology Office to ensure compatibility with the  
17 state's information system strategy and enterprise  
18 architecture.

19          Section 14. (1) By December 15, 2000, the  
20 Postsecondary Education Planning Commission, in close  
21 consultation with Workforce Florida, Inc., and in consultation  
22 with the Division of Community Colleges and the Division of  
23 Workforce Development in the Department of Education, the  
24 State Board of Independent Colleges and Universities, and the  
25 State Board of Nonpublic Career Education, shall submit a  
26 report to the Governor, the President of the Senate, and the  
27 Speaker of the House of Representatives, recommending  
28 strategies to expand access to and production of certificates  
29 and degrees in programs that provide the skilled workforce  
30 needed for Florida's economy.

31          (2) The report shall address the following issues and



1 options:

2 (a) New and innovative targeted financial aid  
3 programs.

4 (b) Initiatives to encourage the restructuring of  
5 curriculum to provide a better response to the needs of  
6 Florida's businesses and industries.

7 (c) Performance-based incentive funding to state  
8 universities for increased production of graduates from  
9 targeted programs.

10 (d) Performance-based incentive funding to state  
11 universities and other initiatives for providing accelerated  
12 articulation options to students awarded an Associate of  
13 Science degree.

14 (e) Innovative uses of federal Workforce Investment  
15 Act and Welfare to Work funds to provide the broadest  
16 eligibility for and promote access to targeted high priority  
17 educational programs.

18 Section 15. Section 445.013, Florida Statutes, is  
19 created to read:

20 445.013 Challenge grants in support of welfare-to-work  
21 initiatives.--

22 (1) Workforce Florida, Inc., shall establish a  
23 "Step-Up Challenge Grant Program" designed to maximize the use  
24 of federal welfare-to-work funds that are available to the  
25 state. The purpose of this challenge grant program is to  
26 ensure that needy Floridians obtain training and education to  
27 support retention of employment and achievement of  
28 self-sufficiency through career advancement.

29 (2) Workforce Florida, Inc., shall solicit the  
30 participation of not-for-profit organizations, for-profit  
31 organizations, educational institutions, and units of

1 government in this program. Eligible organizations include,  
2 but are not limited to:  
3       (a) Public and private educational institutions, as  
4 well as their associations and scholarship funds;  
5       (b) Faith-based organizations;  
6       (c) Community development or community improvement  
7 organizations;  
8       (d) College or university alumni organizations or  
9 fraternities or sororities;  
10       (e) Community-based organizations dedicated to  
11 addressing the challenges of inner city, rural, or minority  
12 youth;  
13       (f) Chambers of commerce or similar business or civic  
14 organizations;  
15       (g) Neighborhood groups or associations, including  
16 communities receiving a "Front Porch Florida" designation;  
17       (h) Municipalities, counties, or other units of  
18 government;  
19       (i) Private businesses; and  
20       (j) Other organizations deemed appropriate by  
21 Workforce Florida, Inc.  
22       (3) If an eligible organization pledges to sponsor an  
23 individual in postemployment education or training approved by  
24 Workforce Florida, Inc., by providing the match of nonfederal  
25 funds required under the federal welfare-to-work grant  
26 program, Workforce Florida, Inc., shall earmark  
27 welfare-to-work funds in support of the sponsored individual  
28 and the designated training or education project. Workforce  
29 Florida, Inc., and the eligible organization shall enter into  
30 an agreement governing the disbursement of funds which  
31 specifies the services to be provided for the benefit of the

1 eligible participant. Individuals receiving training or  
2 education under this program must meet the eligibility  
3 criteria of the federal welfare-to-work grant program, and  
4 Workforce Florida, Inc., must disperse funds in compliance  
5 with regulations or other requirements of the federal  
6 welfare-to-work grant program.

7 (4) Workforce Florida, Inc., shall establish  
8 guidelines governing the administration of the program  
9 provided under this section and shall establish criteria to be  
10 used in evaluating funding proposals. One of the evaluation  
11 criteria must be a determination that the education or  
12 training provided under the grant will enhance the ability of  
13 the individual to retain employment and achieve  
14 self-sufficiency through career advancement.

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

19 Section 16. Section 288.9955, Florida Statutes, is  
20 transferred, renumbered as section 445.016, Florida Statutes,  
21 and amended to read:

22 445.016 ~~288.9955~~ Untried Worker Placement and  
23 Employment Incentive Act.--

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

26 (2) For purposes of this section, the term "untried  
27 worker" means a person who is a hard-to-place participant in  
28 the welfare transition program ~~Work and Gain Economic~~  
29 ~~Self-sufficiency Program (WAGES)~~ because he or she has  
30 limitations associated with the long-term receipt of welfare  
31 and difficulty in sustaining employment, particularly because

1 of physical or mental disabilities.

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

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

14 (5) Incentives must be paid according to the incentive  
15 schedule developed by Workforce Florida, Inc., the Agency for  
16 Workforce Development, ~~the Department of Labor and Employment~~  
17 ~~Security~~ and the Department of Children and Family Services  
18 which costs the state less per placement than the state's  
19 12-month expenditure on a welfare recipient.

20 (6) During an untried worker's probationary placement,  
21 the for-profit or not-for-profit agent shall be the employer  
22 of record of that untried worker, and shall provide workers'  
23 compensation and unemployment compensation coverage as  
24 provided by law. The business employing the untried worker  
25 through the agent may be eligible to apply for any tax  
26 credits, wage supplementation, wage subsidy, or employer  
27 payment for that employee that are authorized in law or by  
28 agreement with the employer. After satisfactory completion of  
29 such a probationary period, an untried worker shall not be  
30 considered an untried worker.

31 (7) This section shall not be used for the purpose of

1 displacing or replacing an employer's regular employees, and  
2 shall not interfere with executed collective bargaining  
3 agreements. Untried workers shall be paid by the employer at  
4 the same rate as similarly situated and assessed workers in  
5 the same place of employment.

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

10 (9) Any employer that chooses to employ untried  
11 workers is eligible to receive such incentives and benefits  
12 that are available and provided in law, as long as the  
13 long-term, cost savings can be quantified with each such  
14 additional inducement.

15 Section 17. Section 414.15, Florida Statutes, is  
16 transferred, renumbered as section 445.017, Florida Statutes,  
17 and amended to read:

18 445.017 ~~414.15~~ Diversion.--

19 (1) Many customers of the one-stop delivery system ~~A~~  
20 ~~segment of applicants~~ do not need ongoing temporary cash  
21 assistance, but, due to an unexpected circumstance or  
22 emergency situation, require some immediate assistance to  
23 secure or retain in meeting a financial obligation while they  
24 ~~are securing~~ employment or child support. These immediate  
25 obligations may include a shelter or utility payment, a car  
26 repair to continue employment, or other services that  
27 ~~assistance which~~ will alleviate the applicant's emergency  
28 financial need and allow the person to focus on obtaining or  
29 continuing employment.

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

31 (a) Linking applicants with job opportunities as the

1 first option to meet the assistance group's need.

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

5 (c) Screening applicants to respond to emergency  
6 needs.

7 (d) Offering a one-time payment of up to \$1,000 per  
8 family. Performing up-front fraud prevention investigations,  
9 if appropriate.

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

14 (4) The regional workforce board department shall  
15 screen each ~~applicant~~ family on a case-by-case basis for  
16 barriers to obtaining or retaining employment. The screening  
17 shall identify barriers that, if corrected, may prevent the  
18 family from receiving temporary cash assistance on a regular  
19 basis. Assistance to overcome a barrier to employment is not  
20 limited to cash, but may include vouchers or other in-kind  
21 benefits.

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

25 (5)(6) The family receiving up-front diversion must  
26 sign an agreement restricting the family from applying for  
27 temporary cash assistance for 3 months, unless an emergency is  
28 demonstrated to the regional workforce board department. If a  
29 demonstrated emergency forces the family to reapply for  
30 temporary cash assistance within 3 months after receiving a  
31 diversion payment, the diversion payment shall be prorated

1 over an 8-month ~~the 2-month~~ period and deducted ~~subtracted~~  
2 from any ~~regular payment of~~ temporary ~~cash~~ assistance for  
3 which the family is ~~applicant may be~~ eligible.

4 Section 18. Section 445.018, Florida Statutes, is  
5 created to read:

6 445.018 Diversion program to strengthen Florida's  
7 families.--

8 (1) The diversion program to strengthen families in  
9 this state is intended to provide services that assist  
10 families in avoiding welfare dependency by gaining and  
11 retaining employment.

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

15 (a) The family includes a pregnant woman or a parent  
16 with one or more minor children or a caretaker relative with  
17 one or more minor children.

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

21 (c) The provision of services related to employment,  
22 including assessment, service planning and coordination, job  
23 placement, employment-related education or training, child  
24 care services, transportation services, relocation services,  
25 workplace employment support services, individual or family  
26 counseling, or a Retention Incentive Training Account (RITA),  
27 are likely to prevent the family from becoming dependent on  
28 welfare by enabling employable adults in the family to become  
29 employed, remain employed, or pursue career advancement.

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

1           (4) Each family that receives services under this  
2 section must sign an agreement not to apply for temporary cash  
3 assistance for 6 months following the receipt of services,  
4 unless an unanticipated emergency situation arises. If a  
5 family applies for temporary cash assistance without a  
6 documented emergency, the family must repay the value of the  
7 diversion services provided. Repayment may be prorated over 8  
8 months and shall be paid through a reduction in the amount of  
9 any monthly temporary cash assistance payment received by the  
10 family.

11           (5) Notwithstanding any provision to the contrary, a  
12 family that meets the requirements of subsection (2) is  
13 considered a needy family and is eligible for services under  
14 this section.

15           Section 19. Section 414.159, Florida Statutes, is  
16 transferred, renumbered as section 445.019, Florida Statutes,  
17 and amended to read:

18           445.019 ~~414.159~~ Teen parent and pregnancy prevention  
19 diversion program; eligibility for services.--The Legislature  
20 recognizes that teen pregnancy is a major cause of dependency  
21 on government assistance that often extends through more than  
22 one generation. The purpose of the teen parent and pregnancy  
23 prevention diversion program is to provide services to reduce  
24 and avoid welfare dependency by reducing teen pregnancy,  
25 reducing the incidence of multiple pregnancies to teens, and  
26 by assisting teens in completing educational programs.

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

31           (2) Services provided under this program shall be



1 limited to services that are not considered assistance under  
2 federal law or guidelines.

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

6 Section 20. Section 445.020, Florida Statutes, is  
7 created to read:

8 445.020 Diversion programs; determination of need.--If  
9 federal regulations require a determination of needy families  
10 or needy parents to be based on financial criteria, such as  
11 income or resources, for individuals or families who are  
12 receiving services, one-time payments, or nonrecurring  
13 short-term benefits, the Department of Children and Family  
14 Services shall adopt rules to define such criteria. In such  
15 rules, the department shall use the income level established  
16 for Temporary Assistance for Needy Families funds which are  
17 transferred for use under Title XX of the Social Security Act.  
18 If federal regulations do not require a financial  
19 determination for receipt of such benefits, payments, or  
20 services, the criteria otherwise established in this chapter  
21 shall be used.

22 Section 21. Section 414.155, Florida Statutes, is  
23 transferred, renumbered as section 445.021, Florida Statutes,  
24 and amended to read:

25 445.021 ~~414.155~~ Relocation assistance program.--

26 (1) The Legislature recognizes that the need for  
27 public assistance may arise because a family is located in an  
28 area with limited employment opportunities, because of  
29 geographic isolation, because of formidable transportation  
30 barriers, because of isolation from their extended family, or  
31 because domestic violence interferes with the ability of a

1 parent to maintain self-sufficiency. Accordingly, there is  
2 established a program to assist families in relocating to  
3 communities with greater opportunities for self-sufficiency.

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

8 (a) A determination that the family is receiving  
9 temporary cash assistance ~~a WAGES Program participant~~ or that  
10 all requirements of eligibility for diversion services ~~the~~  
11 ~~WAGES Program~~ would likely be met.

12 (b) A determination that there is a basis for  
13 believing that relocation will contribute to the ability of  
14 the applicant to achieve self-sufficiency. For example, the  
15 applicant:

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

18 2. Has secured a job that provides an increased salary  
19 or improved benefits and that requires relocation to another  
20 community;

21 3. Has a family support network that will contribute  
22 to job retention in another community; ~~or~~

23 4. Is determined, pursuant to criteria or procedures  
24 established by the ~~WAGES Program State~~ board of directors of  
25 Workforce Florida, Inc., to be a victim of domestic violence  
26 who would experience reduced probability of further incidents  
27 through relocation; ~~or-~~

28 5. Must relocate in order to receive education or  
29 training that is directly related to the applicant's  
30 employment or career advancement.

31 (c) Establishment of a relocation plan that ~~which~~

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1 includes such requirements as are necessary to prevent abuse  
2 of the benefit and provisions to protect the safety of victims  
3 of domestic violence and avoid provisions that place them in  
4 anticipated danger. The payment to defray relocation expenses  
5 shall be determined based on criteria ~~a rule~~ approved by the  
6 ~~WAGES Program State~~ board of directors of Workforce Florida,  
7 Inc. ~~and adopted by the department.~~ Participants in the  
8 relocation program shall be eligible for diversion or  
9 transitional benefits.

10 (d) A determination, pursuant to criteria adopted by  
11 the ~~WAGES Program State~~ board of directors of Workforce  
12 Florida, Inc., that a ~~Florida~~ community receiving a relocated  
13 family has the capacity to provide needed services and  
14 employment opportunities.

15 (e) Monitoring the relocation.

16 (3) A family receiving relocation assistance for  
17 reasons other than domestic violence must sign an agreement  
18 restricting the family from applying for temporary cash  
19 assistance for a period of 6 months ~~specified in a rule~~  
20 ~~approved by the WAGES Program State Board of Directors and~~  
21 ~~adopted by the department,~~ unless an emergency is demonstrated  
22 to the regional workforce board ~~department~~. If a demonstrated  
23 emergency forces the family to reapply for temporary cash  
24 assistance within such period, after receiving a relocation  
25 assistance payment, repayment must be made on a prorated basis  
26 and subtracted from any regular payment of temporary cash  
27 assistance for which the applicant may be eligible, ~~as~~  
28 ~~specified in a rule approved by the WAGES Program State Board~~  
29 ~~of Directors and adopted by the department.~~

30 (4) ~~The department shall have authority to adopt rules~~  
31 ~~pursuant to the Administrative Procedure Act to determine that~~

1 ~~a community has the capacity to provide services and~~  
2 ~~employment opportunities for a relocated family.~~

3 (4)(5) The board of directors of Workforce Florida,  
4 Inc., may establish criteria for developing and implementing  
5 ~~department shall have authority to adopt rules pursuant to the~~  
6 ~~Administrative Procedure Act to develop and implement~~  
7 relocation plans and for drafting agreements to restrict to  
8 ~~draft an agreement restricting~~ a family from applying for  
9 temporary cash assistance for a specified period after  
10 receiving a relocation assistance payment.

11 Section 22. Section 414.223, Florida Statutes, is  
12 transferred, renumbered as section 445.022, Florida Statutes,  
13 and amended to read:

14 445.022 ~~414.223~~ Retention Incentive Training  
15 Accounts.--To promote job retention and to enable upward job  
16 advancement into higher skilled, higher paying employment, the  
17 ~~WAGES Program State~~ board of directors of Workforce Florida,  
18 Inc., and, the Workforce Development Board, regional workforce  
19 ~~development boards, and local WAGES coalitions~~ may jointly  
20 assemble, from postsecondary education institutions, a list of  
21 programs and courses for ~~WAGES~~ participants who have become  
22 employed which promote job retention and advancement.

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

31 (2) RITAs may pay for tuition, fees, educational

1 materials, coaching and mentoring, performance incentives,  
2 transportation to and from courses, child care costs during  
3 education courses, and other such costs as the regional  
4 workforce ~~development~~ boards determine are necessary to effect  
5 successful job retention and advancement.

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

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

14 Section 23. Section 414.18, Florida Statutes, is  
15 transferred, renumbered as section 445.023, Florida Statutes,  
16 and amended to read:

17 445.023 ~~414.18~~ Program for dependent care for families  
18 with children with special needs.--

19 (1) There is created the program for dependent care  
20 for families with children with special needs. This program  
21 is intended to provide assistance to families with children  
22 who meet the following requirements:

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

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

28 (c) The family meets the income guidelines established  
29 under s. 402.3015. Financial eligibility for this program  
30 shall be based solely on the guidelines used for subsidized  
31 child care, notwithstanding any financial eligibility criteria

1 to the contrary in s. 414.075, s. 414.085, or s. 414.095.

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

4 (3) If federal funds under the Temporary Assistance  
5 for Needy Families block grant provided under Title IV-A of  
6 the Social Security Act, as amended, are used for this  
7 program, the family must be informed about the federal  
8 requirements on receipt of such assistance and must sign a  
9 written statement acknowledging, and agreeing to comply with,  
10 all federal requirements.

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

21 (5) Notwithstanding any provision of s. 414.105 to the  
22 contrary, the time limitation on receipt of assistance under  
23 this section shall be the limit established pursuant to s.  
24 408(a)(7) of the Social Security Act, as amended, 42 U.S.C. s.  
25 608(a)(7).

26 Section 24. Section 445.024, Florida Statutes, is  
27 created to read:

28 445.024 Work requirements.--

29 (1) WORK ACTIVITIES.--The following activities may be  
30 used individually or in combination to satisfy the work  
31 requirements for a participant in the temporary cash

1 assistance program:

2 (a) Unsubsidized employment.--Unsubsidized employment  
3 is full-time employment or part-time employment that is not  
4 directly supplemented by federal or state funds. Paid  
5 apprenticeship and cooperative education activities are  
6 included in this activity.

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

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

24 2. On-the-job training.--On-the-job training is  
25 full-time, paid employment in which the employer or an  
26 educational institution, in cooperation with the employer,  
27 provides training needed for the participant to perform the  
28 skills required for the position. The employer or the  
29 educational institution on behalf of the employer receives a  
30 subsidy to offset the cost of the training provided to the  
31 participant. Upon satisfactory completion of the training, the

1 employer is expected to retain the participant as a regular  
2 employee without receiving a subsidy. An on-the-job training  
3 agreement may not be continued with any employer who exhibits  
4 a pattern of failing to provide participants with continued  
5 employment after the on-the-job training subsidy ends.

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

31 4. Tax credits.--An employer who employs a program



1 participant may qualify for enterprise zone property tax  
2 credits under s. 220.182, the tax refund program for qualified  
3 target industry businesses under s. 288.106, or other federal  
4 or state tax benefits. The regional workforce board shall  
5 provide information and assistance, as appropriate, to use  
6 such credits to accomplish program goals.

7 5. Training bonus.--An employer who hires a  
8 participant in the welfare transition program and pays the  
9 participant a wage that precludes the participant's  
10 eligibility for temporary cash assistance may receive \$250 for  
11 each full month of employment for a period that may not exceed  
12 3 months. An employer who receives a training bonus for an  
13 employee may not receive a work supplementation subsidy for  
14 the same employee. "Employment" is defined as 35 hours per  
15 week at a wage of no less than minimum wage.

16 (c) Subsidized public sector employment.--Subsidized  
17 public sector employment is employment by an agency of the  
18 federal, state, or local government which is directly  
19 supplemented by federal or state funds. The applicable  
20 subsidies provided under paragraph (b) may be used to  
21 subsidize employment in the public sector, except that  
22 priority for subsidized employment shall be employment in the  
23 private sector. Public sector employment is distinguished from  
24 work experience in that the participant is paid wages and  
25 receives the same benefits as a nonsubsidized employee who  
26 performs similar work. Work-study activities administered by  
27 educational institutions are included in this activity.

28 (d) Community service work experience.--Community  
29 service work experience is job training experience at a  
30 supervised public or private not-for-profit agency. A  
31 participant shall receive temporary cash assistance in the

1 form of wages, which, when combined with the value of food  
2 stamps awarded to the participant, is proportional to the  
3 amount of time worked. A participant in the welfare transition  
4 program or the Food Stamp Employment and Training program  
5 assigned to community service work experience shall be deemed  
6 an employee of the state for purposes of workers' compensation  
7 coverage and is subject to the requirements of the drug-free  
8 workplace program. Community service work experience may be  
9 selected as an activity for a participant who needs to  
10 increase employability by improving his or her interpersonal  
11 skills, job-retention skills, stress management, and job  
12 problem solving, and by learning to attain a balance between  
13 job and personal responsibilities. Community service is  
14 intended to:

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

23  
24 As used in this paragraph, the terms "community service  
25 experience," "community work," and "workfare" are synonymous.

26 (e) Work experience.--Work experience is an  
27 appropriate work activity for participants who lack  
28 preparation for or experience in the workforce. It must  
29 combine a job training activity in a public or private  
30 not-for-profit agency with education and training related to  
31 an employment goal. To qualify as a work activity, work

1 experience must include education and training in addition to  
2 the time required by the work activity, and the work activity  
3 must be intensively supervised and structured. Regional  
4 workforce boards shall contract for any services provided for  
5 clients who are assigned to this activity and shall require  
6 performance benchmarks, goals, outcomes, and time limits  
7 designed to assure that the participant moves toward full-time  
8 paid employment. A participant shall receive temporary cash  
9 assistance proportional to the time worked. A participant  
10 assigned to work experience is an employee of the state for  
11 purposes of workers' compensation coverage and is subject to  
12 the requirements of the drug-free workplace program.

13 (f) Job search and job readiness assistance.--Job  
14 search assistance may include supervised or unsupervised  
15 job-seeking activities. Job readiness assistance provides  
16 support for job-seeking activities, which may include:

17 1. Orientation to the world of work and basic  
18 job-seeking and job retention skills.

19 2. Instruction in completing an application for  
20 employment and writing a resume.

21 3. Instruction in conducting oneself during a job  
22 interview, including appropriate dress.

23 4. Instruction in how to retain a job, plan a career,  
24 and perform successfully in the workplace.

25  
26 Job readiness assistance may also include providing a  
27 participant with access to an employment resource center that  
28 contains job listings, telephones, facsimile machines,  
29 typewriters, and word processors. Job search and job readiness  
30 activities may be used in conjunction with other program  
31 activities, such as work experience, but may not be the

1 primary work activity for longer than the length of time  
2 permitted under federal law.

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

18 1. Unless otherwise provided in this section,  
19 vocational education shall not be used as the primary program  
20 activity for a period which exceeds 12 months. The 12-month  
21 restriction applies to instruction in a career education  
22 program and does not include remediation of basic skills,  
23 including English language proficiency, if remediation is  
24 necessary to enable a participant to benefit from a career  
25 education program. Any necessary remediation must be completed  
26 before a participant is referred to vocational education as  
27 the primary work activity. In addition, use of vocational  
28 education or training shall be restricted to the limitation  
29 established in federal law. Vocational education included in a  
30 program leading to a high school diploma shall not be  
31 considered vocational education for purposes of this section.

1           2. When possible, a provider of vocational education  
2 or training shall use funds provided by funding sources other  
3 than the regional workforce board. The regional workforce  
4 board may provide additional funds to a vocational education  
5 or training provider only if payment is made pursuant to a  
6 performance-based contract. Under a performance-based  
7 contract, the provider may be partially paid when a  
8 participant completes education or training, but the majority  
9 of payment shall be made following the participant's  
10 employment at a specific wage or job retention for a specific  
11 duration. Performance-based payments made under this  
12 subparagraph are limited to education or training for targeted  
13 occupations identified by the Workforce Estimating Conference  
14 under s. 216.136, or other programs identified by Workforce  
15 Florida, Inc., as beneficial to meet the needs of designated  
16 groups who are hard to place. If the contract pays the full  
17 cost of training, the community college or school district may  
18 not report the participants for other state funding.

19           (h) Job skills training.--Job skills training includes  
20 customized training designed to meet the needs of a specific  
21 employer or a specific industry. Job skills training shall  
22 include literacy instruction, and may include English  
23 proficiency instruction or Spanish language or other language  
24 instruction if necessary to enable a participant to perform in  
25 a specific job or job training program or if the training  
26 enhances employment opportunities in the local community. A  
27 participant may be required to complete an entrance assessment  
28 or test before entering into job skills training.

29           (i) Education services related to employment for  
30 participants 19 years of age or younger.--Education services  
31 provided under this paragraph are designed to prepare a

1 participant for employment in an occupation. The agency shall  
2 coordinate education services with the school-to-work  
3 activities provided under s. 229.595. Activities provided  
4 under this paragraph are restricted to participants 19 years  
5 of age or younger who have not completed high school or  
6 obtained a high school equivalency diploma.

7 (j) School attendance.--Attendance at a high school or  
8 attendance at a program designed to prepare the participant to  
9 receive a high school equivalency diploma is a required  
10 program activity for each participant 19 years of age or  
11 younger who:

12 1. Has not completed high school or obtained a high  
13 school equivalency diploma;

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

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

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

21 (l) Extended education and training.--Notwithstanding  
22 any other provisions of this section to the contrary, the  
23 board of directors of Workforce Florida, Inc., may approve a  
24 plan by a regional workforce board for assigning, as work  
25 requirements, educational activities that exceed or are not  
26 included in those provided elsewhere in this section and that  
27 do not comply with federal work participation requirement  
28 limitations. In order to be eligible to implement this  
29 provision, a regional workforce board must continue to exceed  
30 the overall federal work participation rate requirements. For  
31 purposes of this paragraph, the board of directors of

1 Workforce Florida, Inc., may adjust the regional participation  
2 requirement based on regional caseload decline. However, this  
3 adjustment is limited to no more than the adjustment produced  
4 by the calculation used to generate federal adjustments to the  
5 participation requirement due to caseload decline.

6 (m) GED preparation and literacy  
7 education.--Satisfactory attendance at secondary school or in  
8 a course of study leading to a graduate equivalency diploma,  
9 if a participant has not completed secondary school or  
10 received such a diploma. English language proficiency  
11 training may be included as a part of the education if it is  
12 deemed the individual requires such training to complete  
13 secondary school or to attain a graduate equivalency diploma.  
14 To calculate countable hours attributable to education, a  
15 participant may earn study credits equal to the number of  
16 actual hours spent in formal training per week, but the total  
17 number of hours earned for actual hours spent in formal  
18 training and studying may not exceed a one to one and one-half  
19 ratio for the week. Countable hours are subject to the  
20 restrictions contained in 45 C.F.R. s. 261.31.

21 (n) Providing child care services.--Providing child  
22 care services to an individual who is participating in a  
23 community service program pursuant to this section.

24 (2) WORK ACTIVITY REQUIREMENTS.--Each individual who  
25 is not otherwise exempt must participate in a work activity,  
26 except for community service work experience, for the maximum  
27 number of hours allowable under federal law, provided that no  
28 participant be required to work more than 40 hours per week or  
29 less than the minimum number of hours required by federal law.  
30 The maximum number of hours each month that a participant may  
31 be required to participate in community service activities is

1 the greater of: the number of hours that would result from  
2 dividing the family's monthly amount for temporary cash  
3 assistance and food stamps by the federal minimum wage and  
4 then dividing that result by the number of participants in the  
5 family who participate in community service activities, or the  
6 minimum required to meet federal participation requirements.  
7 However, in no case shall the maximum hours required per week  
8 for community work experience exceed 40 hours. An applicant  
9 shall be referred for employment at the time of application if  
10 the applicant is eligible to participate in the welfare  
11 transition program.

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

18 (b) Program funds may be used, as available, to  
19 support the efforts of a participant who meets the work  
20 activity requirements and who wishes to enroll in or continue  
21 enrollment in an adult general education program or a career  
22 education program.

23 (3) EXEMPTION FROM WORK ACTIVITY REQUIREMENTS.--The  
24 following individuals are exempt from work activity  
25 requirements:

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

27 (b) An individual who receives benefits under the  
28 Supplemental Security Income program or the Social Security  
29 Disability Insurance program.

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



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

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

10       (4) PRIORITIZATION OF WORK REQUIREMENTS.--Regional  
11 workforce boards shall require participation in work  
12 activities to the maximum extent possible, subject to federal  
13 and state funding. If funds are projected to be insufficient  
14 to allow full-time work activities by all program participants  
15 who are required to participate in work activities, regional  
16 workforce boards shall screen participants and assign priority  
17 based on the following:

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

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

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

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

30  
31 Regional workforce boards may limit a participant's weekly

1 work requirement to the minimum required to meet federal work  
2 activity requirements in lieu of the level defined in  
3 subsection (2). Regional workforce boards may develop  
4 screening and prioritization procedures based on the  
5 allocation of resources, the availability of community  
6 resources, or the work activity needs of the service district.

7 (5) USE OF CONTRACTS.--Regional workforce boards shall  
8 provide work activities, training, and other services, as  
9 appropriate, through contracts. In contracting for work  
10 activities, training, or services, the following applies:

11 (a) A contract must be performance-based. Payment  
12 shall be tied to performance outcomes that include factors  
13 such as, but not limited to, diversion from cash assistance,  
14 job entry, job entry at a target wage, job retention, and  
15 connection to transition services rather than tied to  
16 completion of training or education or any other phase of the  
17 program participation process.

18 (b) A contract may include performance-based incentive  
19 payments that may vary according to the extent to which the  
20 participant is more difficult to place. Contract payments may  
21 be weighted proportionally to reflect the extent to which the  
22 participant has limitations associated with the long-term  
23 receipt of welfare and difficulty in sustaining employment.  
24 The factors may include the extent of prior receipt of  
25 welfare, lack of employment experience, lack of education,  
26 lack of job skills, and other factors determined appropriate  
27 by the regional workforce board.

28 (c) Notwithstanding the exemption from the competitive  
29 sealed bid requirements provided in s. 287.057(3)(f) for  
30 certain contractual services, each contract awarded under this  
31 chapter must be awarded on the basis of a competitive sealed

1 bid, except for a contract with a governmental entity as  
2 determined by the regional workforce board.

3 (d) Regional workforce boards may contract with  
4 commercial, charitable, or religious organizations. A contract  
5 must comply with federal requirements with respect to  
6 nondiscrimination and other requirements that safeguard the  
7 rights of participants. Services may be provided under  
8 contract, certificate, voucher, or other form of disbursement.

9 (e) The administrative costs associated with a  
10 contract for services provided under this section may not  
11 exceed the applicable administrative cost ceiling established  
12 in federal law. An agency or entity that is awarded a contract  
13 under this section may not charge more than 7 percent of the  
14 value of the contract for administration, unless an exception  
15 is approved by the regional workforce board. A list of any  
16 exceptions approved must be submitted to the board of  
17 directors of Workforce Florida, Inc., for review, and the  
18 board may rescind approval of the exception.

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

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

27 (6) PROTECTIONS FOR PARTICIPANTS.--Each participant is  
28 subject to the same health, safety, and nondiscrimination  
29 standards established under federal, state, or local laws that  
30 otherwise apply to other individuals engaged in similar  
31 activities who are not participants in the welfare transition

1 program.

2 (7) PROTECTION FOR CURRENT EMPLOYEES.--In establishing  
3 and contracting for work experience and community service  
4 activities, other work experience activities, on-the-job  
5 training, subsidized employment, and work supplementation  
6 under the welfare transition program, an employed worker may  
7 not be displaced, either completely or partially. A  
8 participant may not be assigned to an activity or employed in  
9 a position if the employer has created the vacancy or  
10 terminated an existing employee without good cause in order to  
11 fill that position with a program participant.

12 (8) CONTRACTS FOR VOCATIONAL ASSESSMENTS AND WORK  
13 EVALUATIONS.--Vocational assessments or work evaluations by  
14 the Occupational Access and Opportunity Commission pursuant to  
15 this section shall be performed under contract with the  
16 regional workforce boards.

17 Section 25. Section 414.20, Florida Statutes, is  
18 transferred, renumbered as section 445.025, Florida Statutes,  
19 and amended to read:

20 445.025 ~~414.20~~ Other support services.--Support  
21 services shall be provided, if resources permit, to assist  
22 participants in complying with work activity requirements  
23 outlined in s. 445.024 ~~s. 414.065~~. If resources do not permit  
24 the provision of needed support services, the regional  
25 workforce board ~~department and the local WAGES coalition~~ may  
26 prioritize or otherwise limit provision of support services.  
27 This section does not constitute an entitlement to support  
28 services. Lack of provision of support services may be  
29 considered as a factor in determining whether good cause  
30 exists for failing to comply with work activity requirements  
31 but does not automatically constitute good cause for failing

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

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

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

31 (b) Transportation disadvantaged funds as defined in

1 chapter 427 do not include ~~WAGES~~ support services funds or  
2 funds appropriated to assist persons eligible under the Job  
3 Training Partnership Act. It is the intent of the Legislature  
4 that ~~local WAGES coalitions and regional workforce development~~  
5 boards consult with local community transportation  
6 coordinators designated under chapter 427 regarding the  
7 availability and cost of transportation services through the  
8 coordinated transportation system prior to contracting for  
9 comparable transportation services outside the coordinated  
10 system.

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

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

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

31 Section 26. Section 414.1525, Florida Statutes, is

1 transferred, renumbered as section 445.026, Florida Statutes,  
2 and amended to read:

3 445.026 ~~414.1525~~ Cash assistance severance benefit  
4 ~~WAGES early exit diversion program.~~--An individual who meets  
5 the criteria listed in this section may choose to receive a  
6 lump-sum payment in lieu of ongoing cash assistance payments,  
7 provided the individual:

8 (1) Is employed and is receiving earnings, ~~and would~~  
9 ~~be eligible to receive cash assistance in an amount less than~~  
10 ~~\$100 per month given the WAGES earnings disregard.~~

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

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

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

16 (5) Provides employment and earnings information to  
17 the regional workforce board ~~department~~, so that the regional  
18 workforce board ~~department~~ can ensure that the family's  
19 eligibility for severance ~~transitional~~ benefits can be  
20 evaluated.

21 (6) Signs an agreement not to apply for or accept cash  
22 assistance for 6 months after receipt of the one-time payment.  
23 In the event of an emergency, such agreement shall provide for  
24 an exception to this restriction, provided that the one-time  
25 payment shall be deducted from any cash assistance for which  
26 the family subsequently is approved. This deduction may be  
27 prorated over an 8-month period. The board of directors of  
28 Workforce Florida, Inc., ~~department~~ shall adopt criteria ~~rules~~  
29 defining the conditions under which a family may receive cash  
30 assistance due to such emergency.

31

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

10 Section 27. Section 445.028, Florida Statutes, is  
11 created to read:

12 445.028 Transitional benefits and services.--In  
13 cooperation with Workforce Florida, Inc., the Department of  
14 Children and Family Services shall develop procedures to  
15 ensure that families leaving the temporary cash assistance  
16 program receive transitional benefits and services that will  
17 assist the family in moving toward self-sufficiency. At a  
18 minimum, such procedures must include, but are not limited to,  
19 the following:

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

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

31 (3) The department, in consultation with the board of



1 directors of Workforce Florida, Inc., shall develop  
2 informational material, including posters and brochures, to  
3 better inform families about the availability of transitional  
4 benefits and services.

5 (4) Workforce Florida, Inc., in cooperation with the  
6 Department of Children and Family Services shall, to the  
7 extent permitted by federal law, develop procedures to  
8 maximize the utilization of transitional Medicaid by families  
9 who leave the temporary cash assistance program.

10 Section 28. Section 414.21, Florida Statutes, is  
11 transferred, renumbered as section 445.029, Florida Statutes,  
12 and amended to read:

13 445.029 ~~414.21~~ Transitional medical benefits.--

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

19 (a) The family shall be denied Medicaid during the  
20 12-month period for any month in which the family does not  
21 include a dependent child.

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

26 (2) The family shall be informed of transitional  
27 Medicaid when the family is notified by the Department of  
28 Children and Family Services of the termination of temporary  
29 cash assistance. The notice must include a description of the  
30 circumstances in which the transitional Medicaid may be  
31 terminated.

Amendment No. \_\_\_\_ (for drafter's use only)

1           Section 29. Section 414.22, Florida Statutes, is  
2 transferred, renumbered as section 445.030, Florida Statutes,  
3 and amended to read:

4           445.030 ~~414.22~~ Transitional education and  
5 training.--In order to assist ~~current and~~ former recipients of  
6 temporary cash assistance participants who are working or  
7 actively seeking employment in continuing their training and  
8 upgrading their skills, education, or training, support  
9 services may be provided ~~to a participant~~ for up to 2 years  
10 after the family participant is no longer receiving temporary  
11 cash assistance in the program. This section does not  
12 constitute an entitlement to transitional education and  
13 training. If funds are not sufficient to provide services  
14 under this section, the ~~WAGES Program State~~ board of directors  
15 of Workforce Florida, Inc., may limit or otherwise prioritize  
16 transitional education and training.

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

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

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

1 occupation.

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

9 Section 30. Section 414.225, Florida Statutes, is  
10 transferred, renumbered as section 445.031, Florida Statutes,  
11 and amended to read:

12 445.031 ~~414.225~~ Transitional transportation.--In order  
13 to assist former recipients of temporary cash assistance ~~WAGES~~  
14 ~~participants~~ in maintaining and sustaining employment or  
15 educational opportunities, transportation may be provided, if  
16 funds are available, for up to 2 years ~~1 year~~ after the  
17 participant is no longer in the program. This does not  
18 constitute an entitlement to transitional transportation. If  
19 funds are not sufficient to provide services under this  
20 section, regional workforce boards ~~the department~~ may limit or  
21 otherwise prioritize transportation services.

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

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

29 Section 31. Section 445.032, Florida Statutes, is  
30 created to read:

31 445.032 Transitional child care.--In order to assist

1 former welfare transition program participants and individuals  
2 who have been redirected through up-front diversion,  
3 transitional child care is available for up to 2 years:

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

7 (b) To an individual who has been redirected through  
8 up-front diversion and whose income does not exceed 200  
9 percent of the federal poverty level at any time during that  
10 2-year period.

11 Section 32. Section 414.23, Florida Statutes, is  
12 transferred, renumbered as section 445.033, Florida Statutes,  
13 and amended to read:

14 445.033 414.23 Evaluation.--The department and the  
15 WAGES Program State board of directors of Workforce Florida,  
16 Inc., and the Department of Children and Family Services shall  
17 arrange for evaluation of TANF-funded programs operated under  
18 this chapter, as follows:

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

23 (2) The ~~department and the WAGES Program State~~ board  
24 of directors of Workforce Florida, Inc., and the department  
25 shall participate in the evaluation of this program in  
26 conjunction with evaluation of the state's workforce  
27 development programs or similar activities aimed at evaluating  
28 program outcomes, cost-effectiveness, or return on investment,  
29 and the impact of time limits, sanctions, and other welfare  
30 reform measures set out in this chapter. Evaluation shall also  
31 contain information on the number of participants in work

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1 experience assignments who obtain unsubsidized employment,  
2 including, but not limited to, the length of time the  
3 unsubsidized job is retained, wages, and the public benefits,  
4 if any, received by such families while in unsubsidized  
5 employment. The evaluation shall solicit the input of  
6 consumers, community-based organizations, service providers,  
7 employers, and the general public, and shall publicize,  
8 especially in low-income communities, the process for  
9 submitting comments.

10 (3) ~~The department and the WAGES Program State board~~  
11 ~~of directors of Workforce Florida, Inc., and the department~~  
12 may share information with and develop protocols for  
13 information exchange with the Florida Education and Training  
14 Placement Information Program.

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

20 (5) In providing for evaluation activities, the  
21 ~~department and the WAGES Program State board of directors of~~  
22 ~~Workforce Florida, Inc., and the department~~ shall safeguard  
23 the use or disclosure of information obtained from program  
24 participants consistent with federal or state requirements.  
25 ~~The department and the WAGES Program State Board of Directors~~  
26 ~~may use~~ Evaluation methodologies may be used which ~~that~~ are  
27 appropriate for evaluation of program activities, including  
28 random assignment of recipients or participants into program  
29 groups or control groups. To the extent necessary or  
30 appropriate, evaluation data shall provide information with  
31 respect to the state, district, or county, or other substate

1 area.

2 (6) The ~~department and the WAGES Program State~~ board  
3 of directors of Workforce Florida, Inc., and the department  
4 may contract with a qualified organization for evaluations  
5 conducted under this section.

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

8 Section 33. Section 445.034, Florida Statutes, is  
9 created to read:

10 445.034 Authorized expenditures.--Any expenditures  
11 from the Temporary Assistance for Needy Families block grant  
12 shall be made in accordance with the requirements and  
13 limitations of part A of Title IV of the Social Security Act,  
14 as amended, or any other applicable federal requirement or  
15 limitation. Prior to any expenditure of such funds, the  
16 Secretary of Children and Family Services, or his or her  
17 designee, shall certify that controls are in place to ensure  
18 such funds are expended in accordance with the requirements  
19 and limitations of federal law and that any reporting  
20 requirements of federal law are met. It shall be the  
21 responsibility of any entity to which such funds are  
22 appropriated to obtain the required certification prior to any  
23 expenditure of funds.

24 Section 34. Section 414.44, Florida Statutes, is  
25 transferred, renumbered as section 445.035, Florida Statutes,  
26 and amended to read:

27 445.035 ~~414.44~~ Data collection and reporting.--The  
28 Department of Children and Family Services ~~department~~ and the  
29 ~~WAGES Program State~~ board of directors of Workforce Florida,  
30 Inc., shall collect data necessary to administer this chapter  
31 and make the reports required under federal law to the United

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1 States Department of Health and Human Services and the United  
2 States Department of Agriculture.

3 Section 35. Section 414.025, Florida Statutes, is  
4 amended to read:

5 414.025 Legislative intent.--

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

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

13 ~~(3) The WAGES Program shall emphasize work,~~  
14 ~~self-sufficiency, and personal responsibility while meeting~~  
15 ~~the transitional needs of program participants who need~~  
16 ~~short-term assistance toward achieving independent, productive~~  
17 ~~lives and gaining the responsibility that comes with~~  
18 ~~self-sufficiency.~~

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

23 ~~(2)(5)~~ This chapter does not entitle any individual or  
24 family to assistance under ~~the WAGES Program~~ or Title IV-A of  
25 the Social Security Act, as amended.

26 Section 36. Section 414.0252, Florida Statutes, is  
27 amended to read:

28 414.0252 Definitions.--As used in ss. 414.025-414.55  
29 ~~ss. 414.015-414.45~~, the term:

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

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

4           (3) "Department" means the Department of Children and  
5 Family Services.

6           (4) "Domestic violence" means any assault, aggravated  
7 assault, battery, aggravated battery, sexual assault, sexual  
8 battery, stalking, aggravated stalking, kidnapping, false  
9 imprisonment, or any criminal offense that results in the  
10 physical injury or death of one family or household member by  
11 another.

12           (5) "Family" means the assistance group or the  
13 individuals whose needs, resources, and income are considered  
14 when determining eligibility for temporary assistance. The  
15 family for purposes of temporary assistance includes the minor  
16 child, custodial parent, or caretaker relative who resides in  
17 the same house or living unit. The family may also include  
18 individuals whose income and resources are considered in whole  
19 or in part in determining eligibility for temporary assistance  
20 but whose needs, due to federal or state restrictions, are not  
21 considered. These individuals include, but are not limited to,  
22 ineligible noncitizens or sanctioned individuals.

23           (6) "Family or household member" means spouses, former  
24 spouses, noncohabitating partners, persons related by blood or  
25 marriage, persons who are presently residing together as if a  
26 family or who have resided together in the past as if a  
27 family, and persons who have a child in common regardless of  
28 whether they have been married or have resided together at any  
29 time.

30           (7) "Homeless" means an individual who lacks a fixed,  
31 regular, and adequate nighttime residence or an individual who



1 has a primary nighttime residence that is:

2 (a) A supervised publicly or privately operated  
3 shelter designed to provide temporary living accommodations,  
4 including welfare hotels, congregate shelters, and  
5 transitional housing for the mentally ill;

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

8 (c) A public or private place not designed for, or  
9 ordinarily used as, a regular sleeping accommodation for human  
10 beings.

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

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

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

22 (11) "Relative caretaker" or "caretaker relative"  
23 means an adult who has assumed the primary responsibility of  
24 caring for a child and who is related to the child by blood or  
25 marriage.

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

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

10       (12)(13) "Temporary cash assistance" means cash  
11 assistance provided under the state program certified under  
12 Title IV-A of the Social Security Act, as amended.

13       Section 37. Section 414.045, Florida Statutes, is  
14 amended to read:

15       414.045 Cash assistance program.--Cash assistance  
16 families include any families receiving cash assistance  
17 payments from the state program for temporary assistance for  
18 needy families as defined in federal law, whether such funds  
19 are from federal funds, state funds, or commingled federal and  
20 state funds. Cash assistance families may also include  
21 families receiving cash assistance through a program defined  
22 as a separate state program.

23       (1) For reporting purposes, families receiving cash  
24 assistance shall be grouped in the following categories. The  
25 department may develop additional groupings in order to comply  
26 with federal reporting requirements, to comply with the  
27 data-reporting needs of the ~~WAGES Program State~~ board of  
28 directors of Workforce Florida, Inc., or to better inform the  
29 public of program progress. Program reporting data shall  
30 include, but not necessarily be limited to, the following  
31 groupings:

1           (a) Work-eligible WAGES cases.--Work-eligible WAGES  
2 cases shall include:

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

8           2. Families with a parent where the parent's needs  
9 have been removed from the case due to sanction or  
10 disqualification shall be considered work-eligible WAGES cases  
11 to the extent that such cases are considered in the  
12 calculation of federal participation rates or would be counted  
13 in such calculation in future months.

14           3. Families participating in transition assistance  
15 programs.

16           4. Families otherwise eligible for temporary cash  
17 assistance ~~the WAGES Program~~ that receive a diversion  
18 services, a severance or early exit payment, or participate in  
19 the relocation program.

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

23           1. Child-only families with children in the care of  
24 caretaker relatives where the caretaker relatives choose to  
25 have their needs excluded in the calculation of the amount of  
26 cash assistance.

27           2. Families in the Relative Caregiver Program as  
28 provided in s. 39.5085.

29           3. Families in which the only parent in a  
30 single-parent family or both parents in a two-parent family  
31 receive supplemental security income (SSI) benefits under

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1 Title XVI of the Social Security Act, as amended. To the  
2 extent permitted by federal law, individuals receiving SSI  
3 shall be excluded as household members in determining the  
4 amount of cash assistance, and such cases shall not be  
5 considered families containing an adult. Parents or caretaker  
6 relatives who are excluded from the cash assistance group due  
7 to receipt of SSI may choose to participate in ~~WAGES~~ work  
8 activities. An individual who volunteers to participate in  
9 ~~WAGES~~ work activity but whose ability to participate in work  
10 activities is limited shall be assigned to work activities  
11 consistent with such limitations. An individual who volunteers  
12 to participate in a ~~WAGES~~ work activity may receive  
13 ~~WAGES-related~~ child care or support services consistent with  
14 such participation.

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

21  
22 Families described in subparagraph 1., subparagraph 2., or  
23 subparagraph 3. may receive child care assistance or other  
24 supports or services so that the children may continue to be  
25 cared for in their own homes or the homes of relatives. Such  
26 assistance or services may be funded from the temporary  
27 assistance for needy families block grant to the extent  
28 permitted under federal law and to the extent permitted by  
29 appropriation of funds.

30 (2) ~~The Oversight by of the WAGES Program State~~ board  
31 of directors of Workforce Florida, Inc., and the service

1 delivery and financial planning responsibilities of the  
2 regional workforce boards ~~local WAGES coalitions~~ shall apply  
3 to the families defined as work-eligible ~~WAGES~~ cases in  
4 paragraph (1)(a). The department shall be responsible for  
5 program administration related to families in groups defined  
6 in paragraph (1)(b), and the department shall coordinate such  
7 administration with the ~~WAGES Program State~~ board of directors  
8 of Workforce Florida, Inc., to the extent needed for operation  
9 of the program.

10 Section 38. Section 414.065, Florida Statutes, is  
11 amended to read:

12 414.065 Noncompliance with 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 WAGES Program.~~

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

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

27 ~~1. Work supplementation.--A work supplementation~~  
28 ~~subsidy diverts a participant's temporary cash assistance~~  
29 ~~under the program to the employer. The employer must pay the~~  
30 ~~participant wages that equal or exceed the applicable federal~~  
31 ~~minimum wage. Work supplementation may not exceed 6 months. At~~

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

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

20 ~~3. Incentive payments. The department and local WAGES~~  
21 ~~coalitions may provide additional incentive payments to~~  
22 ~~encourage employers to employ program participants. Incentive~~  
23 ~~payments may include payments to encourage the employment of~~  
24 ~~hard-to-place participants, in which case the amount of the~~  
25 ~~payment shall be weighted proportionally to the extent to~~  
26 ~~which the participant has limitations associated with the~~  
27 ~~long-term receipt of welfare and difficulty in sustaining~~  
28 ~~employment. In establishing incentive payments, the department~~  
29 ~~and local WAGES coalitions shall consider the extent of prior~~  
30 ~~receipt of welfare, lack of employment experience, lack of~~  
31 ~~education, lack of job skills, and other appropriate factors.~~

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1 ~~A participant who has complied with program requirements and~~  
2 ~~who is approaching the time limit for receiving temporary cash~~  
3 ~~assistance may be defined as "hard to place." Incentive~~  
4 ~~payments may include payments in which an initial payment is~~  
5 ~~made to the employer upon the employment of a participant, and~~  
6 ~~the majority of the incentive payment is made after the~~  
7 ~~employer retains the participant as a full-time employee for~~  
8 ~~at least 12 months. An incentive agreement may not be~~  
9 ~~continued with any employer who exhibits a pattern of failing~~  
10 ~~to provide participants with continued employment after the~~  
11 ~~incentive payments cease.~~

12         4. ~~Tax credits.--An employer who employs a program~~  
13 ~~participant may qualify for enterprise zone property tax~~  
14 ~~credits under s. 220.182, the tax refund program for qualified~~  
15 ~~target industry businesses under s. 288.106, or other federal~~  
16 ~~or state tax benefits. The department and the Department of~~  
17 ~~Labor and Employment Security shall provide information and~~  
18 ~~assistance, as appropriate, to use such credits to accomplish~~  
19 ~~program goals.~~

20         5. ~~WAGES training bonus.--An employer who hires a~~  
21 ~~WAGES participant who has less than 6 months of eligibility~~  
22 ~~for temporary cash assistance remaining and who pays the~~  
23 ~~participant a wage that precludes the participant's~~  
24 ~~eligibility for temporary cash assistance may receive \$240 for~~  
25 ~~each full month of employment for a period that may not exceed~~  
26 ~~3 months. An employer who receives a WAGES training bonus for~~  
27 ~~an employee may not receive a work supplementation subsidy for~~  
28 ~~the same employee. Employment is defined as 35 hours per week~~  
29 ~~at a wage of no less than minimum wage.~~

30         (c) ~~Subsidized public sector employment.--Subsidized~~  
31 ~~public sector employment is employment by an agency of the~~

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

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

- 28 ~~1. Assess WAGES Program compliance before referral of~~  
29 ~~the participant to costly services such as career education;~~  
30 ~~2. Maintain work activity status while the participant~~  
31 ~~awaits placement into paid employment or training;~~



1           ~~3. Fulfill a clinical practicum or internship~~  
2 ~~requirement related to employment; or~~

3           ~~4. Provide work-based mentoring.~~

4  
5 ~~As used in this paragraph, the terms "community service~~  
6 ~~experience," "community work," and "workfare" are synonymous.~~

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

25           ~~(f) Job search and job readiness assistance. Job~~  
26 ~~search assistance may include supervised or unsupervised~~  
27 ~~job-seeking activities. Job readiness assistance provides~~  
28 ~~support for job-seeking activities, which may include:~~

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

31           ~~2. Instruction in completing an application for~~

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

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

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

1 ~~report the participants for other state funding, except that~~  
2 ~~the college or school district may report WAGES clients for~~  
3 ~~performance incentives or bonuses authorized for student~~  
4 ~~enrollment, completion, and placement.~~

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 department~~  
19 ~~shall 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 WAGES Program.~~

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

23           ~~(2) WORK ACTIVITY REQUIREMENTS.--Each individual who~~  
24 ~~is not otherwise exempt must participate in a work activity,~~  
25 ~~except for community service work experience, for the maximum~~  
26 ~~number of hours allowable under federal law, provided that no~~  
27 ~~participant be required to work more than 40 hours per week or~~  
28 ~~less than the minimum number of hours required by federal law.~~  
29 ~~The maximum number of hours each month that a participant may~~  
30 ~~be required to participate in community service activities is~~  
31 ~~the greater of: the number of hours that would result from~~

1 ~~dividing the family's monthly amount for temporary cash~~  
2 ~~assistance and food stamps by the federal minimum wage and~~  
3 ~~then dividing that result by the number of participants in the~~  
4 ~~family who participate in community service activities; or the~~  
5 ~~minimum required to meet federal participation requirements.~~  
6 ~~However, in no case shall the maximum hours required per week~~  
7 ~~for community work experience exceed 40 hours. An applicant~~  
8 ~~shall be referred for employment at the time of application if~~  
9 ~~the applicant is eligible to participate in the WAGES Program.~~

10 ~~(a) A participant in a work activity may also be~~  
11 ~~required to enroll in and attend a course of instruction~~  
12 ~~designed to increase literacy skills to a level necessary for~~  
13 ~~obtaining or retaining employment, provided that the~~  
14 ~~instruction plus the work activity does not require more than~~  
15 ~~40 hours per week.~~

16 ~~(b) WAGES Program funds may be used, as available, to~~  
17 ~~support the efforts of a participant who meets the work~~  
18 ~~activity requirements and who wishes to enroll in or continue~~  
19 ~~enrollment in an adult general education program or a career~~  
20 ~~education program.~~

21 ~~(3) EXEMPTION FROM WORK ACTIVITY REQUIREMENTS.--The~~  
22 ~~following individuals are exempt from work activity~~  
23 ~~requirements:~~

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

27 ~~(b) An individual who receives benefits under the~~  
28 ~~Supplemental Security Income program or the Social Security~~  
29 ~~Disability Insurance program.~~

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

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1           ~~(d) One custodial parent with a child under 3 months~~  
2 ~~of age, except that the parent may be required to attend~~  
3 ~~parenting classes or other activities to better prepare for~~  
4 ~~the responsibilities of raising a child. If the custodial~~  
5 ~~parent is age 19 or younger and has not completed high school~~  
6 ~~or the equivalent, he or she may be required to attend school~~  
7 ~~or other appropriate educational activities.~~

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

1 ~~to be treated under sanction as provided in this section, The~~  
2 ~~department shall attempt to secure a waiver that provides for~~  
3 ~~procedures as similar as possible to those provided in this~~  
4 ~~section and shall~~ administer sanctions related to food stamps  
5 consistent with federal regulations.

6 (a)1. First noncompliance: temporary cash assistance  
7 shall be terminated for the family for a minimum of 10 days or  
8 until the individual who failed to comply does so, ~~and food~~  
9 ~~stamp benefits shall not be increased as a result of the loss~~  
10 ~~of temporary cash assistance.~~

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

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

30 (b) If a participant receiving temporary cash  
31 assistance who is otherwise exempted from noncompliance



1 penalties fails to comply with the alternative requirement  
2 plan required in accordance with this section, the penalties  
3 provided in paragraph (a) shall apply.

4  
5 If a participant fully complies with work activity  
6 requirements for at least 6 months, the participant shall be  
7 reinstated as being in full compliance with program  
8 requirements for purpose of sanctions imposed under this  
9 section.

10 (2)~~(5)~~ CONTINUATION OF TEMPORARY CASH ASSISTANCE FOR  
11 CHILDREN; PROTECTIVE PAYEES.--

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

20 (b) Protective payees shall be designated by the  
21 department and may include:

22 1. A relative or other individual who is interested in  
23 or concerned with the welfare of the child or children and  
24 agrees in writing to utilize the assistance in the best  
25 interest of the child or children.

26 2. A member of the community affiliated with a  
27 religious, community, neighborhood, or charitable organization  
28 who agrees in writing to utilize the assistance in the best  
29 interest of the child or children.

30 3. A volunteer or member of an organization who agrees  
31 in writing to fulfill the role of protective payee and to

1 utilize the assistance in the best interest of the child or  
2 children.

3 (c) The protective payee designated by the department  
4 shall be the authorized representative for purposes of  
5 receiving food stamps on behalf of a child or children under  
6 age 16. The authorized representative must agree in writing to  
7 use the food stamps in the best interest of the child or  
8 children.

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

21 (e) The department may pay incidental expenses or  
22 travel expenses for costs directly related to performance of  
23 the duties of a protective payee as necessary to implement the  
24 provisions of this subsection.

25 (f) If the department is unable to designate a  
26 qualified protective payee or authorized representative, a  
27 referral shall be made under the provisions of chapter 39 for  
28 protective intervention.

29 ~~(3)(6)~~ PROPORTIONAL REDUCTION OF TEMPORARY CASH  
30 ASSISTANCE RELATED TO PAY AFTER PERFORMANCE.--Notwithstanding  
31 the provisions of subsection ~~(1)(4)~~, if an individual is

1 receiving temporary cash assistance under a  
2 pay-after-performance arrangement and the individual  
3 participates, but fails to meet the full participation  
4 requirement, then the temporary cash assistance received shall  
5 be reduced and shall be proportional to the actual  
6 participation. Food stamps may be included in a  
7 pay-after-performance arrangement if permitted under federal  
8 law.

9 (4)(7) EXCEPTIONS TO NONCOMPLIANCE PENALTIES.--Unless  
10 otherwise provided, the situations listed in this subsection  
11 shall constitute exceptions to the penalties for noncompliance  
12 with participation requirements, except that these situations  
13 do not constitute exceptions to the applicable time limit for  
14 receipt of temporary cash assistance:

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

- 24 1. Unavailability of appropriate child care within a  
25 reasonable distance from the individual's home or worksite.
- 26 2. Unavailability or unsuitability of informal child  
27 care by a relative or under other arrangements.
- 28 3. Unavailability of appropriate and affordable formal  
29 child care arrangements.

30 (b) Noncompliance related to domestic violence.--An  
31 individual who is determined to be unable to comply with the

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

14 (c) Noncompliance related to treatment or remediation  
15 of past effects of domestic violence.--An individual who is  
16 determined to be unable to comply with the work requirements  
17 under this section due to mental or physical impairment  
18 related to past incidents of domestic violence may be exempt  
19 from work requirements ~~for a specified period pursuant to s.~~  
20 ~~414.028(4)(g)~~, except that such individual shall comply with a  
21 plan that specifies alternative requirements that prepare the  
22 individual for self-sufficiency while providing for the safety  
23 of the individual and the individual's dependents. A  
24 participant who is determined to be out of compliance with the  
25 alternative requirement plan shall be subject to the penalties  
26 under subsection (1)~~(4)~~. The plan must include counseling or  
27 a course of treatment necessary for the individual to resume  
28 participation. The need for treatment and the expected  
29 duration of such treatment must be verified by a physician  
30 licensed under chapter 458 or chapter 459; a psychologist  
31 licensed under s. 490.005(1), s. 490.006, or the provision

1 identified as s. 490.013(2) in s. 1, chapter 81-235, Laws of  
2 Florida; a therapist as defined in s. 491.003(2) or (6); or a  
3 treatment professional who is registered under s. 39.905(1)(g)  
4 ~~s. 415.605(1)(g)~~, is authorized to maintain confidentiality  
5 under s. 90.5036(1)(d), and has a minimum of 2 years  
6 experience at a certified domestic violence center. An  
7 exception granted under this paragraph does not automatically  
8 constitute an extension of ~~exception from~~ the time limitations  
9 on benefits specified under s. 414.105.

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

30 (e) Noncompliance related to outpatient mental health  
31 or substance abuse treatment.--If an individual cannot

1 participate in the required hours of work activity due to a  
2 need to become or remain involved in outpatient mental health  
3 or substance abuse counseling or treatment, the individual may  
4 be exempted from the work activity for up to 5 hours per week,  
5 not to exceed 100 hours per year. An individual may not be  
6 excused from a work activity unless a mental health or  
7 substance abuse professional recognized by the department or  
8 regional workforce board certifies the treatment protocol and  
9 provides verification of attendance at the counseling or  
10 treatment sessions each week.

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

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

30 (5)(8) WORK ACTIVITY REQUIREMENTS FOR NONCUSTODIAL  
31 PARENTS.--

1 (a) The court may order a noncustodial parent who is  
2 delinquent in child support payments to participate in work  
3 activities under this chapter so that the parent may obtain  
4 employment and fulfill the obligation to provide support  
5 payments. A noncustodial parent who fails to satisfactorily  
6 engage in court-ordered work activities may be held in  
7 contempt.

8 (b) The court may order a noncustodial parent to  
9 participate in work activities under this chapter if the child  
10 of the noncustodial parent has been placed with a relative, in  
11 an emergency shelter, in foster care, or in other substitute  
12 care, and:

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

15 2. The noncustodial parent would be eligible to  
16 participate in work activities ~~the WAGES Program~~ and subject  
17 to work activity requirements if the child were living with  
18 the parent.

19  
20 If a noncustodial parent fails to comply with the case plan,  
21 the noncustodial parent may be removed from program  
22 participation.

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

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

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

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

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

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

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

27           ~~(a) All education and training provided under the~~  
28 ~~WAGES Program shall be provided through agreements with~~  
29 ~~regional workforce development boards.~~

30           ~~(b) A contract must be performance-based. Wherever~~  
31 ~~possible, payment shall be tied to performance outcomes that~~



1 ~~include factors such as, but not limited to, job entry, job~~  
2 ~~entry at a target wage, and job retention, rather than tied to~~  
3 ~~completion of training or education or any other phase of the~~  
4 ~~program participation process.~~

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

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

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

28 ~~(f) The administrative costs associated with a~~  
29 ~~contract for services provided under this section may not~~  
30 ~~exceed the applicable administrative cost ceiling established~~  
31 ~~in federal law. An agency or entity that is awarded a contract~~

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~~1 under this section may not charge more than 7 percent of the  
2 value of the contract for administration, unless an exception  
3 is approved by the local WAGES coalition. A list of any  
4 exceptions approved must be submitted to the WAGES Program  
5 State Board of Directors for review, and the board may rescind  
6 approval of the exception. The WAGES Program State Board of  
7 Directors may also approve exceptions for any statewide  
8 contract for services provided under this section.~~

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

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

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

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

1           ~~(13) CONTRACTS FOR VOCATIONAL ASSESSMENTS AND WORK~~  
2 ~~EVALUATIONS.--Vocational assessments or work evaluations by~~  
3 ~~the Division of Vocational Rehabilitation pursuant to this~~  
4 ~~section shall be performed under contract with the local WAGES~~  
5 ~~coalitions.~~

6           Section 39. Section 414.085, Florida Statutes, is  
7 amended to read:

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

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

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

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

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           (a) To be eligible for services or temporary cash

1 assistance and Medicaid ~~under the WAGES Program~~:

2 1. An applicant must be a United States citizen, or a  
3 qualified noncitizen, as defined in this section.

4 2. An applicant must be a legal resident of the state.

5 3. Each member of a family must provide to the  
6 department the member's social security number or shall  
7 provide proof of application for a social security number. An  
8 individual who fails to provide to the department a social  
9 security number, or proof of application for a social security  
10 number, is not eligible to participate in the program.

11 4. A minor child must reside with a custodial parent  
12 or parents or with a relative caretaker who is within the  
13 specified degree of blood relationship as defined under this  
14 chapter ~~the WAGES Program~~, or in a setting approved by the  
15 department.

16 5. Each family must have a minor child and meet the  
17 income and resource requirements of the program. All minor  
18 children who live in the family, as well as the parents of the  
19 minor children, shall be included in the eligibility  
20 determination unless specifically excluded.

21 (b) The following members of a family are eligible to  
22 participate in the program if all eligibility requirements are  
23 met:

24 1. A minor child who resides with a custodial parent  
25 or other adult caretaker relative.

26 2. The parent of a minor child with whom the child  
27 resides.

28 3. The caretaker relative with whom the minor child  
29 resides who chooses to have her or his needs and income  
30 included in the family.

31 4. Unwed minor children and their children if the

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

4 5. A pregnant woman.

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

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

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

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

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

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

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

30 (4) STEPPARENTS.--A family that contains a stepparent  
31 has the following special eligibility options if the family

1 meets all other eligibility requirements:

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

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

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

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

27 (c) A family that contains two stepparents, with or  
28 without a mutual minor child, does not have the option to  
29 exclude a stepparent from the family, and the income and  
30 resources from each stepparent must be included in determining  
31 eligibility.



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

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

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

30           (a) Assisting in identifying and locating a  
31 noncustodial parent and providing complete and accurate

1 information on that parent;

2 (b) Assisting in establishing paternity; and

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

5

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

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

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

27 (a) The beginning date of eligibility for temporary  
28 cash assistance is the date ~~on which the application is~~  
29 ~~approved or 30 days after the date of application, whichever~~  
30 ~~is earlier.~~

31 (b) The add date for a newborn child is the date of

1 the child's birth.

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

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

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

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

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

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

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

28 (e) To keep the department ~~and the Department of Labor~~  
29 ~~and Employment Security~~ informed of any changes that could  
30 affect eligibility.

31 (f) To use temporary cash assistance and food stamps

1 for the purpose for which the assistance is intended.

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

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

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

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

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

20

21 The following chart depicts the levels of temporary cash  
22 assistance for implementation purposes:

23

24

THREE-TIER SHELTER PAYMENT STANDARD

25

Family Size	Zero Shelter Obligation	Greater than Zero Less than or Equal to \$50	Greater than \$50 Shelter Obligation
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26

1	\$95	\$153	\$180
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27

2	\$158	\$205	\$241
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1	3	\$198	\$258	\$303
2	4	\$254	\$309	\$364
3	5	\$289	\$362	\$426
4	6	\$346	\$414	\$487
5	7	\$392	\$467	\$549
6	8	\$438	\$519	\$610
7	9	\$485	\$570	\$671
8	10	\$534	\$623	\$733
9	11	\$582	\$676	\$795
10	12	\$630	\$728	\$857
11	13	\$678	\$781	\$919

12

13 (12) DISREGARDS.--

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

- 18 1. A current participant in the program; or
- 19 2. Eligible for participation in the program without  
 20 the earnings disregard.

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

24 (13) CALCULATION OF LEVELS OF TEMPORARY CASH  
 25 ASSISTANCE.--

26 (a) Temporary cash assistance shall be calculated  
 27 based on average monthly gross family income, earned and  
 28 unearned, less any applicable disregards. The resulting  
 29 monthly net income amount shall be subtracted from the  
 30 applicable payment standard to determine the monthly amount of  
 31 temporary cash assistance.

1           (b) A deduction may not be allowed for child care  
2 payments.  
3           (14) METHODS OF PAYMENT OF TEMPORARY CASH  
4 ASSISTANCE.--Temporary cash assistance may be paid as follows:  
5           (a) Direct payment through state warrant, electronic  
6 transfer of temporary cash assistance, or voucher.  
7           (b) Payment to an alternative payee.  
8           (c) Payment for subsidized employment.  
9           (d) Pay-after-performance arrangements with public or  
10 private not-for-profit agencies.  
11           (15) PROHIBITIONS AND RESTRICTIONS.--  
12           (a) A family without a minor child living in the home  
13 is not eligible to receive temporary cash assistance or  
14 services under this chapter. However, a pregnant woman is  
15 eligible for temporary cash assistance in the ninth month of  
16 pregnancy if all eligibility requirements are otherwise  
17 satisfied.  
18           (b) Temporary cash assistance, without shelter  
19 expense, may be available for a teen parent who is a minor  
20 child and for the child. Temporary cash assistance may not be  
21 paid directly to the teen parent but must be paid, on behalf  
22 of the teen parent and child, to an alternative payee who is  
23 designated by the department. The alternative payee may not  
24 use the temporary cash assistance for any purpose other than  
25 paying for food, clothing, shelter, and medical care for the  
26 teen parent and child and for other necessities required to  
27 enable the teen parent to attend school or a training program.  
28 In order for the child of the teen parent and the teen parent  
29 to be eligible for temporary cash assistance, the teen parent  
30 must:  
31           1. Attend school or an approved alternative training

1 program, unless the child is less than 12 weeks of age or the  
2 teen parent has completed high school; and

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

9         3. Attend parenting and family classes that provide a  
10 curriculum specified by the department or the Department of  
11 Health, as available.

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

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

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

28  
29 The department may not delay providing temporary cash  
30 assistance to the teen parent through the alternative payee  
31 designated by the department pending a determination as to

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1 where the teen parent should live and sufficient time for the  
2 move itself. A teen parent determined to need placement that  
3 is unavailable shall continue to be eligible for temporary  
4 cash assistance so long as the teen parent cooperates with the  
5 department, ~~the local WAGES coalition,~~ and the Department of  
6 Health. The teen parent shall be provided with counseling to  
7 make the transition from independence to supervised living and  
8 with a choice of living arrangements.

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

27 (e) If a parent or caretaker relative does not assign  
28 any rights a family member may have to support from any other  
29 person as required by subsection (8), temporary cash  
30 assistance to the entire family shall be denied until the  
31 parent or caretaker relative assigns the rights to the



1 department.

2 (f) An individual who is convicted in federal or state  
3 court of receiving benefits under this chapter, Title XIX, the  
4 Food Stamp Act of 1977, or Title XVI (Supplemental Security  
5 Income), in two or more states simultaneously may not receive  
6 temporary cash assistance or services under this chapter for  
7 10 years following the date of conviction.

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

16 (h) The parent or other caretaker relative must report  
17 to the department by the end of the 5-day period that begins  
18 on the date it becomes clear to the parent or caretaker  
19 relative that a minor child will be absent from the home for  
20 30 or more consecutive days. A parent or caretaker relative  
21 who fails to report this information to the department shall  
22 be disqualified from receiving temporary cash assistance for  
23 30 days for the first occurrence, 60 days for the second  
24 occurrence, and 90 days for the third or subsequent  
25 occurrence.

26 (i) If the parents of a minor child live apart and  
27 equally share custody and control of the child, a parent is  
28 ineligible for temporary cash assistance unless the parent  
29 clearly demonstrates to the department that the parent  
30 provides primary day-to-day custody.

31 (j) The payee of the temporary cash assistance payment

1 is the caretaker relative with whom a minor child resides and  
2 who assumes primary responsibility for the child's daily  
3 supervision, care, and control, except in cases where a  
4 protective payee is established.

5 ~~(16) TRANSITIONAL BENEFITS AND SERVICES. The~~  
6 ~~department shall develop procedures to ensure that families~~  
7 ~~leaving the temporary cash assistance program receive~~  
8 ~~transitional benefits and services that will assist the family~~  
9 ~~in moving toward self-sufficiency. At a minimum, such~~  
10 ~~procedures must include, but are not limited to, the~~  
11 ~~following:~~

12 ~~(a) Each WAGES participant who is determined~~  
13 ~~ineligible for cash assistance for a reason other than a work~~  
14 ~~activity sanction shall be contacted by the case manager and~~  
15 ~~provided information about the availability of transitional~~  
16 ~~benefits and services. Such contact shall be attempted prior~~  
17 ~~to closure of the case management file.~~

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

22 ~~(c) The department, in consultation with the WAGES~~  
23 ~~Program State Board of Directors, shall develop informational~~  
24 ~~material, including posters and brochures, to better inform~~  
25 ~~families about the availability of transitional benefits and~~  
26 ~~services.~~

27 ~~(d) The department shall review federal requirements~~  
28 ~~related to transitional Medicaid and shall, to the extent~~  
29 ~~permitted by federal law, develop procedures to maximize the~~  
30 ~~utilization of transitional Medicaid by families who leave the~~  
31 ~~temporary cash assistance program.~~

1           ~~(16)~~~~(17)~~ PREELIGIBILITY FRAUD SCREENING.--An applicant  
2 who meets an error-prone profile, as determined by the  
3 department, is subject to preeligibility fraud screening as a  
4 means of reducing misspent funds and preventing fraud. The  
5 department shall create an error-prone or fraud-prone case  
6 profile within its public assistance information system and  
7 shall screen each application for temporary cash assistance  
8 ~~the WAGES Program~~ against the profile to identify cases that  
9 have a potential for error or fraud. Each case so identified  
10 shall be subjected to preeligibility fraud screening.

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

17           ~~(18)~~~~(19)~~ ADDITIONAL FUNDING.--When warranted by  
18 economic circumstances, the department, in consultation with  
19 the Social Services Estimating Conference, shall apply for  
20 additional federal funding available from the Contingency Fund  
21 for State Welfare Programs.

22           Section 41. Section 414.105, Florida Statutes, is  
23 amended to read:

24           414.105 Time limitations of temporary cash  
25 assistance.--Unless otherwise expressly provided in this  
26 chapter, an applicant or current participant shall receive  
27 temporary cash assistance for episodes of not more than 24  
28 cumulative months in any consecutive 60-month period that  
29 begins with the first month of participation and for not more  
30 than a lifetime cumulative total of 48 months as an adult,  
31 unless otherwise provided by law.

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

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

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

11           1. Has not completed a high school education or its  
12 equivalent; or

13           2. Had little or no work experience in the preceding  
14 year.

15           (2) A participant who is not exempt from work activity  
16 requirements may earn 1 month of eligibility for extended  
17 temporary cash assistance, up to maximum of 12 additional  
18 months, for each month in which the participant is fully  
19 complying with the work activities of the WAGES Program  
20 through subsidized or unsubsidized public or private sector  
21 employment. The period for which extended temporary cash  
22 assistance is granted shall be based upon compliance with  
23 WAGES Program requirements beginning October 1, 1996.

24           (3) A WAGES participant who is not exempt from work  
25 activity requirements and who participates in a recommended  
26 mental health or substance abuse treatment program may earn 1  
27 month of eligibility for extended temporary cash assistance,  
28 up to a maximum of 12 additional months, for each month in  
29 which the individual fully complies with the requirements of  
30 the treatment program. This treatment credit may be awarded  
31 only upon the successful completion of the treatment program

1 and only once during the 48-month time limit.

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

12 (a) For participants who have received 24 cumulative  
13 months or 36 cumulative months of temporary cash assistance,  
14 criteria for hardship ~~extensions~~ ~~exemptions~~ include:

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

17 2.(b) Diligent participation in activities, combined  
18 with extraordinary barriers to employment, including the  
19 conditions which may result in an exemption to work  
20 requirements.

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

23 4. Delay or interruption in an individual's  
24 participation in the program as a result of the effects of  
25 domestic violence. Hardship extensions granted under this  
26 subsection shall not be subject to the percentage limitation  
27 in this subsection.

28 5.(d) Diligent participation in activities and a need  
29 by teen parents for an extension ~~exemption~~ in order to have 24  
30 months of eligibility beyond receipt of the high school  
31 diploma or equivalent.

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

13  
14 At the recommendation of the regional workforce board local  
15 ~~WAGES coalition~~, temporary cash assistance under a hardship  
16 extension exemption for a participant who is eligible for work  
17 activities and who is not working shall be reduced by 10  
18 percent. Upon the employment of the participant, full benefits  
19 shall be restored.

20           (b) The cumulative total of all hardship extensions  
21 may not exceed 12 months, may include reduced benefits at the  
22 option of the review panel, and shall, in combination with  
23 other periods of temporary cash assistance as an adult, total  
24 no more than 48 months of temporary cash assistance, unless  
25 otherwise provided by law. If an individual fails to comply  
26 with program requirements during a hardship extension period,  
27 the hardship extension shall be removed upon the participant  
28 being given 10 days' notice to show good cause for failure to  
29 comply.

30           (c) For participants who have received 48 cumulative  
31 months of cash assistance, criteria for hardship extensions

1 include:

2 1. Supplemental Security Income or Social Security  
3 Disability Insurance applicants who have pending claims at the  
4 end of the 48-month period whose claims have been verified by  
5 a physician licensed under chapter 458 or chapter 459. An  
6 independent medical examination may be requested by the  
7 regional workforce board to establish that the applicant is  
8 unable to gain employment.

9 2. Victims of domestic violence who have been engaged  
10 in an alternate work plan and despite best efforts are still  
11 not work ready.

12 3. Those individuals who have pervasive and persistent  
13 barriers to employment due to extensive educational and skills  
14 training deficits which require remediation and educational  
15 goals that require additional time for habilitation at the  
16 time the individual reached the 48-month time limit.  
17 Verification that the educational and skills training will  
18 likely lead to self-sufficient employment must be provided by  
19 a licensed occupational therapist or vocational rehabilitation  
20 specialist.

21 4. The regional workforce board must review and  
22 evaluate each hardship extension no later than 12 months after  
23 the extension has been granted to determine whether an  
24 additional extension should be given. If an individual fails  
25 to comply with program requirements during a hardship  
26 extension, the hardship extension shall be removed upon the  
27 participant being given 10 days' notice to show good cause for  
28 failure to comply.

29 ~~(3) In addition to the exemptions listed in subsection~~  
30 ~~(2), a victim of domestic violence may be granted a hardship~~  
31 ~~exemption if the effects of such domestic violence delay or~~

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1 ~~otherwise interrupt or adversely affect the individual's~~  
2 ~~participation in the program. Hardship exemptions granted~~  
3 ~~under this subsection shall not be subject to the percentage~~  
4 ~~limitations in subsection (2).~~

5 (5)(4) The department, in cooperation with Workforce  
6 Florida, Inc., shall establish a procedure for reviewing and  
7 approving hardship extensions exemptions, and the regional  
8 workforce board local WAGES coalitions may assist in making  
9 these determinations. The composition of any review panel must  
10 generally reflect the racial, gender, and ethnic diversity of  
11 the community as a whole. Members of a review panel shall  
12 serve without compensation but are entitled to receive  
13 reimbursement for per diem and travel expenses as provided in  
14 s. 112.016.

15 (6) A minor child of a participating family that has  
16 reached the end of the eligibility period for temporary cash  
17 assistance may receive an extension if the department  
18 determines that the termination of the child's temporary cash  
19 assistance would be likely to result in the child being placed  
20 into emergency shelter or foster care. Temporary cash  
21 assistance shall be provided through a protective payee. Staff  
22 of the Children and Families Program Office of the department  
23 shall conduct all assessments in each case in which it appears  
24 a child may require continuation of temporary cash assistance  
25 through a protective payee.

26 ~~(5) The cumulative total of all hardship exemptions~~  
27 ~~may not exceed 12 months, may include reduced benefits at the~~  
28 ~~option of the community review panel, and shall, in~~  
29 ~~combination with other periods of temporary cash assistance as~~  
30 ~~an adult, total no more than 48 months of temporary cash~~  
31 ~~assistance. If an individual fails to comply with program~~



1 ~~requirements during a hardship exemption period, the hardship~~  
2 ~~exemption shall be removed.~~

3       ~~(7)(6)~~ For individuals who have moved from another  
4 state, ~~and have legally resided in this state for less than 12~~  
5 months, ~~the time limitation for temporary cash assistance~~  
6 ~~shall be the shorter of the respective time limitations used~~  
7 ~~in the two states, and~~ months in which temporary cash  
8 assistance was received under a block grant program that  
9 provided temporary assistance for needy families in any state  
10 shall count towards the cumulative 48-month benefit limit for  
11 temporary cash assistance.

12       ~~(8)(7)~~ For individuals subject to a time limitation  
13 under the Family Transition Act of 1993, that time limitation  
14 shall continue to apply. Months in which temporary cash  
15 assistance was received through the family transition program  
16 shall count towards the time limitations under this chapter.

17       ~~(9)(8)~~ Except when temporary cash assistance was  
18 received through the family transition program, the  
19 calculation of the time limitation for temporary cash  
20 assistance shall begin with the first month of receipt of  
21 temporary cash assistance after the effective date of this  
22 act.

23       ~~(10)(9)~~ Child-only cases are not subject to time  
24 limitations, and temporary cash assistance received while an  
25 individual is a minor child shall not count towards time  
26 limitations.

27       ~~(11)(10)~~ An individual who receives benefits under the  
28 Supplemental Security Income program or the Social Security  
29 Disability Insurance program is not subject to time  
30 limitations. An individual with an assigned 24-month or  
31 36-month time limit who has applied for supplemental security

1 income (SSI) for disability, but has not yet received a  
2 determination must be granted an extension of time limits  
3 until the individual receives a final determination on the SSI  
4 application. However, such individual shall continue to meet  
5 all program requirements assigned to the participant based on  
6 medical ability to comply. Such extension shall be within the  
7 48-month lifetime limit unless otherwise provided by law.  
8 Determination shall be considered final once all appeals have  
9 been exhausted, benefits have been received, or denial has  
10 been accepted without any appeal. ~~Such individual must~~  
11 ~~continue to meet all program requirements assigned to the~~  
12 ~~participant based on medical ability to comply. Extensions of~~  
13 48-month time limits shall be in accordance with paragraph  
14 (4)(c) within the recipient's 48-month lifetime limit.  
15 ~~Hardship exemptions granted under this subsection shall not be~~  
16 ~~subject to the percentage limitations in subsection (2).~~  
17       (12)~~(11)~~ A person who is totally responsible for the  
18 personal care of a disabled family member is not subject to  
19 time limitations if the need for the care is verified and  
20 alternative care is not available for the family member. The  
21 department shall annually evaluate an individual's  
22 qualifications for this exemption.  
23       (13)~~(12)~~ A member of the ~~WAGES Program~~ staff of the  
24 regional workforce board shall interview and assess the  
25 employment prospects and barriers of each participant who is  
26 within 6 months of reaching the 24-month time limit. The  
27 staff member shall assist the participant in identifying  
28 actions necessary to become employed prior to reaching the  
29 benefit time limit for temporary cash assistance and, if  
30 appropriate, shall refer the participant for services that  
31 could facilitate employment.

1           Section 42. Section 414.157, Florida Statutes, is  
2 amended to read:

3           414.157 Diversion program for victims of domestic  
4 violence.--

5           (1) The diversion program for victims of domestic  
6 violence is intended to provide services and one-time payments  
7 to assist victims of domestic violence and their children in  
8 making the transition to independence.

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

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

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

17           (3) Notwithstanding any provision to the contrary in  
18 ss. 414.075, 414.085, and 414.095, a family meeting the  
19 criteria of subsection (2) who is determined by the domestic  
20 violence program to be in need of services or one-time payment  
21 due to domestic violence shall be considered a needy family  
22 and is ~~shall be deemed~~ eligible under this section for  
23 services through a certified domestic violence shelter.

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

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

31           Section 43. Section 414.158, Florida Statutes, is

1 amended to read:

2 414.158 Diversion program to prevent or reduce child  
3 abuse and neglect ~~strengthen Florida's families.~~--

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

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

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

16 (b) The family meets the criteria of a voluntary  
17 assessment performed by Healthy Families Florida; the family  
18 meets the criteria established by the department for  
19 determining that one or more children in the family are at  
20 risk of abuse, neglect, or threatened harm; or the family is  
21 homeless or living in a facility that provides shelter to  
22 homeless families.

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

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

29 (4) The department, in consultation with Healthy  
30 Families Florida, may establish additional requirements  
31 related to services or one-time payments, and the department

1 is authorized to adopt rules relating to maximum amounts of  
2 such one-time payments.

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

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

8 414.35 Emergency relief.--

9 (1) The department shall, ~~by October 1, 1978,~~ adopt  
10 rules for the administration of emergency assistance programs  
11 delegated to the department either by executive order in  
12 accordance with the Disaster Relief Act of 1974 or pursuant to  
13 the Food Stamp Act of 1977.

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

16 414.36 Public assistance overpayment recovery program;  
17 contracts.--

18 (1) The department shall develop and implement a plan  
19 for the statewide privatization of activities relating to the  
20 recovery of public assistance overpayment claims. These  
21 activities shall include, at a minimum, voluntary cash  
22 collections functions for recovery of fraudulent and  
23 nonfraudulent benefits paid to recipients of temporary cash  
24 assistance ~~under the WAGES Program~~, food stamps, and aid to  
25 families with dependent children.

26 Section 46. Subsection (10) of section 414.39, Florida  
27 Statutes, is amended to read:

28 414.39 Fraud.--

29 (10) The department shall create an error-prone or  
30 fraud-prone case profile within its public assistance  
31 information system and shall screen each application for

1 public assistance, including food stamps, Medicaid, and  
2 temporary cash assistance ~~under the WAGES Program~~, against the  
3 profile to identify cases that have a potential for error or  
4 fraud. Each case so identified shall be subjected to  
5 preeligibility fraud screening.

6 Section 47. Subsection (3) of section 414.41, Florida  
7 Statutes, is amended to read:

8 414.41 Recovery of payments made due to mistake or  
9 fraud.--

10 (3) The department, or its designee, shall enforce an  
11 order of income deduction by the court against the liable  
12 adult recipient or participant, including the head of a  
13 family, for overpayment received as an adult under the  
14 temporary cash assistance ~~WAGES~~ program, the AFDC program, the  
15 food stamp program, or the Medicaid program.

16 Section 48. Section 414.55, Florida Statutes, is  
17 amended to read:

18 414.55 Implementation of ~~ss.~~  
19 ~~414.015-414.55.--Following the effective date of ss.~~  
20 ~~414.015-414.55:~~

21 ~~(1)(a) The Governor may delay implementation of ss.~~  
22 ~~414.015-414.55 in order to provide the department, the~~  
23 ~~Department of Labor and Employment Security, the Department of~~  
24 ~~Revenue, and the Department of Health with the time necessary~~  
25 ~~to prepare to implement new programs.~~

26 ~~(b) The Governor may also delay implementation of~~  
27 ~~portions of ss. 414.015-414.55 in order to allow savings~~  
28 ~~resulting from the enactment of ss. 414.015-414.55 to pay for~~  
29 ~~provisions implemented later. If the Governor determines that~~  
30 ~~portions of ss. 414.015-414.55 should be delayed, the priority~~  
31 ~~in implementing ss. 414.015-414.55 shall be, in order of~~

1 ~~priority.~~  
2       1. ~~Provisions that provide savings in the first year~~  
3 ~~of implementation.~~  
4       2. ~~Provisions necessary to the implementation of work~~  
5 ~~activity requirements, time limits, and sanctions.~~  
6       3. ~~Provisions related to removing marriage penalties~~  
7 ~~and expanding temporary cash assistance to stepparent and~~  
8 ~~two-parent families.~~  
9       4. ~~Provisions related to the reduction of teen~~  
10 ~~pregnancy and out-of-wedlock births.~~  
11       5. ~~Other provisions.~~  
12       (2) ~~The programs affected by ss. 414.015-414.55 shall~~  
13 ~~continue to operate under the provisions of law that would be~~  
14 ~~in effect in the absence of ss. 414.015-414.55, until such~~  
15 ~~time as the Governor informs the Speaker of the House of~~  
16 ~~Representatives and the President of the Senate of his or her~~  
17 ~~intention to implement provisions of ss. 414.015-414.55.~~  
18 ~~Notice of intent to implement ss. 414.015-414.55 shall be~~  
19 ~~given to the Speaker of the House of Representatives and the~~  
20 ~~President of the Senate in writing and shall be delivered at~~  
21 ~~least 14 consecutive days prior to such action.~~  
22       (3) ~~Any changes to a program, activity, or function~~  
23 ~~taken pursuant to this section shall be considered a type two~~  
24 ~~transfer pursuant to the provisions of s. 20.06(2).~~  
25       (4) ~~In implementing ss. 414.015-414.55, The Governor~~  
26 ~~shall minimize the liability of the state by opting out of the~~  
27 ~~special provision related to community work, as described in~~  
28 ~~s. 402(a)(1)(B)(iv) of the Social Security Act, as amended by~~  
29 ~~Pub. L. No. 104-193. The department and Workforce Florida,~~  
30 ~~Inc., the Department of Labor and Employment Security shall~~  
31 ~~implement the community work program in accordance with s.~~

1 445.024 ~~ss. 414.015-414.55.~~

2 Section 49. Section 414.70, Florida Statutes, is  
3 amended to read:

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

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

25 (a) Applicants subject to the requirements of this  
26 section include any parent or caretaker relative who is  
27 included in the cash assistance group, including individuals  
28 who may be exempt from work activity requirements due to the  
29 age of the youngest child or who may be excepted from work  
30 activity requirements under s. 414.065(4) ~~s. 414.065(7)~~.

31 (b) Applicants not subject to the requirements of this



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

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

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

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

29 (c) Provide a procedure to advise each person to be  
30 tested, before the test is conducted, that he or she may, but  
31 is not required to, advise the agent administering the test of

1 any prescription or over-the-counter medication he or she is  
2 taking.

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

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

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

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

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

21 (3) CHILDREN.--

22 (a) If a parent is deemed ineligible for cash  
23 assistance due to refusal to comply with the provisions of  
24 this section, his or her dependent child's eligibility for  
25 cash assistance is not affected. A parent who is ineligible  
26 for cash assistance due to refusal or failure to comply with  
27 the provisions of this section shall be subject to the work  
28 activity requirements of s. 445.024 ~~s. 414.065~~, and shall be  
29 subject to the penalties under s. 414.065(1) ~~s. 414.065(4)~~  
30 upon failure to comply with such requirements.

31 (b) If a parent is deemed ineligible for cash

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1 assistance due to the failure of a drug test, an appropriate  
2 protective payee will be established for the benefit of the  
3 child.

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

7 (4) TREATMENT.--

8 (a) Subject to the availability of funding, the  
9 Department of Children and Family Services shall provide a  
10 substance abuse treatment program for a person who fails a  
11 drug test conducted under this section act and is eligible to  
12 receive temporary cash assistance ~~or services~~ under this  
13 chapter the WAGES Program. The department shall provide for a  
14 retest at the end of the treatment period. Failure to pass the  
15 retest will result in the termination of temporary cash  
16 assistance ~~or services~~ provided under this chapter and of any  
17 right to appeal the termination.

18 (b) The Department of Children and Family Services  
19 shall develop rules regarding the disclosure of information  
20 concerning applicants who enter treatment, including the  
21 requirement that applicants sign a consent to release  
22 information to the Department of Children and Family Services  
23 ~~or the Department of Labor and Employment Security, as~~  
24 ~~necessary,~~ as a condition of entering the treatment program.

25 (c) The Department of Children and Family Services may  
26 develop rules for assessing the status of persons formerly  
27 treated under this section act who reapply for assistance ~~or~~  
28 ~~services under the WAGES act~~ as well as the need for drug  
29 testing as a part of the reapplication process.

30 (5) EVALUATIONS AND RECOMMENDATIONS.--

31 (a) The Department of Children and Family Services, in

1 conjunction with the regional workforce boards ~~local WAGES~~  
2 ~~coalitions~~ in service areas 3 and 8, shall conduct a  
3 comprehensive evaluation of the demonstration projects  
4 operated under this section ~~act~~. ~~By January 1, 2000, the~~  
5 ~~department, in conjunction with the local WAGES coalitions~~  
6 ~~involved, shall report to the WAGES Program State Board of~~  
7 ~~Directors and to the Legislature on the status of the initial~~  
8 ~~implementation of the demonstration projects and shall~~  
9 ~~specifically describe the problems encountered and the funds~~  
10 ~~expended during the first year of operation.~~

11 (b) By January 1, 2001, the department, in conjunction  
12 with the regional workforce boards ~~local WAGES coalitions~~  
13 involved, shall provide a comprehensive evaluation ~~to the~~  
14 ~~WAGES Program State Board of Directors~~ and to the Legislature,  
15 which must include:

16 1. The impact of the drug-screening and drug-testing  
17 program on employability, job placement, job retention, and  
18 salary levels of program participants.

19 2. Recommendations, based in part on a cost and  
20 benefit analysis, as to the feasibility of expanding the  
21 program to other ~~local WAGES~~ service areas, including specific  
22 recommendations for implementing such expansion of the  
23 program.

24 (6) CONFLICTS.--In the event of a conflict between the  
25 implementation procedures described in this program and  
26 federal requirements and regulations, federal requirements and  
27 regulations shall control.

28 Section 50. Sections 239.249, 288.9950, 288.9954,  
29 288.9957, 288.9958, 288.9959, 414.015, 414.026, 414.0267,  
30 414.027, 414.028, 414.029, 414.030, 414.055, 414.125, 414.25,  
31 and 414.38, Florida Statutes, are repealed.

1           Section 51. Subsection (2) of section 14.2015, Florida  
2 Statutes, is amended to read:

3           14.2015 Office of Tourism, Trade, and Economic  
4 Development; creation; powers and duties.--

5           (2) The purpose of the Office of Tourism, Trade, and  
6 Economic Development is to assist the Governor in working with  
7 the Legislature, state agencies, business leaders, and  
8 economic development professionals to formulate and implement  
9 coherent and consistent policies and strategies designed to  
10 provide economic opportunities for all Floridians. To  
11 accomplish such purposes, the Office of Tourism, Trade, and  
12 Economic Development shall:

13           (a) Contract, notwithstanding the provisions of part I  
14 of chapter 287, with the direct-support organization created  
15 under s. 288.1229 to guide, stimulate, and promote the sports  
16 industry in the state, to promote the participation of  
17 Florida's citizens in amateur athletic competition, and to  
18 promote Florida as a host for national and international  
19 amateur athletic competitions.

20           (b) Monitor the activities of public-private  
21 partnerships and state agencies in order to avoid duplication  
22 and promote coordinated and consistent implementation of  
23 programs in areas including, but not limited to, tourism;  
24 international trade and investment; business recruitment,  
25 creation, retention, and expansion; workforce development;  
26 minority and small business development; and rural community  
27 development. As part of its responsibilities under this  
28 paragraph, the office shall work with Enterprise Florida,  
29 Inc., and Workforce Florida, Inc., to ensure that, to the  
30 maximum extent possible, there are direct linkages between the  
31 economic development and workforce development goals and

1 strategies of the state.

2 (c) Facilitate the direct involvement of the Governor  
3 and the Lieutenant Governor in economic development and  
4 workforce development projects designed to create, expand, and  
5 retain Florida businesses and to recruit worldwide business,  
6 as well as in other job-creating efforts.

7 (d) Assist the Governor, in cooperation with  
8 Enterprise Florida, Inc., Workforce Florida, Inc., and the  
9 Florida Commission on Tourism, in preparing an annual report  
10 to the Legislature on the state of the business climate in  
11 Florida and on the state of economic development in Florida  
12 which will include the identification of problems and the  
13 recommendation of solutions. This report shall be submitted  
14 to the President of the Senate, the Speaker of the House of  
15 Representatives, the Senate Minority Leader, and the House  
16 Minority Leader by January 1 of each year, and it shall be in  
17 addition to the Governor's message to the Legislature under  
18 the State Constitution and any other economic reports required  
19 by law.

20 (e) Plan and conduct at least one meeting per calendar  
21 year of leaders in business, government, education, workforce  
22 development, and economic development called by the Governor  
23 to address the business climate in the state, develop a common  
24 vision for the economic future of the state, and identify  
25 economic development efforts to fulfill that vision.

26 (f)1. Administer the Florida Enterprise Zone Act under  
27 ss. 290.001-290.016, the community contribution tax credit  
28 program under ss. 220.183 and 624.5105, the tax refund program  
29 for qualified target industry businesses under s. 288.106, the  
30 tax-refund program for qualified defense contractors under s.  
31 288.1045, contracts for transportation projects under s.

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1 288.063, the sports franchise facility program under s.  
2 288.1162, the professional golf hall of fame facility program  
3 under s. 288.1168, the expedited permitting process under s.  
4 403.973, the Rural Community Development Revolving Loan Fund  
5 under s. 288.065, the Regional Rural Development Grants  
6 Program under s. 288.018, the Certified Capital Company Act  
7 under s. 288.99, the Florida State Rural Development Council,  
8 the Rural Economic Development Initiative, and other programs  
9 that are specifically assigned to the office by law, by the  
10 appropriations process, or by the Governor. Notwithstanding  
11 any other provisions of law, the office may expend interest  
12 earned from the investment of program funds deposited in the  
13 Economic Development Trust Fund, the Grants and Donations  
14 Trust Fund, the Brownfield Property Ownership Clearance  
15 Assistance Revolving Loan Trust Fund, and the Economic  
16 Development Transportation Trust Fund to contract for the  
17 administration of the programs, or portions of the programs,  
18 enumerated in this paragraph or assigned to the office by law,  
19 by the appropriations process, or by the Governor. Such  
20 expenditures shall be subject to review under chapter 216.

21 2. The office may enter into contracts in connection  
22 with the fulfillment of its duties concerning the Florida  
23 First Business Bond Pool under chapter 159, tax incentives  
24 under chapters 212 and 220, tax incentives under the Certified  
25 Capital Company Act in chapter 288, foreign offices under  
26 chapter 288, the Enterprise Zone program under chapter 290,  
27 the Seaport Employment Training program under chapter 311, the  
28 Florida Professional Sports Team License Plates under chapter  
29 320, Spaceport Florida under chapter 331, Expedited Permitting  
30 under chapter 403, and in carrying out other functions that  
31 are specifically assigned to the office by law, by the

1 appropriations process, or by the Governor.

2 (g) Serve as contract administrator for the state with  
3 respect to contracts with Enterprise Florida, Inc., the  
4 Florida Commission on Tourism, and all direct-support  
5 organizations under this act, excluding those relating to  
6 tourism. To accomplish the provisions of this act and  
7 applicable provisions of chapter 288, and notwithstanding the  
8 provisions of part I of chapter 287, the office shall enter  
9 into specific contracts with Enterprise Florida, Inc., the  
10 Florida Commission on Tourism, and other appropriate  
11 direct-support organizations. Such contracts may be multiyear  
12 and shall include specific performance measures for each year.

13 (h) Provide administrative oversight for the Office of  
14 the Film Commissioner, created under s. 288.1251, to develop,  
15 promote, and provide services to the state's entertainment  
16 industry and to administratively house the Florida Film  
17 Advisory Council created under s. 288.1252.

18 (i) Prepare and submit as a separate budget entity a  
19 unified budget request for tourism, trade, and economic  
20 development in accordance with chapter 216 for, and in  
21 conjunction with, Enterprise Florida, Inc., and its boards,  
22 the Florida Commission on Tourism and its direct-support  
23 organization, the Florida Black Business Investment Board, the  
24 Office of the Film Commissioner, and the direct-support  
25 organization created to promote the sports industry.

26 (j) Adopt rules, as necessary, to carry out its  
27 functions in connection with the administration of the  
28 Qualified Target Industry program, the Qualified Defense  
29 Contractor program, the Certified Capital Company Act, the  
30 Enterprise Zone program, and the Florida First Business Bond  
31 pool.



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1           Section 52. Effective October 1, 2000, subsections (4)  
2 and (5) of section 20.171, Florida Statutes, are amended to  
3 read:

4           20.171 Department of Labor and Employment  
5 Security.--There is created a Department of Labor and  
6 Employment Security. The department shall operate its programs  
7 in a decentralized fashion.

8           (4)(a) The Assistant Secretary for Programs and  
9 Operations must possess a broad knowledge of the  
10 administrative, financial, and technical aspects of the  
11 divisions within the department.

12           (b) The assistant secretary is responsible for  
13 developing, monitoring, and enforcing policy and managing  
14 major technical programs and supervising the Bureau of Appeals  
15 of the Division of Unemployment Compensation. The  
16 responsibilities and duties of the position include, but are  
17 not limited to, the following functional areas:

18           1. Workers' compensation management and policy  
19 implementation.

20           ~~2. Jobs and benefits management and policy~~  
21 ~~information.~~

22           ~~2.3.~~ Unemployment compensation management and policy  
23 implementation.

24           ~~3.4.~~ Blind services management and policy  
25 implementation.

26           ~~4.5.~~ Oversight of the five field offices and any local  
27 offices.

28           (5) The following divisions are established and shall  
29 be headed by division directors who shall be supervised by and  
30 shall be responsible to the Assistant Secretary for Programs  
31 and Operations:

1           ~~(a) Division of Workforce and Employment~~  
2 ~~Opportunities.~~

3           (a)~~(b)~~ Division of Unemployment Compensation.

4           (b)~~(c)~~ Division of Workers' Compensation.

5           (c)~~(d)~~ Division of Blind Services.

6           (d)~~(e)~~ Division of Safety, which is repealed July 1,  
7 2000.

8           (e)~~(f)~~ Division of Vocational Rehabilitation.

9           Section 53. Section 20.50, Florida Statutes, is  
10 created to read:

11           20.50 Agency for Workforce Innovation.--There is  
12 created the Agency for Workforce Innovation within the  
13 Department of Management Services. The agency shall be a  
14 separate budget entity, and the director of the agency shall  
15 be the agency head for all purposes. The agency shall not be  
16 subject to control, supervision, or direction by the  
17 Department of Management Services in any manner, including,  
18 but not limited to, personnel, purchasing, transactions  
19 involving real or personal property, and budgetary matters.

20           (1) The Agency for Workforce Innovation shall ensure  
21 that the state appropriately administers federal and state  
22 workforce funding by administering plans and policies of  
23 Workforce Florida, Inc., under contract with Workforce  
24 Florida, Inc. The operating budget and mid-year amendments  
25 thereto must be part of such contract.

26           (a) All program and fiscal instructions to regional  
27 workforce boards shall emanate from the agency pursuant to  
28 plans and policies of Workforce Florida, Inc. Workforce  
29 Florida, Inc., shall be responsible for all policy directions  
30 to the regional boards.

31           (b) Unless otherwise provided by agreement with

1 Workforce Florida, Inc., administrative and personnel policies  
2 of the Agency for Workforce Innovation shall apply.

3 (2) The Agency for Workforce Innovation shall be the  
4 designated administrative agency for receipt of federal  
5 workforce development grants and other federal funds, and  
6 shall carry out the duties and responsibilities assigned by  
7 the Governor under each federal grant assigned to the agency.  
8 The agency shall be a separate budget entity and shall expend  
9 each revenue source as provided by federal and state law and  
10 as provided in plans developed by and agreements with  
11 Workforce Florida, Inc. The agency shall prepare and submit as  
12 a separate budget entity a unified budget request for  
13 workforce development, in accordance with chapter 216 for, and  
14 in conjunction with, Workforce Florida, Inc., and its board.  
15 The head of the agency is the Director of Workforce  
16 Innovation, who shall be appointed by the Governor. Within the  
17 agency's overall organizational structure, the agency shall  
18 include the following offices which shall have the specified  
19 responsibilities:

20 (a) The Office of Workforce Services shall administer  
21 state merit system program staff within the workforce service  
22 delivery system, pursuant to policies of Workforce Florida,  
23 Inc. The office shall be directed by the Deputy Director for  
24 Workforce Services, who shall be appointed by and serve at the  
25 pleasure of the director.

26 (b) The Office of Workforce Support Services shall be  
27 responsible for ensuring provisions for Temporary Assistance  
28 for Needy Families and welfare transition programs in federal  
29 laws and regulations and chapters 414 and 445 are implemented.  
30 The office shall ensure participants in these programs receive  
31 case management services, and support services, such as

1 subsidized child care, health care coverage, diversion, and  
2 relocation assistance, to enable them to succeed in the  
3 workforce, as delineated in their case plans. The office  
4 shall be directed by the Deputy Director for Workforce Support  
5 Services, who shall be appointed by and serve at the pleasure  
6 of the director.

7 (c) The Office of Workforce Investment and  
8 Accountability shall be responsible for procurement,  
9 contracting, financial management, accounting, audits, and  
10 verification. The office shall be directed by the Deputy  
11 Director for Workforce Investment and Accountability, who  
12 shall be appointed by and serve at the pleasure of the  
13 director. The office shall be responsible for:

14 1. Establishing standards and controls for reporting  
15 budgeting, expenditure, and performance information for  
16 assessing outcomes, service delivery, and financial  
17 administration of workforce programs pursuant to ss.  
18 445.004(5) and 445.004(9).

19 2. Establishing monitoring, quality assurance, and  
20 quality improvement systems that routinely assess the quality  
21 and effectiveness of contracted programs and services.

22 3. Annual review of each regional workforce board and  
23 administrative entity to ensure adequate systems of reporting  
24 and control are in place, and monitoring, quality assurance,  
25 and quality improvement activities are conducted routinely,  
26 and corrective action is taken to eliminate deficiencies.

27 (d) The Office of Workforce Information Services shall  
28 deliver information on labor markets, employment, occupations,  
29 and performance, and shall implement and maintain information  
30 systems that are required for the effective operation of the  
31 one-stop delivery system, including, but not limited to, those

1 systems described in s. 445.009. The office will be under the  
2 direction of the Deputy Director for Workforce Information  
3 Services, who shall be appointed by and serve at the pleasure  
4 of the director. The office shall be responsible for  
5 establishing:

6 1. Information systems and controls that report  
7 reliable, timely and accurate fiscal and performance data for  
8 assessing outcomes, service delivery, and financial  
9 administration of workforce programs pursuant to ss.  
10 445.004(5) and 445.004(9).

11 2. Information systems that support service  
12 integration and case management by providing for case tracking  
13 for participants in welfare transition programs.

14 (3) The Agency for Workforce Innovation shall serve as  
15 the designated agency for purposes of each federal workforce  
16 development grant assigned to it for administration. The  
17 agency shall carry out the duties assigned to it by the  
18 Governor, under the terms and conditions of each grant. The  
19 agency shall have the level of authority and autonomy  
20 necessary to be the designated recipient of each federal grant  
21 assigned to it, and shall disperse such grants pursuant to the  
22 plans and policies of Workforce Florida, Inc. The director  
23 may, upon delegation from the Governor and pursuant to  
24 agreement with Workforce Florida, Inc., sign contracts,  
25 grants, and other instruments as necessary to execute  
26 functions assigned to the agency. The assignment of powers and  
27 duties to the agency does not limit the authority and  
28 responsibilities of the Secretary of Management Services as  
29 provided in paragraph (1)(a). Notwithstanding other provisions  
30 of law, the following federal grants and other funds are  
31 assigned for administration to the Agency for Workforce

1 Innovation:

2 (a) Programs authorized under Title I of the Workforce  
3 Investment Act of 1998, Pub. L. No. 105-220, except for  
4 programs funded directly by the United States Department of  
5 Labor under Title I, s. 167.

6 (b) Programs authorized under the Wagner-Peyser Act of  
7 1933, as amended, 29 U.S.C. ss. 49 et seq.

8 (c) Welfare-to-work grants administered by the United  
9 States Department of Labor under Title IV, s. 403, of the  
10 Social Security Act, as amended.

11 (d) Activities authorized under Title II of the Trade  
12 Act of 1974, as amended, 2 U.S.C. ss. 2271 et seq., and the  
13 Trade Adjustment Assistance Program.

14 (e) Activities authorized under chapter 41 of Title 38  
15 U.S.C., including job counseling, training, and placement for  
16 veterans.

17 (f) Employment and training activities carried out  
18 under the Community Services Block Grant Act, 42 U.S.C. ss.  
19 9901 et seq.

20 (g) Employment and training activities carried out  
21 under funds awarded to this state by the United States  
22 Department of Housing and Urban Development.

23 (h) Designated state and local program expenditures  
24 under part A of Title IV of the Social Security Act for  
25 welfare transition workforce services associated with the  
26 Temporary Assistance for Needy Families Program.

27 (i) Programs authorized under the National and  
28 Community Service Act of 1990, 42 U.S.C. ss. 12501 et seq.,  
29 and the Service-America programs, the National Service Trust  
30 programs, the Civilian Community Corps, the Corporation for  
31 National and Community Service, the American Conservation and

1 Youth Service Corps, and the Points of Light Foundation  
2 programs, if such programs are awarded to the state.

3 (j) Other programs funded by federal or state  
4 appropriations, as determined by the Legislature in the  
5 General Appropriations Act or by law.

6 (4) The Agency for Workforce Innovation shall provide  
7 or contract for training for employees of administrative  
8 entities and case managers of any contracted providers to  
9 ensure they have the necessary competencies and skills to  
10 provide adequate administrative oversight and delivery of the  
11 full array of client services pursuant to s. 445.006(5)(f).

12 Training requirements include, but are not limited to:

13 (a) Minimum skills, knowledge, and abilities required  
14 for each classification of program personnel utilized in the  
15 regional workforce boards' service delivery plans.

16 (b) Minimum requirements for development of a regional  
17 workforce board supported personnel training plan to include  
18 preservice and inservice components.

19 (c) Specifications or criteria under which any  
20 regional workforce board may award bonus points or otherwise  
21 give preference to competitive service provider applications  
22 that provide minimum criteria for assuring competent case  
23 management, including, but not limited to, maximum caseload  
24 per case manager, current staff turnover rate, minimum  
25 educational or work experience requirements, and a  
26 differentiated compensation plan based on the competency  
27 levels of personnel.

28 (d) Minimum skills, knowledge, and abilities required  
29 for contract management, including budgeting, expenditure, and  
30 performance information related to service delivery and  
31 financial administration, monitoring, quality assurance and

1 improvement, and standards of conduct for employees of  
2 regional workforce boards and administrative entities  
3 specifically related to carrying out contracting  
4 responsibilities.

5 Section 54. Paragraph (b) of subsection (5) of section  
6 212.08, Florida Statutes, is amended to read:

7 212.08 Sales, rental, use, consumption, distribution,  
8 and storage tax; specified exemptions.--The sale at retail,  
9 the rental, the use, the consumption, the distribution, and  
10 the storage to be used or consumed in this state of the  
11 following are hereby specifically exempt from the tax imposed  
12 by this chapter.

13 (5) EXEMPTIONS; ACCOUNT OF USE.--

14 (b) Machinery and equipment used to increase  
15 productive output.--

16 1. Industrial machinery and equipment purchased for  
17 exclusive use by a new business in spaceport activities as  
18 defined by s. 212.02 or for use in new businesses which  
19 manufacture, process, compound, or produce for sale items of  
20 tangible personal property at fixed locations are exempt from  
21 the tax imposed by this chapter upon an affirmative showing by  
22 the taxpayer to the satisfaction of the department that such  
23 items are used in a new business in this state. Such purchases  
24 must be made prior to the date the business first begins its  
25 productive operations, and delivery of the purchased item must  
26 be made within 12 months of that date.

27 2.a. Industrial machinery and equipment purchased for  
28 exclusive use by an expanding facility which is engaged in  
29 spaceport activities as defined by s. 212.02 or for use in  
30 expanding manufacturing facilities or plant units which  
31 manufacture, process, compound, or produce for sale items of



1 tangible personal property at fixed locations in this state  
2 are exempt from any amount of tax imposed by this chapter in  
3 excess of \$50,000 per calendar year upon an affirmative  
4 showing by the taxpayer to the satisfaction of the department  
5 that such items are used to increase the productive output of  
6 such expanded facility or business by not less than 10  
7 percent.

8           b. Notwithstanding any other provision of this  
9 section, industrial machinery and equipment purchased for use  
10 in expanding printing manufacturing facilities or plant units  
11 that manufacture, process, compound, or produce for sale items  
12 of tangible personal property at fixed locations in this state  
13 are exempt from any amount of tax imposed by this chapter upon  
14 an affirmative showing by the taxpayer to the satisfaction of  
15 the department that such items are used to increase the  
16 productive output of such an expanded business by not less  
17 than 10 percent.

18           3.a. To receive an exemption provided by subparagraph  
19 1. or subparagraph 2., a qualifying business entity shall  
20 apply to the department for a temporary tax exemption permit.  
21 The application shall state that a new business exemption or  
22 expanded business exemption is being sought. Upon a tentative  
23 affirmative determination by the department pursuant to  
24 subparagraph 1. or subparagraph 2., the department shall issue  
25 such permit.

26           b. The applicant shall be required to maintain all  
27 necessary books and records to support the exemption. Upon  
28 completion of purchases of qualified machinery and equipment  
29 pursuant to subparagraph 1. or subparagraph 2., the temporary  
30 tax permit shall be delivered to the department or returned to  
31 the department by certified or registered mail.

1           c. If, in a subsequent audit conducted by the  
2 department, it is determined that the machinery and equipment  
3 purchased as exempt under subparagraph 1. or subparagraph 2.  
4 did not meet the criteria mandated by this paragraph or if  
5 commencement of production did not occur, the amount of taxes  
6 exempted at the time of purchase shall immediately be due and  
7 payable to the department by the business entity, together  
8 with the appropriate interest and penalty, computed from the  
9 date of purchase, in the manner prescribed by this chapter.

10           d. In the event a qualifying business entity fails to  
11 apply for a temporary exemption permit or if the tentative  
12 determination by the department required to obtain a temporary  
13 exemption permit is negative, a qualifying business entity  
14 shall receive the exemption provided in subparagraph 1. or  
15 subparagraph 2. through a refund of previously paid taxes. No  
16 refund may be made for such taxes unless the criteria mandated  
17 by subparagraph 1. or subparagraph 2. have been met and  
18 commencement of production has occurred.

19           4. The department shall promulgate rules governing  
20 applications for, issuance of, and the form of temporary tax  
21 exemption permits; provisions for recapture of taxes; and the  
22 manner and form of refund applications and may establish  
23 guidelines as to the requisites for an affirmative showing of  
24 increased productive output, commencement of production, and  
25 qualification for exemption.

26           5. The exemptions provided in subparagraphs 1. and 2.  
27 do not apply to machinery or equipment purchased or used by  
28 electric utility companies, communications companies, oil or  
29 gas exploration or production operations, publishing firms  
30 that do not export at least 50 percent of their finished  
31 product out of the state, any firm subject to regulation by

1 the Division of Hotels and Restaurants of the Department of  
2 Business and Professional Regulation, or any firm which does  
3 not manufacture, process, compound, or produce for sale items  
4 of tangible personal property or which does not use such  
5 machinery and equipment in spaceport activities as required by  
6 this paragraph. The exemptions provided in subparagraphs 1.  
7 and 2. shall apply to machinery and equipment purchased for  
8 use in phosphate or other solid minerals severance, mining, or  
9 processing operations only by way of a prospective credit  
10 against taxes due under chapter 211 for taxes paid under this  
11 chapter on such machinery and equipment.

12           6. For the purposes of the exemptions provided in  
13 subparagraphs 1. and 2., these terms have the following  
14 meanings:

15           a. "Industrial machinery and equipment" means "section  
16 38 property" as defined in s. 48(a)(1)(A) and (B)(i) of the  
17 Internal Revenue Code, provided "industrial machinery and  
18 equipment" shall be construed by regulations adopted by the  
19 Department of Revenue to mean tangible property used as an  
20 integral part of spaceport activities or of the manufacturing,  
21 processing, compounding, or producing for sale of items of  
22 tangible personal property. Such term includes parts and  
23 accessories only to the extent that the exemption thereof is  
24 consistent with the provisions of this paragraph.

25           b. "Productive output" means the number of units  
26 actually produced by a single plant or operation in a single  
27 continuous 12-month period, irrespective of sales. Increases  
28 in productive output shall be measured by the output for 12  
29 continuous months immediately following the completion of  
30 installation of such machinery or equipment over the output  
31 for the 12 continuous months immediately preceding such

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1 installation. However, if a different 12-month continuous  
2 period of time would more accurately reflect the increase in  
3 productive output of machinery and equipment purchased to  
4 facilitate an expansion, the increase in productive output may  
5 be measured during that 12-month continuous period of time if  
6 such time period is mutually agreed upon by the Department of  
7 Revenue and the expanding business prior to the commencement  
8 of production; provided, however, in no case may such time  
9 period begin later than 2 years following the completion of  
10 installation of the new machinery and equipment. The units  
11 used to measure productive output shall be physically  
12 comparable between the two periods, irrespective of sales.

13 ~~7. Notwithstanding any other provision in this~~  
14 ~~paragraph to the contrary, in order to receive the exemption~~  
15 ~~provided in this paragraph a taxpayer must register with the~~  
16 ~~WAGES Program Business Registry established by the local WAGES~~  
17 ~~coalition for the area in which the taxpayer is located. Such~~  
18 ~~registration establishes a commitment on the part of the~~  
19 ~~taxpayer to hire WAGES program participants to the maximum~~  
20 ~~extent possible consistent with the nature of their business.~~

21 Section 55. Subsections (1) and (3) of section  
22 212.096, Florida Statutes, are amended to read:

23 212.096 Sales, rental, storage, use tax; enterprise  
24 zone jobs credit against sales tax.--

25 (1) For the purposes of the credit provided in this  
26 section:

27 (a) "Eligible business" means any sole proprietorship,  
28 firm, partnership, corporation, bank, savings association,  
29 estate, trust, business trust, receiver, syndicate, or other  
30 group or combination, or successor business, located in an  
31 enterprise zone. An eligible business does not include any

1 business which has claimed the credit permitted under s.  
2 220.181 for any new business employee first beginning  
3 employment with the business after July 1, 1995.

4 (b) "Month" means either a calendar month or the time  
5 period from any day of any month to the corresponding day of  
6 the next succeeding month or, if there is no corresponding day  
7 in the next succeeding month, the last day of the succeeding  
8 month.

9 (c) "New employee" means a person residing in an  
10 enterprise zone, a qualified Job Training Partnership Act  
11 classroom training participant, or a welfare transition ~~WAGES~~  
12 program participant who begins employment with an eligible  
13 business after July 1, 1995, and who has not been previously  
14 employed within the preceding 12 months by the eligible  
15 business, or a successor eligible business, claiming the  
16 credit allowed by this section.

17  
18 A person shall be deemed to be employed if the person performs  
19 duties in connection with the operations of the business on a  
20 regular, full-time basis, provided the person is performing  
21 such duties for an average of at least 36 hours per week each  
22 month, or a part-time basis, provided the person is performing  
23 such duties for an average of at least 20 hours per week each  
24 month throughout the year. The person must be performing such  
25 duties at a business site located in the enterprise zone.

26 (3) In order to claim this credit, an eligible  
27 business must file under oath with the governing body or  
28 enterprise zone development agency having jurisdiction over  
29 the enterprise zone where the business is located, as  
30 applicable, a statement which includes:

31 (a) For each new employee for whom this credit is

1 claimed, the employee's name and place of residence, including  
2 the identifying number assigned pursuant to s. 290.0065 to the  
3 enterprise zone in which the employee resides if the new  
4 employee is a person residing in an enterprise zone, and, if  
5 applicable, documentation that the employee is a qualified Job  
6 Training Partnership Act classroom training participant or a  
7 welfare transition ~~WAGES~~ program participant.

8 (b) If applicable, the name and address of each  
9 permanent employee of the business, including, for each  
10 employee who is a resident of an enterprise zone, the  
11 identifying number assigned pursuant to s. 290.0065 to the  
12 enterprise zone in which the employee resides.

13 (c) The name and address of the eligible business.

14 (d) The starting salary or hourly wages paid to the  
15 new employee.

16 (e) The identifying number assigned pursuant to s.  
17 290.0065 to the enterprise zone in which the business is  
18 located.

19 (f) Whether the business is a small business as  
20 defined by s. 288.703(1).

21 (g) Within 10 working days after receipt of an  
22 application, the governing body or enterprise zone development  
23 agency shall review the application to determine if it  
24 contains all the information required pursuant to this  
25 subsection and meets the criteria set out in this section. The  
26 governing body or agency shall certify all applications that  
27 contain the information required pursuant to this subsection  
28 and meet the criteria set out in this section as eligible to  
29 receive a credit. If applicable, the governing body or agency  
30 shall also certify if 20 percent of the employees of the  
31 business are residents of an enterprise zone, excluding

1 temporary and part-time employees. The certification shall be  
2 in writing, and a copy of the certification shall be  
3 transmitted to the executive director of the Department of  
4 Revenue. The business shall be responsible for forwarding a  
5 certified application to the department within the time  
6 specified in paragraph (h).

7 (h) All applications for a credit pursuant to this  
8 section must be submitted to the department within 4 months  
9 after the new employee is hired.

10 Section 56. Subsection (5) of section 212.097, Florida  
11 Statutes, is amended to read:

12 212.097 Urban High-Crime Area Job Tax Credit  
13 Program.--

14 (5) For any new eligible business receiving a credit  
15 pursuant to subsection (3), an additional \$500 credit shall be  
16 provided for any qualified employee who is a welfare  
17 transition WAGES program participant ~~pursuant to chapter 414~~.  
18 For any existing eligible business receiving a credit pursuant  
19 to subsection (4), an additional \$500 credit shall be provided  
20 for any qualified employee who is a welfare transition WAGES  
21 program participant ~~pursuant to chapter 414~~. Such employee  
22 must be employed on the application date and have been  
23 employed less than 1 year. This credit shall be in addition to  
24 other credits pursuant to this section regardless of the  
25 tier-level of the high-crime area. Appropriate documentation  
26 concerning the eligibility of an employee for this credit must  
27 be submitted as determined by the department.

28 Section 57. Subsection (5) of section 212.098, Florida  
29 Statutes, is amended to read:

30 212.098 Rural Job Tax Credit Program.--

31 (5) For any new eligible business receiving a credit

1 pursuant to subsection (3), an additional \$500 credit shall be  
2 provided for any qualified employee who is a welfare  
3 transition WAGES program participant ~~pursuant to chapter 414~~.  
4 For any existing eligible business receiving a credit pursuant  
5 to subsection (4), an additional \$500 credit shall be provided  
6 for any qualified employee who is a welfare transition WAGES  
7 program participant ~~pursuant to chapter 414~~. Such employee  
8 must be employed on the application date and have been  
9 employed less than 1 year. This credit shall be in addition to  
10 other credits pursuant to this section regardless of the  
11 tier-level of the county. Appropriate documentation concerning  
12 the eligibility of an employee for this credit must be  
13 submitted as determined by the department.

14 Section 58. Subsection (10) of section 216.136,  
15 Florida Statutes, is amended to read:

16 216.136 Consensus estimating conferences; duties and  
17 principals.--

18 (10) WORKFORCE ESTIMATING ~~OCCUPATIONAL FORECASTING~~  
19 CONFERENCE.--

20 (a) Duties.--

21 1. The Workforce Estimating ~~Occupational Forecasting~~  
22 Conference shall develop such official information on the  
23 workforce development system planning process as it relates to  
24 the personnel needs of current, new, and emerging industries  
25 as the conference determines is needed by the state planning  
26 and budgeting system. Such information, using quantitative  
27 and qualitative research methods, must include at least:  
28 short-term and long-term forecasts of employment demand for  
29 ~~high-skills/high-wage~~ jobs by occupation and industry; entry  
30 and average relative wage forecasts among those occupations;  
31 and estimates of the supply of trained and qualified



1 individuals available or potentially available for employment  
2 in those occupations, with special focus upon those  
3 occupations and industries which require high skills and have  
4 high entry wages and experienced wage levels. In the  
5 development of workforce estimates, the conference shall use,  
6 to the fullest extent possible, local occupational and  
7 workforce forecasts and estimates.

8 2. The Workforce Estimating Conference shall review  
9 data concerning the local and regional demands for short-term  
10 and long-term employment in High-Skills/High-Wage Program  
11 jobs, as well as other jobs, which data is generated through  
12 surveys conducted as part of the state's Internet-based job  
13 matching and labor market information system authorized under  
14 s. 445.011. The conference shall consider such data in  
15 developing its forecasts for statewide employment demand,  
16 including reviewing the local and regional data for common  
17 trends and conditions among localities or regions which may  
18 warrant inclusion of a particular occupation on the statewide  
19 occupational forecasting list developed by the conference.  
20 Based upon its review of such survey data, the conference  
21 shall also make recommendations semiannually to Workforce  
22 Florida, Inc., on additions or deletions to lists of locally  
23 targeted occupations approved by Workforce Florida, Inc.

24 3. During each legislative session, and at other times  
25 if necessary, the Workforce Estimating Conference shall meet  
26 as the Workforce Impact Conference for the purpose of  
27 determining the effects of legislation related to the state's  
28 workforce and economic development efforts introduced prior to  
29 and during such legislative session. In addition to the  
30 designated principals of the impact conference, nonprincipal  
31 participants of the impact conference shall include a

1 representative of the Florida Chamber of Commerce and other  
2 interested parties. The impact conference shall use both  
3 quantitative and qualitative research methods to determine the  
4 impact of introduced legislation related to workforce and  
5 economic development issues.

6 4. Notwithstanding subparagraph 3., the Workforce  
7 Estimating Conference, for the purposes described in  
8 subparagraph 1., shall meet no less than 2 times in a calendar  
9 year. The first meeting shall be held in February and the  
10 second meeting shall be held in August. Other meetings may be  
11 scheduled as needed.

12 (b) Principals.--The Commissioner of Education, the  
13 Executive Office of the Governor, the director of the Office  
14 of Tourism, Trade, and Economic Development, the director of  
15 the Agency for Workforce Innovation ~~Secretary of Labor, the~~  
16 Chancellor of the State University System, the Executive  
17 Director of the State Board of Community Colleges, the Chair  
18 of the State Board of Nonpublic Career Education, the Chair of  
19 the Workforce Florida, Inc., and the coordinator of the Office  
20 of Economic and Demographic Research, or their designees, and  
21 professional staff from the Senate and the House of  
22 Representatives who have forecasting and substantive  
23 expertise, are the principals of the Workforce Estimating  
24 ~~Occupational Forecasting~~ Conference. In addition to the  
25 designated principals of the conference, nonprincipal  
26 participants of the conference shall include a representative  
27 of the Florida Chamber of Commerce and other interested  
28 parties. The principal representing the Executive Office of  
29 the Governor ~~Commissioner of Education, or the commissioner's~~  
30 ~~designee,~~ shall preside over the sessions of the conference.

31 Section 59. Subsections (1) and (2) of section

1 220.181, Florida Statutes, are amended to read:

2 220.181 Enterprise zone jobs credit.--

3 (1)(a) Beginning July 1, 1995, there shall be allowed  
4 a credit against the tax imposed by this chapter to any  
5 business located in an enterprise zone which employs one or  
6 more new employees. The credit shall be computed as follows:

7 1. Ten percent of the actual monthly wages paid in  
8 this state to each new employee whose wages do not exceed  
9 \$1,500 a month. If no less than 20 percent of the employees of  
10 the business are residents of an enterprise zone, excluding  
11 temporary and part-time employees, the credit shall be  
12 computed as 15 percent of the actual monthly wages paid in  
13 this state to each new employee, for a period of up to 12  
14 consecutive months;

15 2. Five percent of the first \$1,500 of actual monthly  
16 wages paid in this state for each new employee whose wages  
17 exceed \$1,500 a month; or

18 3. Fifteen percent of the first \$1,500 of actual  
19 monthly wages paid in this state for each new employee who is  
20 a welfare transition ~~WAGES~~ program participant ~~pursuant to~~  
21 ~~chapter 414.~~

22 (b) This credit applies only with respect to wages  
23 subject to unemployment tax and does not apply for any new  
24 employee who is employed for any period less than 3 full  
25 months.

26 (c) If this credit is not fully used in any one year,  
27 the unused amount may be carried forward for a period not to  
28 exceed 5 years. The carryover credit may be used in a  
29 subsequent year when the tax imposed by this chapter for such  
30 year exceeds the credit for such year after applying the other  
31 credits and unused credit carryovers in the order provided in

1 s. 220.02(10).

2 (2) When filing for an enterprise zone jobs credit, a  
3 business must file under oath with the governing body or  
4 enterprise zone development agency having jurisdiction over  
5 the enterprise zone where the business is located, as  
6 applicable, a statement which includes:

7 (a) For each new employee for whom this credit is  
8 claimed, the employee's name and place of residence during the  
9 taxable year, including the identifying number assigned  
10 pursuant to s. 290.0065 to the enterprise zone in which the  
11 new employee resides if the new employee is a person residing  
12 in an enterprise zone, and, if applicable, documentation that  
13 the employee is a qualified Job Training Partnership Act  
14 classroom training participant or a welfare transition ~~WAGES~~  
15 program participant.

16 (b) If applicable, the name and address of each  
17 permanent employee of the business, including, for each  
18 employee who is a resident of an enterprise zone, the  
19 identifying number assigned pursuant to s. 290.0065 to the  
20 enterprise zone in which the employee resides.

21 (c) The name and address of the business.

22 (d) The identifying number assigned pursuant to s.  
23 290.0065 to the enterprise zone in which the eligible business  
24 is located.

25 (e) The salary or hourly wages paid to each new  
26 employee claimed.

27 (f) Whether the business is a small business as  
28 defined by s. 288.703(1).

29 Section 60. Subsection (2) and paragraph (k) of  
30 subsection (3) of section 230.2305, Florida Statutes, are  
31 amended to read:

1           230.2305 Prekindergarten early intervention program.--

2           (2) ELIGIBILITY.--There is hereby created the  
3 prekindergarten early intervention program for children who  
4 are 3 and 4 years of age. A prekindergarten early  
5 intervention program shall be administered by a district  
6 school board and shall receive state funds pursuant to  
7 subsection (6). Each public school district shall make  
8 reasonable efforts to accommodate the needs of children for  
9 extended day and extended year services without compromising  
10 the quality of the 6-hour, 180-day program. The school  
11 district shall report on such efforts. School district  
12 participation in the prekindergarten early intervention  
13 program shall be at the discretion of each school district.

14           (a) At least 75 percent of the children projected to  
15 be served by the district program shall be economically  
16 disadvantaged 4-year-old children of working parents,  
17 including migrant children or children whose parents  
18 participate in the welfare transition ~~WAGES~~ program. Other  
19 children projected to be served by the district program may  
20 include any of the following up to a maximum of 25 percent of  
21 the total number of children served:

22           1. Three-year-old and four-year-old children who are  
23 referred to the school system who may not be economically  
24 disadvantaged but who are abused, prenatally exposed to  
25 alcohol or harmful drugs, or from foster homes, or who are  
26 marginal in terms of Exceptional Student Education placement.

27           2. Three-year-old children and four-year-old children  
28 who may not be economically disadvantaged but who are eligible  
29 students with disabilities and served in an exceptional  
30 student education program with required special services,  
31 aids, or equipment and who are reported for partial funding in

1 the K-12 Florida Education Finance Program. These students  
2 may be funded from prekindergarten early intervention program  
3 funds the portion of the time not funded by the K-12 Florida  
4 Education Finance Program for the actual instructional time or  
5 one full-time equivalent student membership, whichever is the  
6 lesser. These students with disabilities shall be counted  
7 toward the 25-percent student limit based on full-time  
8 equivalent student membership funded part-time by  
9 prekindergarten early intervention program funds. Also,  
10 3-year-old or 4-year-old eligible students with disabilities  
11 who are reported for funding in the K-12 Florida Education  
12 Finance Program in an exceptional student education program as  
13 provided in s. 236.081(1)(c) may be mainstreamed in the  
14 prekindergarten early intervention program if such programming  
15 is reflected in the student's individual educational plan; if  
16 required special services, aids, or equipment are provided;  
17 and if there is no operational cost to prekindergarten early  
18 intervention program funds. Exceptional education students  
19 who are reported for maximum K-12 Florida Education Finance  
20 Program funding and who are not reported for early  
21 intervention funding shall not count against the 75-percent or  
22 25-percent student limit as stated in this paragraph.

23 3. Economically disadvantaged 3-year-old children.

24 4. Economically disadvantaged children, children with  
25 disabilities, and children at risk of future school failure,  
26 from birth to age four, who are served at home through home  
27 visitor programs and intensive parent education programs such  
28 as the Florida First Start Program.

29 5. Children who meet federal and state requirements  
30 for eligibility for the migrant preschool program but who do  
31 not meet the criteria of "economically disadvantaged" as

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1 defined in paragraph (b), who shall not pay a fee.

2           6. After the groups listed in subparagraphs 1., 2.,  
3 3., and 4. have been served, 3-year-old and 4-year-old  
4 children who are not economically disadvantaged and for whom a  
5 fee is paid for the children's participation.

6           (b) An "economically disadvantaged" child shall be  
7 defined as a child eligible to participate in the free lunch  
8 program. Notwithstanding any change in a family's economic  
9 status or in the federal eligibility requirements for free  
10 lunch, a child who meets the eligibility requirements upon  
11 initial registration for the program shall be considered  
12 eligible until the child reaches kindergarten age. In order  
13 to assist the school district in establishing the priority in  
14 which children shall be served, and to increase the efficiency  
15 in the provision of child care services in each district, the  
16 district shall enter into a written collaborative agreement  
17 with other publicly funded early education and child care  
18 programs within the district. Such agreement shall be  
19 facilitated by the interagency coordinating council and shall  
20 set forth, among other provisions, the measures to be  
21 undertaken to ensure the programs' achievement and compliance  
22 with the performance standards established in subsection (3)  
23 and for maximizing the public resources available to each  
24 program. In addition, the central agency for state-subsidized  
25 child care or the local service district of the Department of  
26 Children and Family Services shall provide the school district  
27 with an updated list of 3-year-old and 4-year-old children  
28 residing in the school district who are on the waiting list  
29 for state-subsidized child care.

30           (3) STANDARDS.--

31           (k) The school district must coordinate with the

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1 central agency for state-subsidized child care or the local  
2 service district of the Department of Children and Family  
3 Services to verify family participation in the welfare  
4 transition ~~WAGES~~ program, thus ensuring accurate reporting and  
5 full utilization of federal funds available through the Family  
6 Support Act, and for the agency's or service district's  
7 sharing of the waiting list for state-subsidized child care  
8 under paragraph (a).

9 Section 61. Subsections (4) and (5) of section 232.17,  
10 Florida Statutes, are amended to read:

11 232.17 Enforcement of school attendance.--The  
12 Legislature finds that poor academic performance is associated  
13 with nonattendance and that schools must take an active role  
14 in enforcing attendance as a means of improving the  
15 performance of many students. It is the policy of the state  
16 that the superintendent of each school district be responsible  
17 for enforcing school attendance of all children and youth  
18 subject to the compulsory school age in the school district.  
19 The responsibility includes recommending to the school board  
20 policies and procedures to ensure that schools respond in a  
21 timely manner to every unexcused absence, or absence for which  
22 the reason is unknown, of students enrolled in the schools.  
23 School board policies must require each parent or guardian of  
24 a student to justify each absence of the student, and that  
25 justification will be evaluated based on adopted school board  
26 policies that define excused and unexcused absences. The  
27 policies must provide that schools track excused and unexcused  
28 absences and contact the home in the case of an unexcused  
29 absence from school, or an absence from school for which the  
30 reason is unknown, to prevent the development of patterns of  
31 nonattendance. The Legislature finds that early intervention



1 in school attendance matters is the most effective way of  
2 producing good attendance habits that will lead to improved  
3 student learning and achievement. Each public school shall  
4 implement the following steps to enforce regular school  
5 attendance:

6 (4) REPORT TO THE DEPARTMENT OF LABOR AND EMPLOYMENT  
7 SECURITY ~~DIVISION OF JOBS AND BENEFITS~~.--A designated school  
8 representative shall report to ~~the Division of Jobs and~~  
9 ~~Benefits~~ of the Department of Labor and Employment Security or  
10 to any person acting in similar capacity who may be designated  
11 by law to receive such notices, all violations of the Child  
12 Labor Law that may come to his or her knowledge.

13 (5) RIGHT TO INSPECT.--A designated school  
14 representative shall have the same right of access to, and  
15 inspection of, establishments where minors may be employed or  
16 detained as is given by law to the Department of Labor and  
17 Employment Security ~~Division of Jobs and Benefits~~ only for the  
18 purpose of ascertaining whether children of compulsory school  
19 age are actually employed there and are actually working there  
20 regularly. The designated school representative shall, if he  
21 or she finds unsatisfactory working conditions or violations  
22 of the Child Labor Law, report his or her findings to the  
23 Department of Labor and Employment Security ~~Division of Jobs~~  
24 ~~and Benefits~~ or its agents.

25 Section 62. Paragraph (g) of subsection (1) of section  
26 234.01, Florida Statutes, is amended to read:

27 234.01 Purpose; transportation; when provided.--

28 (1) School boards, after considering recommendations  
29 of the superintendent:

30 (g) May provide transportation for welfare transition  
31 ~~WAGES~~ program participants as defined in s. 414.0252.

1           Section 63. Paragraph (b) of subsection (1) of section  
2 234.211, Florida Statutes, is amended to read:

3           234.211 Use of school buses for public purposes.--

4           (1)

5           (b) Each school district may enter into agreements  
6 with regional workforce boards ~~local WAGES coalitions~~ for the  
7 provision of transportation services to ~~WAGES program~~  
8 participants in the welfare transition program as defined in  
9 ~~s. 414.0252~~. Agreements must provide for reimbursement in full  
10 or in part for the proportionate share of fixed and operating  
11 costs incurred by the school district attributable to the use  
12 of buses in accordance with the agreement.

13           Section 64. Subsection (15) of section 239.105,  
14 Florida Statutes, is amended to read:

15           239.105 Definitions.--As used in this chapter, the  
16 term:

17           (15) "Degree vocational education program" means a  
18 course of study that leads to an associate in applied science  
19 degree or an associate in science degree. A degree vocational  
20 education program may contain within it one or more  
21 occupational completion points and may lead to certificates or  
22 diplomas within the course of study. The term is  
23 interchangeable with the term "degree career education  
24 program." For licensure purposes, the term "associate in  
25 science degree" is interchangeable with "associate in applied  
26 science degree."

27           Section 65. Paragraph (c) of subsection (4) and  
28 subsections (7) and (9) of section 239.115, Florida Statutes,  
29 are amended to read:

30           239.115 Funds for operation of adult general education  
31 and vocational education programs.--

1           (4) The Florida Workforce Development Education Fund  
2 is created to provide performance-based funding for all  
3 workforce development programs, whether the programs are  
4 offered by a school district or a community college. Funding  
5 for all workforce development education programs must be from  
6 the Workforce Development Education Fund and must be based on  
7 cost categories, performance output measures, and performance  
8 outcome measures. This subsection takes effect July 1, 1999.

9           (c) The performance outcome measures for programs  
10 funded through the Workforce Development Education Fund are  
11 associated with placement and retention of students after  
12 reaching a completion point or completing a program of study.  
13 These measures include placement or retention in employment  
14 that is related to the program of study; placement into or  
15 retention in employment in an occupation on the Workforce  
16 Estimating Occupational Forecasting Conference list of  
17 high-wage, high-skill occupations with sufficient openings, or  
18 other High Wage/High Skill Program occupations as determined  
19 by Workforce Florida, Inc.; and placement and retention of  
20 participants ~~WAGES clients~~ or former participants in the  
21 welfare transition program ~~WAGES clients~~ in employment.  
22 Continuing postsecondary education at a level that will  
23 further enhance employment is a performance outcome for adult  
24 general education programs. Placement and retention must be  
25 reported pursuant to ss. 229.8075 and 239.233.

26           (7)(a) Beginning in fiscal year 1999-2000, a school  
27 district or a community college that provides workforce  
28 development education funded through the Workforce Development  
29 Education Fund shall receive funds in accordance with  
30 distributions for base and performance funding established by  
31 the Legislature in the General Appropriations Act, pursuant to

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1 the following conditions:

2       1.(a) Base funding shall not exceed 85 percent of the  
3 current fiscal year total Workforce Development Education Fund  
4 allocation, which shall be distributed by the Legislature in  
5 the General Appropriations Act based on a maximum of 85  
6 percent of the institution's prior year total allocation from  
7 base and performance funds.

8       2.(b) Performance funding shall be at least 15 percent  
9 of the current fiscal year total Workforce Development  
10 Education Fund allocation, which shall be distributed by the  
11 Legislature in the General Appropriations Act based on the  
12 previous fiscal year's achievement of output and outcomes in  
13 accordance with formulas adopted pursuant to subsection (9).  
14 Performance funding must incorporate payments for at least  
15 three levels of placements that reflect wages and workforce  
16 demand. Payments for completions must not exceed 60 percent of  
17 the payments for placement. For fiscal year 1999-2000, school  
18 districts and community colleges shall be awarded funds  
19 pursuant to this paragraph based on performance output data  
20 generated for fiscal year 1998-1999 and performance outcome  
21 data available in that year.

22       3.(c) If a local educational agency achieves a level  
23 of performance sufficient to generate a full allocation as  
24 authorized by the workforce development funding formula, the  
25 agency may earn performance incentive funds as appropriated  
26 for that purpose in a General Appropriations Act. If  
27 performance incentive funds are funded and awarded, these  
28 funds must be added to the local educational agency's prior  
29 year total allocation from the Workforce Development Education  
30 Fund and shall be used to calculate the following year's base  
31 funding.

1           (b) A program is established to assist school  
2 districts and community colleges in responding to the needs of  
3 new and expanding businesses and thereby strengthening the  
4 state's workforce and economy. The program may be funded in  
5 the General Appropriations Act. A school district or community  
6 college may expend funds under the program without regard to  
7 performance criteria set forth in subparagraph (a)2. The  
8 district or community college shall use the program to provide  
9 customized training for businesses which satisfies the  
10 requirements of s. 288.047. Business firms whose employees  
11 receive the customized training must provide 50 percent of the  
12 cost of the training. Balances remaining in the program at the  
13 end of the fiscal year shall not revert to the general fund,  
14 but shall be carried over for 1 additional year and used for  
15 the purpose of serving incumbent worker training needs of area  
16 businesses with fewer than 100 employees. Priority shall be  
17 given to businesses that must increase or upgrade their use of  
18 technology to remain competitive.

19           (9) The Department of Education, the State Board of  
20 Community Colleges, and Workforce Florida, Inc.,~~the Jobs and~~  
21 ~~Education Partnership~~ shall provide the Legislature with  
22 recommended formulas, criteria, timeframes, and mechanisms for  
23 distributing performance funds. The commissioner shall  
24 consolidate the recommendations and develop a consensus  
25 proposal for funding. The Legislature shall adopt a formula  
26 and distribute the performance funds to the Division of  
27 Community Colleges and the Division of Workforce Development  
28 through the General Appropriations Act. These recommendations  
29 shall be based on formulas that would discourage  
30 low-performing or low-demand programs and encourage through  
31 performance-funding awards:

1 (a) Programs that prepare people to enter high-wage  
2 occupations identified by the Workforce Estimating  
3 ~~Occupational Forecasting~~ Conference created by s. 216.136 and  
4 other programs as approved by Workforce Florida, Inc ~~the Jobs~~  
5 ~~and Education Partnership~~. At a minimum, performance  
6 incentives shall be calculated for adults who reach completion  
7 points or complete programs that lead to specified high-wage  
8 employment and to their placement in that employment.

9 (b) Programs that successfully prepare adults who are  
10 eligible for public assistance, economically disadvantaged,  
11 disabled, not proficient in English, or dislocated workers for  
12 high-wage occupations. At a minimum, performance incentives  
13 shall be calculated at an enhanced value for the completion of  
14 adults identified in this paragraph and job placement of such  
15 adults upon completion. In addition, adjustments may be made  
16 in payments for job placements for areas of high unemployment.

17 (c) Programs that are specifically designed to be  
18 consistent with the workforce needs of private enterprise and  
19 regional economic development strategies, as defined in  
20 guidelines set by Workforce Florida, Inc. Workforce Florida,  
21 Inc., shall develop guidelines to identify such needs and  
22 strategies based on localized research of private employers  
23 and economic development practitioners.

24 (d)~~(c)~~ Programs identified by Workforce Florida, Inc.,  
25 ~~the Jobs and Education Partnership~~ as increasing the  
26 effectiveness and cost efficiency of education.

27 Section 66. Paragraph (d) of subsection (4) of section  
28 239.117, Florida Statutes, is amended to read:

29 239.117 Workforce development postsecondary student  
30 fees.--

31 (4) The following students are exempt from the payment

1 of registration, matriculation, and laboratory fees:

2 (d) A student enrolled in an employment and training  
3 program under the welfare transition ~~WAGES~~ program. The  
4 regional workforce board ~~local WAGES coalition~~ shall pay the  
5 community college or school district for costs incurred for  
6 welfare transition program participants ~~WAGES clients~~.

7 Section 67. Paragraph (c) of subsection (2) of section  
8 239.229, Florida Statutes, is amended to read:

9 239.229 Vocational standards.--

10 (2)

11 (c) Department of Education accountability for career  
12 education includes, but is not limited to:

13 1. The provision of timely, accurate technical  
14 assistance to school districts and community colleges.

15 2. The provision of timely, accurate information to  
16 the State Board for Career Education, the Legislature, and the  
17 public.

18 3. The development of policies, rules, and procedures  
19 that facilitate institutional attainment of the accountability  
20 standards and coordinate the efforts of all divisions within  
21 the department.

22 4. The development of program standards and  
23 industry-driven benchmarks for vocational, adult, and  
24 community education programs, which must be updated every 3  
25 years. The standards must include technical, academic, and  
26 workplace skills; viability of distance learning for  
27 instruction; and work/learn cycles that are responsive to  
28 business and industry.

29 5. Overseeing school district and community college  
30 compliance with the provisions of this chapter.

31 6. Ensuring that the educational outcomes for the

1 technical component of workforce development programs and  
2 secondary vocational job-preparatory programs are uniform and  
3 designed to provide a graduate of high quality who is capable  
4 of entering the workforce on an equally competitive basis  
5 regardless of the institution of choice.

6 7. No school board or public school shall require a  
7 student to participate in any school-to-work or job training  
8 program. A school board or school shall not require a student  
9 to meet occupational standards for grade level promotion or  
10 graduation unless the student is voluntarily enrolled in a job  
11 training program.

12 Section 68. Paragraph (a) of subsection (3) and  
13 paragraph (e) of subsection (4) of section 239.301, Florida  
14 Statutes, are amended to read:

15 239.301 Adult general education.--

16 (3)(a) Each school board or community college board of  
17 trustees shall negotiate with the regional workforce board  
18 ~~local personnel of the Department of Children and Family~~  
19 ~~Services~~ for basic and functional literacy skills assessments  
20 for participants in the welfare transition employment and  
21 training programs ~~under the WAGES Program~~. Such assessments  
22 shall be conducted at a site mutually acceptable to the school  
23 board or community college board of trustees and the regional  
24 workforce board ~~Department of Children and Family Services~~.

25 (4)

26 (e) A district school board or a community college  
27 board of trustees may negotiate a contract with the regional  
28 workforce board ~~local WAGES coalition~~ for specialized services  
29 for participants in the welfare transition program ~~WAGES~~  
30 ~~clients~~, beyond what is routinely provided for the general  
31 public, to be funded by the regional workforce board ~~WAGES~~



1 ~~coalition pursuant to s. 414.065.~~

2 Section 69. Subsection (3) of section 239.514, Florida  
3 Statutes, is amended to read:

4 239.514 Workforce Development Capitalization Incentive  
5 Grant Program.--The Legislature recognizes that the need for  
6 school districts and community colleges to be able to respond  
7 to emerging local or statewide economic development needs is  
8 critical to the workforce development system. The Workforce  
9 Development Capitalization Incentive Grant Program is created  
10 to provide grants to school districts and community colleges  
11 on a competitive basis to fund some or all of the costs  
12 associated with the creation or expansion of workforce  
13 development programs that serve specific employment workforce  
14 needs.

15 (3) The commission shall give highest priority to  
16 programs that train people to enter high-skill, high-wage  
17 occupations identified by the Workforce Estimating  
18 ~~occupational forecasting~~ Conference and other programs  
19 approved by Workforce Florida, Inc. ~~the Jobs and Education~~  
20 ~~Partnership~~; programs that train people to enter occupations  
21 under the welfare transition program on the WAGES list; or  
22 programs that train for the workforce adults who are eligible  
23 for public assistance, economically disadvantaged, disabled,  
24 not proficient in English, or dislocated workers. The  
25 commission shall consider the statewide geographic dispersion  
26 of grant funds in ranking the applications and shall give  
27 priority to applications from education agencies that are  
28 making maximum use of their workforce development funding by  
29 offering high-performing, high-demand programs.

30 Section 70. Paragraph (b) of subsection (5) of section  
31 240.209, Florida Statutes, is amended to read:

1           240.209 Board of Regents; powers and duties.--  
2           (5) The Board of Regents is responsible for:  
3           (b) Coordinating with the Postsecondary Education  
4 Planning Commission the programs, including doctoral programs,  
5 to be reviewed every 5 years or whenever the board determines  
6 that the effectiveness or efficiency of a program is  
7 jeopardized. The board shall define the indicators of quality  
8 and the criteria for program review for every program. Such  
9 indicators shall include need, student demand, industry-driven  
10 competencies for advanced technology and related programs, and  
11 resources available to support continuation. The results of  
12 the program reviews shall be tied to the university budget  
13 requests.

14           Section 71. Section 240.312, Florida Statutes, is  
15 amended to read:

16           240.312 Community colleges; program review.--Program  
17 reviews for the community college system shall be coordinated  
18 with the Postsecondary Education Planning Commission every  
19 year. Every major program shall be reviewed every 5 years or  
20 whenever the effectiveness or efficiency of a program is  
21 jeopardized, except that certificate career education programs  
22 and programs leading to an associate in science degree shall  
23 be reviewed every 3 years. Indicators of quality and criteria  
24 for the program reviews shall be defined. The results of  
25 these program reviews shall be tied to the budget request for  
26 the community college system.

27           Section 72. Subsection (3) of section 240.35, Florida  
28 Statutes, is amended to read:

29           240.35 Student fees.--Unless otherwise provided, the  
30 provisions of this section apply only to fees charged for  
31 college credit instruction leading to an associate in arts

1 degree, an associate in applied science degree, or an  
2 associate in science degree and noncollege credit  
3 college-preparatory courses defined in s. 239.105.

4 (3) Students enrolled in dual enrollment and early  
5 admission programs under s. 240.116 and students enrolled in  
6 employment and training programs under the welfare transition  
7 ~~WAGES~~ program are exempt from the payment of registration,  
8 matriculation, and laboratory fees; however, such students may  
9 not be included within calculations of fee-waived enrollments.  
10 The regional workforce board ~~local WAGES coalition~~ shall pay  
11 the community college for costs incurred by that ~~WAGES~~  
12 participant related to that person's classes or program. Other  
13 fee-exempt instruction provided under this subsection  
14 generates an additional one-fourth full-time equivalent  
15 enrollment.

16 Section 73. Paragraph (a) of subsection (1) of section  
17 240.40207, Florida Statutes, is amended to read:

18 240.40207 Florida Gold Seal Vocational Scholars  
19 award.--The Florida Gold Seal Vocational Scholars award is  
20 created within the Florida Bright Futures Scholarship Program  
21 to recognize and reward academic achievement and vocational  
22 preparation by high school students who wish to continue their  
23 education.

24 (1) A student is eligible for a Florida Gold Seal  
25 Vocational Scholars award if the student meets the general  
26 eligibility requirements for the Florida Bright Futures  
27 Scholarship Program and the student:

28 (a) Completes the secondary school portion of a  
29 sequential program of studies that requires at least three  
30 secondary school vocational credits taken over at least 2  
31 academic years, and is continued in a planned, related

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1 postsecondary education program. If the student's school does  
2 not offer such a two-plus-two or tech-prep program, the  
3 student must complete a job-preparatory career education  
4 program selected by the Workforce Estimating Occupational  
5 Forecasting Conference or ~~the~~ Workforce Florida, Inc.,  
6 ~~Development Board of Enterprise Florida~~ for its ability to  
7 provide high-wage employment in an occupation with high  
8 potential for employment opportunities. On-the-job training  
9 may not be substituted for any of the three required  
10 vocational credits.

11 Section 74. Section 240.40685, Florida Statutes, is  
12 amended to read:

13 240.40685 Certified Education Paraprofessional Welfare  
14 Transition Program.--

15 (1) There is created the Certified Education  
16 Paraprofessional Welfare Transition Program to provide  
17 education and employment for recipients of public assistance  
18 who are certified to work in schools that, because of the high  
19 proportion of economically disadvantaged children enrolled,  
20 are at risk of poor performance on traditional measures of  
21 achievement. The program is designed to enable such schools  
22 to increase the number of adults working with the school  
23 children. However, the increase in personnel working at  
24 certain schools is intended to supplement and not to supplant  
25 the school staff and should not affect current school board  
26 employment and staffing policies, including those contained in  
27 collective bargaining agreements. The program is intended to  
28 be supported by local, state, and federal program funds for  
29 which the participants may be eligible. Further, the program  
30 is designed to provide its participants not only with  
31 entry-level employment but also with a marketable credential,

1 a career option, and encouragement to advance.

2 (2) The Commissioner of Education, the Executive  
3 Director of the State Board of Community Colleges, the  
4 secretary of the Department of Children and Family Services,  
5 and the director of the Agency for Workforce Innovation  
6 ~~Secretary of Labor and Employment Security~~ have joint  
7 responsibility for planning and conducting the program.

8 (3) The agencies responsible may make recommendations  
9 to the State Board of Education and the Legislature if they  
10 find that implementation or operation of the program would  
11 benefit from the adoption or waiver of state or federal  
12 policy, rule, or law, including recommendations regarding  
13 program budgeting.

14 (4) The agencies shall complete an implementation plan  
15 that addresses at least the following recommended components  
16 of the program:

17 (a) A method of selecting participants. The method  
18 must not duplicate services provided by those assigned to  
19 screen participants of the welfare transition ~~WAGES~~ program,  
20 but must assure that screening personnel are trained to  
21 identify recipients of public assistance whose personal  
22 aptitudes and motivation make them most likely to succeed in  
23 the program and advance in a career related to the school  
24 community.

25 (b) A budget for use of incentive funding to provide  
26 motivation to participants to succeed and excel. The budget  
27 for incentive funding includes:

28 1. Funds allocated by the Legislature directly for the  
29 program.

30 2. Funds that may be made available from the federal  
31 Workforce Investment ~~Job Training Partnership~~ Act based on

1 client eligibility or requested waivers to make the clients  
2 eligible.

3 3. Funds made available by implementation strategies  
4 that would make maximum use of work supplementation funds  
5 authorized by federal law.

6 4. Funds authorized by strategies to lengthen  
7 participants' eligibility for federal programs such as  
8 Medicaid, subsidized child care, and transportation.

9  
10 Incentives may include a stipend during periods of college  
11 classroom training, a bonus and recognition for a high  
12 grade-point average, child care and prekindergarten services  
13 for children of participants, and services to increase a  
14 participant's ability to advance to higher levels of  
15 employment. Nonfinancial incentives should include providing a  
16 mentor or tutor, and service incentives should continue and  
17 increase for any participant who plans to complete the  
18 baccalaureate degree and become a certified teacher. Services  
19 may be provided in accordance with family choice by community  
20 colleges and school district technical centers, through family  
21 service centers and full-service schools, or under contract  
22 with providers through central agencies.

23 (5) The agencies shall select Department of Children  
24 and Family Services districts to participate in the program. A  
25 district that wishes to participate must demonstrate that a  
26 district school board, a community college board of trustees,  
27 an economic services program administrator, and a regional  
28 workforce board ~~private industry council~~ are willing to  
29 coordinate to provide the educational program, support  
30 services, employment opportunities, and incentives required to  
31 fulfill the intent of this section.

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1           (6)(a) A community college or school district  
2 technical center is eligible to participate if it provides a  
3 technical certificate program in Child Development Early  
4 Intervention as approved by Workforce Florida, Inc., ~~the Jobs~~  
5 ~~and Education Partnership~~ and it is participating in the  
6 ~~Performance Based Incentive Funding program authorized in s.~~  
7 ~~239-249~~. Priority programs provide an option and incentives  
8 to articulate with an associate in science degree program or a  
9 baccalaureate degree program.

10           (b) A participating educational agency may earn funds  
11 appropriated for performance-based incentive funding for  
12 successful outcomes of enrollment and placement of recipients  
13 of public assistance who are in the program. In addition, an  
14 educational agency is eligible for an incentive award  
15 determined by Workforce Florida, Inc., ~~the Jobs and Education~~  
16 ~~Partnership~~ for each recipient of public assistance who  
17 successfully completes a program leading to the award of a  
18 General Education Development credential.

19           (c) Historically black colleges or universities that  
20 have established programs that serve participants in the  
21 welfare transition ~~of the WAGES~~ program are eligible to  
22 participate in the Performance Based Incentive Funding Program  
23 and may earn an incentive award determined by Workforce  
24 Florida, Inc., ~~the Jobs and Education Partnership~~ for  
25 successful placement of program completers in jobs as  
26 education paraprofessionals in at-risk schools.

27           (7)(a) A participating school district shall identify  
28 at-risk schools in which the program participants will work  
29 during the practicum part of their education. For purposes of  
30 this act, an at-risk school is a school with grades K-3 in  
31 which 50 percent or more of the students enrolled at the

1 school are eligible for free lunches or reduced-price lunches.  
2 Priority schools are schools whose service zones include the  
3 participants' own communities.

4 (b) A participating school district may use funds  
5 appropriated by the Legislature from Job Training Partnership  
6 Act service delivery area allotments to provide at least 6  
7 months of on-the-job training to participants in the Certified  
8 Education Paraprofessional Welfare Transition Program.  
9 Participating school districts may also use funds provided by  
10 grant diversion of funds from the welfare transition ~~WAGES~~  
11 program for the participants during the practicum portion of  
12 their training to earn the certificate required for their  
13 employment.

14 (8) The agencies shall give priority for funding to  
15 those programs that provide maximum security for the  
16 long-range employment and career opportunities of the program  
17 participants. Security is enhanced if employment is provided  
18 through a governmental or nongovernmental agency other than  
19 the school board, or if the plans assure in another way that  
20 the participants will supplement, rather than supplant, the  
21 workforce available to the school board. It is the intent of  
22 the Legislature that, when a program participant succeeds in  
23 becoming a certified education paraprofessional after working  
24 successfully in a school during the practicum or on-the-job  
25 training supported by the program, the participant shall have  
26 the opportunity to continue in full-time employment at the  
27 school that provided the training or at another school in the  
28 district.

29 Section 75. Subsection (2) of section 240.61, Florida  
30 Statutes, is amended to read:

31 240.61 College reach-out program.--



1           (2) In developing the definition for "low-income  
2 educationally disadvantaged student," the State Board of  
3 Education shall include such factors as: the family's taxable  
4 income; family receipt of temporary cash assistance ~~under the~~  
5 ~~WAGES Program~~ in the preceding year; family receipt of public  
6 assistance in the preceding year; the student's cumulative  
7 grade point average; the student's promotion and attendance  
8 patterns; the student's performance on state standardized  
9 tests; the student's enrollment in mathematics and science  
10 courses; and the student's participation in a dropout  
11 prevention program.

12           Section 76. Section 246.50, Florida Statutes, is  
13 amended to read:

14           246.50 Certified Teacher-Aide Welfare Transition  
15 Program; participation by independent postsecondary  
16 schools.--An independent postsecondary school may participate  
17 in the Certified Teacher-Aide Welfare Transition Program and  
18 may receive incentives for successful performance from the  
19 Performance Based Incentive Funding Program if:

20           (1) The school is accredited by the Southern  
21 Association of Colleges and Schools and licensed by the State  
22 Board of Nonpublic Career Education;

23           (2) The school serves recipients of temporary cash  
24 assistance ~~under the WAGES Program~~ in a certified teacher-aide  
25 program;

26           (3) A participating school district recommends the  
27 school to Workforce Florida, Inc.~~the Jobs and Education~~  
28 ~~Partnership~~; and

29           (4) Workforce Florida, Inc.~~The Jobs and Education~~  
30 ~~Partnership~~ approves.

31           Section 77. Section 288.046, Florida Statutes, is

1 amended to read:

2           288.046 Quick-response training; legislative  
3 intent.--The Legislature recognizes the importance of  
4 providing a skilled workforce for attracting new industries  
5 and retaining and expanding existing businesses and industries  
6 in this state. It is the intent of the Legislature that a  
7 program exist to meet the short-term, immediate,  
8 workforce-skill needs of such businesses and industries. It  
9 is further the intent of the Legislature that funds provided  
10 for the purposes of s. 288.047 be expended on businesses and  
11 industries that support the state's economic development  
12 goals, particularly high value-added businesses ~~in Florida's~~  
13 ~~Targeted Industrial Clusters~~ or businesses that locate in and  
14 provide jobs in the state's distressed urban and rural areas,  
15 and that instruction funded pursuant to s. 288.047 lead to  
16 permanent, quality employment opportunities.

17           Section 78. Section 288.047, Florida Statutes, is  
18 amended to read:

19           288.047 Quick-response training for economic  
20 development.--

21           (1) The Quick-Response Training Program is created to  
22 meet the workforce-skill needs of existing, new, and expanding  
23 industries. The program shall be administered by Workforce  
24 ~~Enterprise~~ Florida, Inc., in conjunction with Enterprise  
25 Florida, Inc., and the Department of Education. Workforce  
26 ~~Enterprise~~ Florida, Inc., shall adopt guidelines for the  
27 administration of this program. Workforce ~~Enterprise~~ Florida,  
28 Inc., shall provide technical services and shall identify  
29 businesses that seek services through the program. Workforce  
30 Florida, Inc. may contract with Enterprise Florida, Inc., or  
31 administer this program directly, if it is determined that

1 such an arrangement maximizes the amount of the Quick Response  
2 grant going to direct services. ~~The Department of Education~~  
3 ~~shall provide services related to the development and~~  
4 ~~implementation of instructional programs.~~

5 ~~(2)(a) A Quick-Response Advisory Committee, composed~~  
6 ~~of the director of the Division of Workforce Development of~~  
7 ~~the Department of Education; the director of the Division of~~  
8 ~~Community Colleges of the Department of Education; and the~~  
9 ~~director of the Division of Jobs and Benefits of the~~  
10 ~~Department of Labor and Employment Security, or their~~  
11 ~~respective designees, and four private sector members, shall~~  
12 ~~review training funded through this program and shall provide~~  
13 ~~policy advice to Enterprise Florida, Inc., in the~~  
14 ~~implementation of this program. The committee shall elect a~~  
15 ~~chair from among its members. Members of the committee may~~  
16 ~~receive reimbursement for per diem and travel expenses as~~  
17 ~~provided in s. 112.061.~~

18 ~~(b) The four private sector members appointed to the~~  
19 ~~Quick-Response Advisory Committee must be selected from a~~  
20 ~~slate of nominees submitted by the board of directors of~~  
21 ~~Enterprise Florida, Inc. The president of Enterprise Florida,~~  
22 ~~Inc., shall appoint private sector members from this slate for~~  
23 ~~terms of 4 years, except that in making the initial~~  
24 ~~appointments, the president shall appoint members for~~  
25 ~~staggered terms, one for 1 year, 2 years, 3 years, and 4~~  
26 ~~years, respectively. To the maximum extent possible, the~~  
27 ~~president shall select private sector members who are~~  
28 ~~representative of diverse industries and regions of the state.~~  
29 ~~The importance of minority representation must be considered~~  
30 ~~when making appointments for each private sector position.~~  
31 ~~Private sector members may be removed for cause. Absence from~~

1 ~~three consecutive meetings results in the automatic removal of~~  
2 ~~a private sector member.~~

3 ~~(c) The Quick-Response Advisory Committee shall meet~~  
4 ~~at the call of its chair, at the request of a majority of the~~  
5 ~~membership, at the request of Enterprise Florida, Inc., or at~~  
6 ~~times prescribed by its rules. The committee shall serve to~~  
7 ~~advise Enterprise Florida, Inc., regarding the administration~~  
8 ~~of the Quick-Response Training Program.~~

9 ~~(2)(3) Workforce Enterprise Florida, Inc., shall~~  
10 ~~ensure that instruction funded pursuant to this section is not~~  
11 ~~available through the local community college or, school~~  
12 ~~district, or private industry council and that the instruction~~  
13 ~~promotes economic development by providing specialized~~  
14 ~~training entry-level skills to new workers or retraining for~~  
15 ~~supplemental skills to current employees to meet changing~~  
16 ~~skill requirements caused by new technology or new product~~  
17 ~~lines and to prevent potential layoffs whose job descriptions~~  
18 ~~are changing. Such funds may not be expended to subsidize the~~  
19 ~~ongoing staff development program of any business or industry~~  
20 ~~or to provide training for instruction related to retail~~  
21 ~~businesses or to reimburse businesses for trainee wages. Funds~~  
22 ~~made available pursuant to this section may not be expended in~~  
23 ~~connection with the relocation of a business from one~~  
24 ~~community to another community in this state unless Workforce~~  
25 ~~Enterprise Florida, Inc., determines that without such~~  
26 ~~relocation the business will move outside this state or~~  
27 ~~determines that the business has a compelling economic~~  
28 ~~rationale for the relocation which creates additional jobs.~~

29 ~~(3)(4) Requests for funding through the Quick-Response~~  
30 ~~Training Program may be produced through inquiries from a~~  
31 ~~specific business or industry, inquiries from a school~~

1 district director of career education or community college  
2 occupational dean on behalf of a business or industry, or  
3 through official state or local economic development efforts.  
4 In allocating funds for the purposes of the program, Workforce  
5 ~~Enterprise~~ Florida, Inc., shall establish criteria for  
6 approval of requests for funding and shall select the entity  
7 that provides the most efficient, cost-effective instruction  
8 meeting such criteria. Program funds may be allocated to any  
9 area technical center, community college, or state university.  
10 Program funds may be allocated to private postsecondary  
11 institutions only upon a review that includes, but is not  
12 limited to, accreditation and licensure documentation and  
13 prior approval by Workforce Florida, Inc. ~~a majority of the~~  
14 ~~advisory committee.~~ Instruction funded through the program  
15 must terminate when participants demonstrate competence at the  
16 level specified in the request; however, the grant term  
17 ~~instruction~~ may not exceed 24 ~~18~~ months. Costs and  
18 expenditures for the Quick-Response Training Program must be  
19 documented and separated from those incurred by the training  
20 provider.

21 ~~(4)~~<sup>(5)</sup> For the first 6 months of each fiscal year,  
22 Workforce ~~Enterprise~~ Florida, Inc., shall set aside 30 percent  
23 of the amount appropriated for the Quick-Response Training  
24 Program by the Legislature to fund instructional programs for  
25 businesses located in an enterprise zone or brownfield area ~~to~~  
26 ~~instruct residents of an enterprise zone.~~ Any unencumbered  
27 funds remaining undisbursed from this set-aside at the end of  
28 the 6-month period may be used to provide funding for any  
29 program qualifying for funding pursuant to this section.

30 ~~(5)~~<sup>(6)</sup> Prior to the allocation of funds for any  
31 request pursuant to this section, Workforce ~~Enterprise~~

1 Florida, Inc., shall prepare a grant agreement between the  
2 business or industry requesting funds, the educational  
3 institution receiving funding through the program, and  
4 Workforce Enterprise Florida, Inc. Such agreement must  
5 include, but is not limited to:

6 ~~(a) An identification of the facility in which the~~  
7 ~~instruction will be conducted and the respective~~  
8 ~~responsibilities of the parties for paying costs associated~~  
9 ~~with facility use.~~

10 ~~(b) An identification of the equipment necessary to~~  
11 ~~conduct the program, the respective responsibilities of the~~  
12 ~~parties for paying costs associated with equipment purchase,~~  
13 ~~maintenance, and repair, as well as an identification of which~~  
14 ~~party owns the equipment upon completion of the instruction.~~

15 ~~(a)(c)~~ An identification of the personnel necessary to  
16 conduct the instructional program, the qualifications of such  
17 personnel, and the respective responsibilities of the parties  
18 for paying costs associated with the employment of such  
19 personnel.

20 ~~(b)(d)~~ An identification of the estimated length of  
21 the instructional program. ~~Such program may not exceed 12~~  
22 ~~months of full-time instruction or 18 months of total~~  
23 ~~instruction.~~

24 (c) An identification of all direct, training-related  
25 costs, including tuition and fees, curriculum development,  
26 books and classroom materials, and overhead or indirect costs,  
27 not to exceed 5 percent of the grant amount.

28 ~~(d)(e)~~ An identification of special program  
29 requirements that are not addressed otherwise in the  
30 agreement.

31 ~~(e)(f)~~ Permission to access information specific to

1 the wages and performance of participants upon the completion  
2 of instruction for evaluation purposes. Information which, if  
3 released, would disclose the identity of the person to whom  
4 the information pertains or disclose the identity of the  
5 person's employer is confidential and exempt from the  
6 provisions of s. 119.07(1). The agreement must specify that  
7 any evaluations published subsequent to the instruction may  
8 not identify the employer or any individual participant.

9 ~~(6)(7)~~ For the purposes of this section, Workforce  
10 ~~Enterprise~~ Florida, Inc., may accept grants of money,  
11 materials, services, or property of any kind from any agency,  
12 corporation, or individual.

13 ~~(8)~~ ~~Enterprise Florida, Inc., may procure equipment as~~  
14 ~~necessary to meet the purposes of this section. Title to and~~  
15 ~~control of such equipment is vested in the Department of~~  
16 ~~Education. Upon the conclusion of instruction, the Department~~  
17 ~~of Education may transfer title to the district school board,~~  
18 ~~community college district board of trustees, or Board of~~  
19 ~~Regents on behalf of a specific state university, where the~~  
20 ~~equipment is physically located. The department may also~~  
21 ~~lease such equipment to the district school board, community~~  
22 ~~college district board of trustees, or Board of Regents for a~~  
23 ~~maximum of 1 year. Such lease may provide for automatic~~  
24 ~~renewal. Either party to a lease has the right to cancel the~~  
25 ~~lease upon a 60-day notice in writing. Any equipment for which~~  
26 ~~no title transfer or lease exists must be returned to a~~  
27 ~~warehouse reserve and be available for use by an instructional~~  
28 ~~program in any area of the state.~~

29 ~~(7)(9)~~ In providing instruction pursuant to this  
30 section, materials that relate to methods of manufacture or  
31 production, potential trade secrets, business transactions, or

1 proprietary information received, produced, ascertained, or  
2 discovered by employees of the respective departments,  
3 district school boards, community college district boards of  
4 trustees, or other personnel employed for the purposes of this  
5 section is confidential and exempt from the provisions of s.  
6 119.07(1). The state may seek copyright protection for all  
7 instructional materials and ancillary written documents  
8 developed wholly or partially with state funds as a result of  
9 instruction provided pursuant to this section, except for  
10 materials that are confidential and exempt from the provisions  
11 of s. 119.07(1).

12 ~~(8)(10)~~ There is created a Quick-Response Training  
13 Program for ~~Work and Gain Economic Self-sufficiency (WAGES)~~  
14 participants in the welfare transition program. Workforce  
15 ~~Enterprise Florida, Inc., may, at the discretion of the State~~  
16 ~~WAGES Emergency Response Team,~~ award quick-response training  
17 grants and develop applicable guidelines for the training of  
18 participants in the welfare transition ~~WAGES~~ program. In  
19 addition to a local economic development organization, grants  
20 must be endorsed by the applicable ~~local WAGES coalition and~~  
21 regional workforce ~~development~~ board.

22 (a) Training funded pursuant to this subsection may  
23 not exceed 12 months, and may be provided by the local  
24 community college, school district, regional workforce  
25 ~~development~~ board, or the business employing the participant,  
26 including on-the-job training. Training will provide  
27 entry-level skills to new workers, including those employed in  
28 retail, who are participants in the welfare transition ~~WAGES~~  
29 program.

30 (b) ~~WAGES~~ Participants trained pursuant to this  
31 subsection must be employed at a wage not less than ~~\$6.56.00~~



1 per hour.

2 (c) Funds made available pursuant to this subsection  
3 may be expended in connection with the relocation of a  
4 business from one community to another community if approved  
5 by Workforce Florida, Inc.~~the State WAGES Emergency Response~~  
6 ~~Team.~~

7 (9) Notwithstanding any other provision of law,  
8 eligible matching contributions received under the  
9 Quick-Response Training Program under this section may be  
10 counted toward the private-sector support of Enterprise  
11 Florida, Inc., under s. 288.90151(5)(d).

12 (10) Workforce Florida, Inc., and Enterprise Florida,  
13 Inc., shall ensure maximum coordination and cooperation in  
14 administering this section, in such a manner that any division  
15 of responsibility between the two organizations which relates  
16 to marketing or administering the Quick-Response Training  
17 Program is not apparent to a business that inquires about or  
18 applies for funding under this section. The organizations  
19 shall provide such a business with a single point of contact  
20 for information and assistance.

21 Section 79. Subsection (7) of section 288.0656,  
22 Florida Statutes, is amended to read:

23 288.0656 Rural Economic Development Initiative.--

24 (7) REDI may recommend to the Governor up to three  
25 rural areas of critical economic concern. A rural area of  
26 critical economic concern must be a rural community, or a  
27 region composed of such, that has been adversely affected by  
28 an extraordinary economic event or a natural disaster or that  
29 presents a unique economic development opportunity of regional  
30 impact that will create more than 1,000 jobs over a 5-year  
31 period. The Governor may by executive order designate up to

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1 three rural areas of critical economic concern which will  
2 establish these areas as priority assignments for REDI as well  
3 as to allow the Governor, acting through REDI, to waive  
4 criteria, requirements, or similar provisions of any economic  
5 development incentive. Such incentives shall include, but not  
6 be limited to: the Qualified Target Industry Tax Refund  
7 Program under s. 288.106, the Quick Response Training Program  
8 under s. 288.047, the ~~WAGES~~ Quick Response Training Program  
9 for participants in the welfare transition program under s.  
10 288.047(8)~~s. 288.047(10)~~, transportation projects under s.  
11 288.063, the brownfield redevelopment bonus refund under s.  
12 288.107, and the rural job tax credit program under ss.  
13 212.098 and 220.1895. Designation as a rural area of critical  
14 economic concern under this subsection shall be contingent  
15 upon the execution of a memorandum of agreement among the  
16 Office of Tourism, Trade, and Economic Development; the  
17 governing body of the county; and the governing bodies of any  
18 municipalities to be included within a rural area of critical  
19 economic concern. Such agreement shall specify the terms and  
20 conditions of the designation, including, but not limited to,  
21 the duties and responsibilities of the county and any  
22 participating municipalities to take actions designed to  
23 facilitate the retention and expansion of existing businesses  
24 in the area, as well as the recruitment of new businesses to  
25 the area.

26 Section 80. Paragraph (f) of subsection (3) of section  
27 288.901, Florida Statutes, is amended to read:

28 288.901 Enterprise Florida, Inc.; creation;  
29 membership; organization; meetings; disclosure.--

30 (3) Enterprise Florida, Inc., shall be governed by a  
31 board of directors. The board of directors shall consist of

1 the following members:

2 (f) The chairperson of the board of directors of ~~the~~  
3 Workforce Florida, Inc. Development Board.

4 Section 81. Paragraph (i) of subsection (1) of section  
5 288.904, Florida Statutes, is amended to read:

6 288.904 Powers of the board of directors of Enterprise  
7 Florida, Inc.--

8 (1) The board of directors of Enterprise Florida,  
9 Inc., shall have the power to:

10 (i) Use the state seal, notwithstanding the provisions  
11 of s. 15.03, when appropriate, to establish that Enterprise  
12 Florida, Inc., is the principal economic, ~~workforce,~~ and trade  
13 development organization for the state, and for other standard  
14 corporate identity applications. Use of the state seal is not  
15 to replace use of a corporate seal as provided in this  
16 section.

17 Section 82. Subsections (1) and (3) of section  
18 288.905, Florida Statutes, are amended to read:

19 288.905 Duties of the board of directors of Enterprise  
20 Florida, Inc.--

21 (1) In the performance of its functions and duties,  
22 the board of directors may establish, implement, and manage  
23 policies, strategies, and programs for Enterprise Florida,  
24 Inc., and its boards. These policies, strategies, and programs  
25 shall promote business formation, expansion, recruitment, and  
26 retention through aggressive marketing and international  
27 development and export assistance, ~~and workforce development,~~  
28 which together lead to more and better jobs with higher wages  
29 for all geographic regions and communities of the state,  
30 including rural areas and urban core areas, and for all  
31 residents, including minorities. In developing such policies,

1 strategies, and programs, the board of directors shall solicit  
2 advice from and consider the recommendations of its boards,  
3 any advisory committees or similar groups created by  
4 Enterprise Florida, Inc., and local and regional partners.

5 (3)(a) The strategic plan required under this section  
6 shall include, but is not limited to, strategies for the  
7 promotion of business formation, expansion, recruitment, and  
8 retention through aggressive marketing, international  
9 development, and export assistance, ~~and workforce development~~  
10 ~~programs~~ which lead to more and better jobs and higher wages  
11 for all geographic regions and disadvantaged communities and  
12 populations of the state, including rural areas, minority  
13 businesses, and urban core areas. Further, the strategic plan  
14 shall give consideration to the economic diversity of the  
15 state and its regions and their associated industrial clusters  
16 and develop realistic policies and programs to further their  
17 development.

18 (b)1. The strategic plan required under this section  
19 shall include specific provisions for the stimulation of  
20 economic development and job creation in rural areas and  
21 midsize cities and counties of the state.

22 2. Enterprise Florida, Inc., shall involve local  
23 governments, local and regional economic development  
24 organizations, and other local, state, and federal economic,  
25 international, and workforce development entities, both public  
26 and private, in developing and carrying out policies,  
27 strategies, and programs, seeking to partner and collaborate  
28 to produce enhanced public benefit at a lesser cost.

29 3. Enterprise Florida, Inc., shall involve rural,  
30 urban, small-business, and minority-business development  
31 agencies and organizations, both public and private, in

1 developing and carrying out policies, strategies, and  
2 programs.

3 ~~(c) The strategic plan required under this section~~  
4 ~~shall include the creation of workforce training programs that~~  
5 ~~lead to better employment opportunities and higher wages.~~

6 (c)~~(d)~~ The strategic plan required under this section  
7 shall include the promotion of the successful long-term  
8 economic development of the state with increased emphasis in  
9 market research and information to local economic development  
10 entities and generation of foreign investment in the state  
11 that creates jobs with above-average wages,  
12 internationalization of this state, with strong emphasis in  
13 reverse investment that creates high wage jobs for the state  
14 and its many regions, including programs that establish viable  
15 overseas markets, generate foreign investment, assist in  
16 meeting the financing requirements of export-ready firms,  
17 broaden opportunities for international joint venture  
18 relationships, use the resources of academic and other  
19 institutions, coordinate trade assistance and facilitation  
20 services, and facilitate availability of and access to  
21 education and training programs which will assure requisite  
22 skills and competencies necessary to compete successfully in  
23 the global marketplace.

24 (d)~~(e)~~ The strategic plan required under this section  
25 shall include the identification of business sectors that are  
26 of current or future importance to the state's economy and to  
27 the state's worldwide business image, and development of  
28 specific strategies to promote the development of such  
29 sectors.

30 Section 83. Paragraph (f) of subsection (1) of section  
31 288.906, Florida Statutes, is amended to read:

1           288.906 Annual report of Enterprise Florida, Inc. ;  
2 audits; confidentiality.--

3           (1) Prior to December 1 of each year, Enterprise  
4 Florida, Inc., shall submit to the Governor, the President of  
5 the Senate, the Speaker of the House of Representatives, the  
6 Senate Minority Leader, and the House Minority Leader a  
7 complete and detailed report including, but not limited to:

8           (f) An assessment of ~~employee training and job~~  
9 creation that directly benefits participants in the welfare  
10 transition ~~WAGES~~ program.

11  
12 The detailed report required by this subsection shall also  
13 include the information identified in paragraphs (a)-(g), if  
14 applicable, for any board established within the corporate  
15 structure of Enterprise Florida, Inc.

16           Section 84. Subsection (4) of section 320.20, Florida  
17 Statutes, is amended to read:

18           320.20 Disposition of license tax moneys.--The revenue  
19 derived from the registration of motor vehicles, including any  
20 delinquent fees and excluding those revenues collected and  
21 distributed under the provisions of s. 320.081, must be  
22 distributed monthly, as collected, as follows:

23           (4) Notwithstanding any other provision of law except  
24 subsections (1), (2), and (3), on July 1, 1999, and annually  
25 thereafter, \$10 million shall be deposited in the State  
26 Transportation Trust Fund solely for the purposes of funding  
27 the Florida Seaport Transportation and Economic Development  
28 Program as provided in chapter 311 and for funding seaport  
29 intermodal access projects of statewide significance as  
30 provided in s. 341.053. Such revenues shall be distributed to  
31 any port listed in s. 311.09(1), to be used for funding

1 projects as follows:

2 (a) For any seaport intermodal access projects that  
3 are identified in the 1997-1998 Tentative Work Program of the  
4 Department of Transportation, up to the amounts needed to  
5 offset the funding requirements of this section; ~~and~~

6 (b) For seaport intermodal access projects as  
7 described in s. 341.053(5) that are identified in the 5-year  
8 Florida Seaport Mission Plan as provided in s. 311.09(3).  
9 Funding for such projects shall be on a matching basis as  
10 mutually determined by the Florida Seaport Transportation and  
11 Economic Development Council and the Department of  
12 Transportation, provided a minimum of 25 percent of total  
13 project funds shall come from any port funds, local funds,  
14 private funds, or specifically earmarked federal funds; ~~or~~

15 (c) On a 50-50 matching basis for projects as  
16 described in s. 311.07(3)(b); ~~or~~

17 (d) For seaport intermodal access projects that  
18 involve the dredging or deepening of channels, turning basins,  
19 or harbors; or the rehabilitation of wharves, docks, or  
20 similar structures. Funding for such projects shall require a  
21 25 percent match of the funds received pursuant to this  
22 subsection. Matching funds shall come from any port funds,  
23 federal funds, local funds, or private funds.

24  
25 Such revenues may be assigned, pledged, or set aside as a  
26 trust for the payment of principal or interest on bonds, tax  
27 anticipation certificates, or any other form of indebtedness  
28 issued by an individual port or appropriate local government  
29 having jurisdiction thereof, or collectively by interlocal  
30 agreement among any of the ports, or used to purchase credit  
31 support to permit such borrowings. However, such debt shall

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1 not constitute a general obligation of the state. This state  
2 does hereby covenant with holders of such revenue bonds or  
3 other instruments of indebtedness issued hereunder that it  
4 will not repeal or impair or amend this subsection in any  
5 manner which will materially and adversely affect the rights  
6 of holders so long as bonds authorized by this subsection are  
7 outstanding. Any revenues that are not pledged to the  
8 repayment of bonds as authorized by this section may be  
9 utilized for purposes authorized under the Florida Seaport  
10 Transportation and Economic Development Program. This revenue  
11 source is in addition to any amounts provided for and  
12 appropriated in accordance with s. 311.07 and subsection (3).  
13 The Florida Seaport Transportation and Economic Development  
14 Council shall approve distribution of funds to ports for  
15 projects that have been approved pursuant to s. 311.09(5)-(9),  
16 or for seaport intermodal access projects identified in the  
17 5-year Florida Seaport Mission Plan as provided in s.  
18 311.09(3) and mutually agreed upon by the FSTED Council and  
19 the Department of Transportation. All contracts for actual  
20 construction of projects authorized by this subsection must  
21 include a provision encouraging employment of ~~WAGES~~  
22 participants in the welfare transition program. The goal for  
23 employment of ~~WAGES~~ participants in the welfare transition  
24 program is 25 percent of all new employees employed  
25 specifically for the project, unless the Department of  
26 Transportation and the Florida Seaport Transportation and  
27 Economic Development Council demonstrates ~~can demonstrate to~~  
28 ~~the satisfaction of the Secretary of Labor and Employment~~  
29 ~~Security~~ that such a requirement would severely hamper the  
30 successful completion of the project. In such an instance,  
31 Workforce Florida, Inc., ~~the Secretary of Labor and Employment~~



1 ~~Security~~ shall establish an appropriate percentage of  
2 employees that must be ~~WAGES~~ participants in the welfare  
3 transition program. The council and the Department of  
4 Transportation are authorized to perform such acts as are  
5 required to facilitate and implement the provisions of this  
6 subsection. To better enable the ports to cooperate to their  
7 mutual advantage, the governing body of each port may exercise  
8 powers provided to municipalities or counties in s.  
9 163.01(7)(d) subject to the provisions of chapter 311 and  
10 special acts, if any, pertaining to a port. The use of funds  
11 provided pursuant to this subsection is limited to eligible  
12 projects listed in this subsection. The provisions of s.  
13 311.07(4) do not apply to any funds received pursuant to this  
14 subsection.

15 Section 85. Paragraph (c) of subsection (9) of section  
16 322.34, Florida Statutes, is amended to read:

17 322.34 Driving while license suspended, revoked,  
18 canceled, or disqualified.--

19 (9)

20 (c) Notwithstanding s. 932.703(1)(c) or s. 932.7055,  
21 when the seizing agency obtains a final judgment granting  
22 forfeiture of the motor vehicle under this section, 30 percent  
23 of the net proceeds from the sale of the motor vehicle shall  
24 be retained by the seizing law enforcement agency and 70  
25 percent shall be deposited in the General Revenue Fund for use  
26 by regional workforce boards ~~local WAGES coalitions~~ in  
27 providing transportation services for participants of the  
28 welfare transition ~~WAGES~~ program. In a forfeiture proceeding  
29 under this section, the court may consider the extent that the  
30 family of the owner has other public or private means of  
31 transportation.

1           Section 86. Subsection (1) of section 341.052, Florida  
2 Statutes, is amended to read:

3           341.052 Public transit block grant program;  
4 administration; eligible projects; limitation.--

5           (1) There is created a public transit block grant  
6 program which shall be administered by the department. Block  
7 grant funds shall only be provided to "Section 9" providers  
8 and "Section 18" providers designated by the United States  
9 Department of Transportation and community transportation  
10 coordinators as defined in chapter 427. Eligible providers  
11 must establish public transportation development plans  
12 consistent, to the maximum extent feasible, with approved  
13 local government comprehensive plans of the units of local  
14 government in which the provider is located. In developing  
15 public transportation development plans, eligible providers  
16 must solicit comments from regional workforce boards ~~local~~  
17 ~~WAGES coalitions~~ established under chapter 445 ~~414~~. The  
18 development plans must address how the public transit provider  
19 will work with the appropriate regional workforce board ~~local~~  
20 ~~WAGES coalition~~ to provide services to ~~WAGES~~ participants in  
21 the welfare transition program. Eligible providers must ~~review~~  
22 ~~program and financial plans established under s. 414.028 and~~  
23 provide information to the regional workforce board ~~local~~  
24 ~~WAGES coalition~~ serving the county in which the provider is  
25 located regarding the availability of transportation services  
26 to assist ~~WAGES~~ program participants.

27           Section 87. Subsections (1) and (8) of section  
28 402.3015, Florida Statutes, are amended, and subsection (10)  
29 is added to said section, to read:

30           402.3015 Subsidized child care program; purpose; fees;  
31 contracts.--

1           (1) The purpose of the subsidized child care program  
2 is to provide quality child care to enhance the development,  
3 including language, cognitive, motor, social, and self-help  
4 skills of children who are at risk of abuse or neglect and  
5 children of low-income families, and to promote financial  
6 self-sufficiency and life skills for the families of these  
7 children, unless prohibited by federal law. Priority for  
8 participation in the subsidized child care program shall be  
9 accorded to children under 13 years of age who are:

10           (a) Determined to be at risk of abuse, neglect, or  
11 exploitation and who are currently clients of the department's  
12 Children and Families Program Office;

13           (b) Children at risk of welfare dependency, including  
14 children of participants in the welfare transition ~~WAGES~~  
15 program, children of migrant farmworkers, children of teen  
16 parents, and children from other families at risk of welfare  
17 dependency due to a family income of less than 100 percent of  
18 the federal poverty level;

19           (c) Children of working families whose family income  
20 is equal to or greater than 100 percent, but does not exceed  
21 150 percent, of the federal poverty level; ~~and~~

22           (d) Children of working families enrolled in the Child  
23 Care Executive Partnership Program whose family income does  
24 not exceed 200 percent of the federal poverty level; ~~and-~~

25           (e) Children of working families who participate in  
26 the diversion program to strengthen Florida's families under  
27 s. 445.018.

28           (8) The community child care coordinating agencies  
29 shall assist participants in the welfare transition ~~WAGES~~  
30 program and former participants of the program who are  
31 eligible for subsidized child care in developing cooperative

1 child care arrangements whereby participants support and  
2 assist one another in meeting child care needs at minimal cost  
3 to the individual participant.

4 (10) A family that is eligible to participate in the  
5 subsidized child care program shall be considered a needy  
6 family for purposes of the program funded through the federal  
7 Temporary Assistance for Needy Families (TANF) block grant, to  
8 the extent permitted by the appropriation of funds.

9 Section 88. Paragraph (g) of subsection (1) of section  
10 402.33, Florida Statutes, is amended to read:

11 402.33 Department authority to charge fees for  
12 services provided.--

13 (1) As used in this section, the term:

14 (g) "State and federal aid" means cash assistance or  
15 cash equivalent benefits based on an individual's proof of  
16 financial need, including, but not limited to, temporary cash  
17 ~~assistance under the WAGES Program~~ and food stamps.

18 Section 89. Paragraph (a) of subsection (3) of section  
19 402.40, Florida Statutes, is amended to read:

20 402.40 Child welfare training academies established;  
21 Child Welfare Standards and Training Council created;  
22 responsibilities of council; Child Welfare Training Trust Fund  
23 created.--

24 (3) CHILD WELFARE STANDARDS AND TRAINING COUNCIL.--

25 (a) There is created within the Department of Children  
26 and Family Services the Child Welfare Training Council,  
27 hereinafter referred to as the council. The 21-member council  
28 shall consist of the Commissioner of Education or his or her  
29 designee; a member of the judiciary who has experience in the  
30 area of dependency and has served at least 3 years in the  
31 Juvenile Division of the circuit court, to be appointed by the

1 Chief Justice of the Supreme Court; and 19 members to be  
2 appointed by the Secretary of Children and Family Services as  
3 follows:

4 1. Nine members shall be dependency program staff:

5 a. An intake supervisor or counselor, a protective  
6 services supervisor or counselor, a foster care supervisor or  
7 counselor, and an adoption and related services supervisor or  
8 counselor. Each such member shall have at least 5 years'  
9 experience working with children and families, at least two  
10 members shall each have a master's degree in social work, and  
11 any member not having a master's degree in social work shall  
12 have at least a bachelor's degree in social work, child  
13 development, behavioral psychology, or any other discipline  
14 directly related to providing care or counseling for families.

15 b. A representative from a licensed, residential  
16 child-caring agency contracted with by the state; a  
17 representative from a runaway shelter or similar program  
18 primarily serving adolescents, which shelter or program must  
19 be contracted with by the state; and a representative from a  
20 licensed child-placing agency contracted with by the state.  
21 At least two of these members shall each have a master's  
22 degree in social work, and any member not having a master's  
23 degree in social work shall have a degree as cited in  
24 sub-subparagraph a. All three members shall have at least 5  
25 years' experience working with children and families.

26 c. A family foster home parent and an emergency  
27 shelter home parent, both of whom shall have been providing  
28 such care for at least 5 years and shall have participated in  
29 training for foster parents or shelter parents on an ongoing  
30 basis.

31 2. One member shall be a supervisor or counselor from

1 the temporary cash assistance ~~WAGES~~ program.

2 3. Two members shall be educators from the state's  
3 university and community college programs of social work,  
4 child development, psychology, sociology, or other field of  
5 study pertinent to the training of dependency program staff.

6 4. One member shall be a pediatrician with expertise  
7 in the area of child abuse and neglect.

8 5. One member shall be a psychiatrist or licensed  
9 clinical psychologist with extensive experience in counseling  
10 children and families.

11 6. One member shall be an attorney with extensive  
12 experience in the practice of family law.

13 7. One member shall be a guardian ad litem or a child  
14 welfare attorney, either of whom shall have extensive  
15 experience in the representation of children.

16 8. One member shall be a state attorney with  
17 experience and expertise in the area of dependency and family  
18 law.

19 9. One member shall be a representative from a local  
20 law enforcement unit specializing in child abuse and neglect.

21 10. One member shall be a lay citizen who is a member  
22 of a child advocacy organization.

23

24 The initial members of the council shall be appointed within  
25 30 days of the effective date of this section. Of the initial  
26 appointments, the member appointed by the Chief Justice of the  
27 Supreme Court, three members appointed pursuant to  
28 subparagraph 1., one member appointed pursuant to subparagraph  
29 3., and the members specified in subparagraphs 4. and 5. shall  
30 be appointed to terms of 3 years each; three members appointed  
31 pursuant to subparagraph 1., one of the members appointed

1 pursuant to subparagraph 3., and the members specified in  
2 subparagraphs 2., 6., and 7. shall be appointed for terms of 2  
3 years each; and three members appointed pursuant to  
4 subparagraph 1., and the members specified in subparagraphs  
5 8., 9., and 10. shall be appointed to terms of 1 year each.  
6 Thereafter, all appointed members shall serve terms of 3 years  
7 each. No person shall serve more than two consecutive terms.

8 Section 90. Subsection (4) of section 402.45, Florida  
9 Statutes, is amended to read:

10 402.45 Community resource mother or father program.--

11 (4) A community resource mother or father shall be an  
12 individual who by residence and resources is able to identify  
13 with the target population, and meets the following minimum  
14 criteria:

15 (a) Is at least 25 years of age.

16 (b) Is a mother or father.

17 (c) Is a recipient of temporary cash assistance ~~under~~  
18 ~~the WAGES Program~~ or a person with an income below the federal  
19 poverty level, or has an income equivalent to community  
20 clients.

21 Section 91. Subsection (3) of section 403.973, Florida  
22 Statutes, is amended to read:

23 403.973 Expedited permitting; comprehensive plan  
24 amendments.--

25 (3)(a) The Governor, through the office, shall direct  
26 the creation of regional permit action teams, for the purpose  
27 of expediting review of permit applications and local  
28 comprehensive plan amendments submitted by:

29 1. Businesses creating at least 100 jobs, or

30 2. Businesses creating at least 50 jobs if the project  
31 is located in an enterprise zone, or in a county having a

1 population of less than 75,000 or in a county having a  
2 population of less than 100,000 which is contiguous to a  
3 county having a population of less than 75,000, as determined  
4 by the most recent decennial census, residing in incorporated  
5 and unincorporated areas of the county, or  
6 (b) On a case-by-case basis and at the request of a  
7 county or municipal government, the office may certify as  
8 eligible for expedited review a project not meeting the  
9 minimum job creation thresholds but creating a minimum of 10  
10 jobs. The recommendation from the governing body of the county  
11 or municipality in which the project may be located is  
12 required in order for the office to certify that any project  
13 is eligible for expedited review under this paragraph. When  
14 considering projects that do not meet the minimum job creation  
15 thresholds but that are recommended by the governing body in  
16 which the project may be located, the office shall consider  
17 economic impact factors that include, but are not limited to:  
18 1. The proposed wage and skill levels relative to  
19 those existing in the area in which the project may be  
20 located;  
21 2. The project's potential to diversify and strengthen  
22 the area's economy;  
23 3. The amount of capital investment; and  
24 4. The number of jobs that will be made available for  
25 persons served by the welfare transition ~~WAGES~~ program.  
26 (c) At the request of a county or municipal  
27 government, the office or a Quick Permitting County may  
28 certify projects located in counties where the ratio of new  
29 jobs per participant in the welfare transition program ~~WAGES~~  
30 ~~client~~, as determined by ~~the~~ Workforce Florida, Inc.  
31 ~~Development Board of Enterprise Florida~~, is less than one or



1 otherwise critical, as eligible for the expedited permitting  
2 process. Such projects must meet the numerical job creation  
3 criteria of this subsection, but the jobs created by the  
4 project do not have to be high-wage jobs that diversify the  
5 state's economy.

6 Section 92. Subsection (7) of section 409.2554,  
7 Florida Statutes, is amended to read:

8 409.2554 Definitions.--As used in ss.  
9 409.2551-409.2598, the term:

10 (7) "Public assistance" means food stamps, money  
11 assistance paid on the basis of Title IV-E and Title XIX of  
12 the Social Security Act, or temporary cash assistance ~~paid~~  
13 ~~under the WAGES Program.~~

14 Section 93. Subsection (7) of section 409.2564,  
15 Florida Statutes, is amended to read:

16 409.2564 Actions for support.--

17 (7) In a judicial circuit with a work experience and  
18 job training pilot project, if the obligor is a noncustodial  
19 parent of a child receiving public assistance as defined in  
20 this chapter, is unemployed or underemployed or has no income,  
21 then the court shall order the obligor to seek employment, if  
22 the obligor is able to engage in employment, and to  
23 immediately notify the court upon obtaining employment, upon  
24 obtaining any income, or upon obtaining any ownership of any  
25 asset with a value of \$500 or more. If the obligor is still  
26 unemployed 30 days after any order for support, the court  
27 shall order the obligor to enroll in a work experience, job  
28 placement, and job training program ~~for noncustodial parents~~  
29 ~~as established in s. 414.38.~~

30 Section 94. Subsection (1) of section 409.259, Florida  
31 Statutes, is amended to read:

1           409.259 Partial payment of filing fees.--

2           (1) Notwithstanding s. 28.241, each clerk of the  
3 circuit court shall only be reimbursed at the prevailing rate  
4 of federal financial participation on the amount of \$40 for  
5 each civil action, suit, or proceeding for support instituted  
6 in the circuit court in which the parent is not receiving  
7 temporary cash assistance ~~under the WAGES Program~~. The  
8 prevailing rate of the state match shall be paid by the local  
9 government in the form of a certified public expenditure. The  
10 clerk of the circuit court shall bill the department monthly.  
11 The clerk of the circuit court and the department shall  
12 maintain a monthly log of the number of civil actions, suits,  
13 or proceedings filed in which the parent does not receive  
14 temporary assistance. These monthly logs will be used to  
15 determine the number of \$40 filings the clerk of court may  
16 submit for reimbursement at the prevailing rate of federal  
17 financial participation.

18           Section 95. Paragraph (c) of subsection (1) of section  
19 409.903, Florida Statutes, is amended to read:

20           409.903 Mandatory payments for eligible persons.--The  
21 agency shall make payments for medical assistance and related  
22 services on behalf of the following persons who the agency  
23 determines to be eligible, subject to the income, assets, and  
24 categorical eligibility tests set forth in federal and state  
25 law. Payment on behalf of these Medicaid eligible persons is  
26 subject to the availability of moneys and any limitations  
27 established by the General Appropriations Act or chapter 216.

28           (1) Low-income families with children are eligible for  
29 Medicaid provided they meet the following requirements:

30           (c) The family's countable income and resources do not  
31 exceed the applicable Aid to Families with Dependent Children

1 (AFDC) income and resource standards under the AFDC state plan  
2 in effect in July 1996, except as amended in the Medicaid  
3 state plan to conform as closely as possible to the  
4 requirements of the welfare transition ~~WAGES~~ program ~~as~~  
5 ~~created in s. 414.015~~, to the extent permitted by federal law.

6 Section 96. Section 409.942, Florida Statutes, is  
7 amended to read:

8 409.942 Electronic benefit transfer program.--

9 (1) The Department of Children and Family Services  
10 shall establish an electronic benefit transfer program for the  
11 dissemination of food stamp benefits and temporary assistance  
12 payments, including refugee cash assistance payments, asylum  
13 applicant payments, and child support disregard payments. If  
14 the Federal Government does not enact legislation or  
15 regulations providing for dissemination of supplemental  
16 security income by electronic benefit transfer, the state may  
17 include supplemental security income in the electronic benefit  
18 transfer program.

19 (2) The department shall, in accordance with  
20 applicable federal laws and regulations, develop minimum  
21 program requirements and other policy initiatives for the  
22 electronic benefit transfer program ~~and shall have at least~~  
23 ~~one operational pilot program in place by July 1, 1996.~~

24 (3) The department shall enter into public-private  
25 contracts for all provisions of electronic transfer of public  
26 assistance benefits, including, but not limited to, the  
27 necessary electronic equipment and technical support for the  
28 electronic benefit transfer pilot program.

29 (4) Workforce Florida, Inc., through the Agency for  
30 Workforce Innovation, shall establish an electronic benefit  
31 transfer program for the use and management of education,

1 training, childcare, transportation, and other program  
2 benefits under its direction. The workforce electronic benefit  
3 transfer program shall fulfill all federal and state  
4 requirements for Individual Training Accounts, Retention  
5 Incentive Training Accounts, Individual Development Accounts,  
6 and Individual Services Accounts. The workforce electronic  
7 benefit transfer program shall be designed to enable an  
8 individual who receives an electronic benefit transfer card  
9 under subsection (1) to use that card for purposes of benefits  
10 provided under the workforce development system as well. The  
11 Department of Children and Family Services shall assist  
12 Workforce Florida, Inc., in developing an electronic benefit  
13 transfer program for the workforce development system that is  
14 fully compatible with the department's electronic benefit  
15 transfer program. The agency shall reimburse the department  
16 for all costs incurred in providing such assistance and shall  
17 pay all costs for the development of the workforce electronic  
18 benefit transfer program.

19 Section 97. Paragraph (b) of subsection (4) and  
20 paragraph (a) of subsection (6) of section 411.01, Florida  
21 Statutes, are amended to read:

22 411.01 Florida Partnership for School Readiness;  
23 school readiness coalitions.--

24 (4) FLORIDA PARTNERSHIP FOR SCHOOL READINESS.--

25 (b)1. The Florida Partnership for School Readiness  
26 shall include the Lieutenant Governor or his or her designee,  
27 the Commissioner of Education, the Secretary of Children and  
28 Family Services, the Secretary of Health, the chair of the  
29 Child Care Executive Partnership Board, and the chairperson of  
30 the ~~WAGES Program State~~ board of directors of Workforce  
31 Florida, Inc.

1           2. The partnership shall also include 10 members of  
2 the public who shall be business, community, and civic leaders  
3 in the state who are not elected to public office. These  
4 members and their families must not be providers in the early  
5 education and child care industry. The members must be  
6 geographically and demographically representative of the  
7 state. Each member shall be appointed by the Governor. Eight  
8 of the members shall be appointed from a list of 10 nominees,  
9 of which five must be submitted by the President of the Senate  
10 and five must be submitted by the Speaker of the House of  
11 Representatives. Members shall be appointed to 4-year terms of  
12 office. However, of the initial appointees, two shall be  
13 appointed to 1-year terms, two shall be appointed to 2-year  
14 terms, three shall be appointed to 3-year terms, and three  
15 shall be appointed to 4-year terms. The members of the  
16 partnership shall elect a chairperson annually from the  
17 nongovernmental members of the partnership. Any vacancy on the  
18 partnership shall be filled in the same manner as the original  
19 appointment.

20  
21 To ensure that the system for measuring school readiness is  
22 comprehensive and appropriate statewide, as the system is  
23 developed and implemented, the partnership must consult with  
24 representatives of district school systems, providers of  
25 public and private child care, health care providers, large  
26 and small employers, experts in education for children with  
27 disabilities, and experts in child development.

28           (6) PROGRAM ELIGIBILITY.--The school readiness program  
29 shall be established for children under the age of  
30 kindergarten eligibility. Priority for participation in the  
31 school readiness program shall be given to children who meet

1 one or more of the following criteria:

2 (a) Children under the age of kindergarten eligibility  
3 who are:

4 1. Children determined to be at risk of abuse,  
5 neglect, or exploitation and who are currently clients of the  
6 Children and Family Services Program Office of the Department  
7 of Children and Family Services.

8 2. Children at risk of welfare dependency, including  
9 economically disadvantaged children, children of participants  
10 in the welfare transition ~~WAGES~~ program, children of migrant  
11 farmworkers, and children of teen parents.

12 3. Children of working families whose family income  
13 does not exceed 150 percent of the federal poverty level.

14  
15 An "economically disadvantaged" child means a child whose  
16 family income is below 150 percent of the federal poverty  
17 level. Notwithstanding any change in a family's economic  
18 status, but subject to additional family contributions in  
19 accordance with the sliding fee scale, a child who meets the  
20 eligibility requirements upon initial registration for the  
21 program shall be considered eligible until the child reaches  
22 kindergarten age.

23 Section 98. Paragraph (a) of subsection (3) of section  
24 411.232, Florida Statutes, is amended to read:

25 411.232 Children's Early Investment Program.--

26 (3) ESSENTIAL ELEMENTS.--

27 (a) Initially, the program shall be directed to  
28 geographic areas where at-risk young children and their  
29 families are in greatest need because of an unfavorable  
30 combination of economic, social, environmental, and health  
31 factors, including, without limitation, extensive poverty,

1 high crime rate, great incidence of low birthweight babies,  
2 high incidence of alcohol and drug abuse, and high rates of  
3 teenage pregnancy. The selection of a geographic site shall  
4 also consider the incidence of young children within these  
5 at-risk geographic areas who are cocaine babies, children of  
6 single mothers who receive temporary cash assistance  
7 ~~participate in the WAGES Program~~, children of teenage parents,  
8 low birthweight babies, and very young foster children. To  
9 receive funding under this section, an agency, board, council,  
10 or provider must demonstrate:

11 1. Its capacity to administer and coordinate the  
12 programs and services in a comprehensive manner and provide a  
13 flexible range of services;

14 2. Its capacity to identify and serve those children  
15 least able to access existing programs and case management  
16 services;

17 3. Its capacity to administer and coordinate the  
18 programs and services in an intensive and continuous manner;

19 4. The proximity of its facilities to young children,  
20 parents, and other family members to be served by the program,  
21 or its ability to provide offsite services;

22 5. Its ability to use existing federal, state, and  
23 local governmental programs and services in implementing the  
24 investment program;

25 6. Its ability to coordinate activities and services  
26 with existing public and private, state and local agencies and  
27 programs such as those responsible for health, education,  
28 social support, mental health, child care, respite care,  
29 housing, transportation, alcohol and drug abuse treatment and  
30 prevention, income assistance, employment training and  
31 placement, nutrition, and other relevant services, all the

1 foregoing intended to assist children and families at risk;

2 7. How its plan will involve project participants and  
3 community representatives in the planning and operation of the  
4 investment program;

5 8. Its ability to participate in the evaluation  
6 component required in this section; and

7 9. Its consistency with the strategic plan pursuant to  
8 s. 411.221.

9 Section 99. Paragraph (a) of subsection (3) of section  
10 411.242, Florida Statutes, is amended to read:

11 411.242 Florida Education Now and Babies Later (ENABL)  
12 program.--

13 (3) ESSENTIAL ELEMENTS.--

14 (a) The ENABL program should be directed to geographic  
15 areas in the state where the childhood birth rate is higher  
16 than the state average and where the children and their  
17 families are in greatest need because of an unfavorable  
18 combination of economic, social, environmental, and health  
19 factors, including, without limitation, extensive poverty,  
20 high crime rate, great incidence of low birthweight babies,  
21 high incidence of alcohol and drug abuse, and high rates of  
22 childhood pregnancy. The selection of a geographic site shall  
23 also consider the incidence of young children within these  
24 at-risk geographic areas who are cocaine babies, children of  
25 single mothers who receive temporary cash assistance  
26 ~~participate in the WAGES Program~~, children of teenage parents,  
27 low birthweight babies, and very young foster children. To  
28 receive funding under this section, a community-based local  
29 contractor must demonstrate:

30 1. Its capacity to administer and coordinate the ENABL  
31 pregnancy prevention public education program and services for



1 children and their families in a comprehensive manner and to  
2 provide a flexible range of age-appropriate educational  
3 services.

4           2. Its capacity to identify and serve those children  
5 least able to access existing pregnancy prevention public  
6 education programs.

7           3. Its capacity to administer and coordinate the ENABL  
8 programs and services in an intensive and continuous manner.

9           4. The proximity of its program to young children,  
10 parents, and other family members to be served by the ENABL  
11 program, or its ability to provide offsite educational  
12 services.

13           5. Its ability to incorporate existing federal, state,  
14 and local governmental educational programs and services in  
15 implementing the ENABL program.

16           6. Its ability to coordinate its activities and  
17 educational services with existing public and private state  
18 and local agencies and programs, such as those responsible for  
19 health, education, social support, mental health, child care,  
20 respite care, housing, transportation, alcohol and drug abuse  
21 treatment and prevention, income assistance, employment  
22 training and placement, nutrition, and other relevant  
23 services, all of the foregoing intended to assist children and  
24 families at risk.

25           7. How its plan will involve project participants and  
26 community representatives in the planning and operation of the  
27 ENABL program.

28           8. Its ability to participate in the evaluation  
29 component required in this section.

30           9. Its consistency with the strategic plan pursuant to  
31 s. 411.221.

1           10. Its capacity to match state funding for the ENABL  
2 program at the rate of \$1 in cash or in matching services for  
3 each dollar funded by the state.

4           Section 100. Subsection (6) of section 413.82, Florida  
5 Statutes, is amended to read:

6           413.82 Definitions.--As used in ss. 413.81-413.93, the  
7 term:

8           (6) "Region" means a service area for a regional  
9 workforce ~~development~~ board established by the Workforce  
10 Florida Inc. Development Board.

11           Section 101. Paragraph (d) of subsection (1) of  
12 section 421.10, Florida Statutes, is amended to read:

13           421.10 Rentals and tenant selection.--

14           (1) In the operation or management of housing projects  
15 an authority shall at all times observe the following duties  
16 with respect to rentals and tenants selection:

17           (d) The Department of Children and Family Services,  
18 pursuant to 45 C.F.R. s. 233.20(a)(3)(vii)(c), may not  
19 consider as income for recipients of temporary cash assistance  
20 any participants in the WAGES Program assistance received by  
21 recipients from other agencies or organizations such as public  
22 housing authorities.

23           Section 102. Subsection (27) of section 427.013,  
24 Florida Statutes, is amended to read:

25           427.013 The Commission for the Transportation  
26 Disadvantaged; purpose and responsibilities.--The purpose of  
27 the commission is to accomplish the coordination of  
28 transportation services provided to the transportation  
29 disadvantaged. The goal of this coordination shall be to  
30 assure the cost-effective provision of transportation by  
31 qualified community transportation coordinators or

1 transportation operators for the transportation disadvantaged  
2 without any bias or presumption in favor of multioperator  
3 systems or not-for-profit transportation operators over single  
4 operator systems or for-profit transportation operators. In  
5 carrying out this purpose, the commission shall:

6 (27) Ensure that local community transportation  
7 coordinators work cooperatively with regional workforce boards  
8 ~~local WAGES coalitions~~ established in chapter 445 414 to  
9 provide assistance in the development of innovative  
10 transportation services for ~~WAGES~~ participants in the welfare  
11 transition program.

12 Section 103. Subsection (9) of section 427.0155,  
13 Florida Statutes, is amended to read:

14 427.0155 Community transportation coordinators; powers  
15 and duties.--Community transportation coordinators shall have  
16 the following powers and duties:

17 (9) Work cooperatively with regional workforce boards  
18 ~~local WAGES coalitions~~ established in chapter 445 414 to  
19 provide assistance in the development of innovative  
20 transportation services for ~~WAGES~~ participants in the welfare  
21 transition program.

22 Section 104. Subsection (7) of section 427.0157,  
23 Florida Statutes, is amended to read:

24 427.0157 Coordinating boards; powers and duties.--The  
25 purpose of each coordinating board is to develop local service  
26 needs and to provide information, advice, and direction to the  
27 community transportation coordinators on the coordination of  
28 services to be provided to the transportation disadvantaged.  
29 The commission shall, by rule, establish the membership of  
30 coordinating boards. The members of each board shall be  
31 appointed by the metropolitan planning organization or

1 designated official planning agency. The appointing authority  
2 shall provide each board with sufficient staff support and  
3 resources to enable the board to fulfill its responsibilities  
4 under this section. Each board shall meet at least quarterly  
5 and shall:

6 (7) Work cooperatively with regional workforce boards  
7 ~~local WAGES coalitions~~ established in chapter 445 414 to  
8 provide assistance in the development of innovative  
9 transportation services for ~~WAGES~~ participants in the welfare  
10 transition program.

11 Section 105. Paragraph (b) of subsection (1) of  
12 section 443.091, Florida Statutes, is amended to read:

13 443.091 Benefit eligibility conditions.--

14 (1) An unemployed individual shall be eligible to  
15 receive benefits with respect to any week only if the division  
16 finds that:

17 (b) She or he has registered for work at, and  
18 thereafter continued to report at, the division, which shall  
19 be responsible for notification of the Agency for Workforce  
20 Innovation ~~Division of Jobs and Benefits~~ in accordance with  
21 such rules as the division may prescribe; except that the  
22 division may, by rule not inconsistent with the purposes of  
23 this law, waive or alter either or both of the requirements of  
24 this subsection as to individuals attached to regular jobs;  
25 but no such rule shall conflict with s. 443.111(1).

26 Section 106. Subsection (8) of section 443.151,  
27 Florida Statutes, is amended to read:

28 443.151 Procedure concerning claims.--

29 (8) BILINGUAL REQUIREMENTS.--

30 (a) Based on the estimated total number of households  
31 in a county which speak the same non-English language, a

1 single-language minority, the division shall provide printed  
2 bilingual instructional and educational materials in the  
3 appropriate language in those counties in which 5 percent or  
4 more of the households in the county are classified as a  
5 single-language minority.

6 (b) The division shall ensure that one-stop career  
7 centers ~~jobs and benefits offices~~ and appeals bureaus in  
8 counties subject to the requirements of paragraph (c)  
9 prominently post notices in the appropriate languages that  
10 translators are available in those centers ~~offices~~ and  
11 bureaus.

12 (c) Single-language minority refers to households  
13 which speak the same non-English language and which do not  
14 contain an adult fluent in English. The division shall develop  
15 estimates of the percentages of single-language minority  
16 households for each county by using data made available by the  
17 United States Bureau of the Census.

18 Section 107. Section 443.181, Florida Statutes, is  
19 amended to read:

20 443.181 State Employment Service.--

21 (1) A state public employment service is ~~hereby~~  
22 established in the Agency for Workforce Innovation, under  
23 policy direction from Workforce Florida, Inc. ~~Division of Jobs~~  
24 ~~and Benefits.~~ The agency division shall establish and maintain  
25 free public employment offices in such number and in such  
26 places as may be necessary for the proper administration of  
27 this chapter and for the purposes of performing such duties as  
28 are within the purview of the Act of Congress entitled "An Act  
29 to provide for the establishment of a national employment  
30 system and for cooperation with the states in the promotion of  
31 such system and for other purposes," approved June 6, 1933 (48

1 Stat. 113; 29 U.S.C. s. 49(c)), as amended. Notwithstanding  
2 any provisions in this section to the contrary, the one-stop  
3 delivery system shall be the primary method for delivering  
4 services under this section, consistent with Pub. L. No.  
5 105-220 and chapter 445. It shall be the duty of the agency  
6 ~~division~~ to cooperate with any official or agency of the  
7 United States having power or duties under the provisions of  
8 the Act of Congress, as amended, and to do and perform all  
9 things necessary to secure to this state the benefits of said  
10 Act of Congress, as amended, in the promotion and maintenance  
11 of a system of public employment offices. The provisions of  
12 the said Act of Congress, as amended, are hereby accepted by  
13 this state, in conformity with s. 4 of that act, and this  
14 state will observe and comply with the requirements thereof.  
15 The Agency for Workforce Innovation ~~Division of Jobs and~~  
16 ~~Benefits of the Department of Labor and Employment Security~~ is  
17 hereby designated and constituted the agency of this state for  
18 the purpose of that act. The agency ~~division~~ is authorized  
19 and directed to appoint sufficient employees to carry out the  
20 purposes of this section. The agency ~~division~~ may cooperate  
21 with or enter into agreements with the Railroad Retirement  
22 Board with respect to the establishment, maintenance, and use  
23 of free employment service facilities.

24 (2) FINANCING.--All moneys received by this state  
25 under the said Act of Congress, as amended, shall be paid into  
26 the Employment Security Administration Trust Fund, and such  
27 moneys are hereby made available to the agency ~~division~~ to be  
28 expended as provided by this chapter and by said Act of  
29 Congress. For the purpose of establishing and maintaining  
30 free public employment offices, the agency ~~division~~ is  
31 authorized to enter into agreements with the Railroad

1 Retirement Board or any other agency of the United States  
2 charged with the administration of an unemployment  
3 compensation law, with any political subdivision of this  
4 state, or with any private, nonprofit organization, and as a  
5 part of any such agreement the agency division may accept  
6 moneys, services, or quarters as a contribution to the  
7 Employment Security Administration Trust Fund.

8 (3) References to "the agency division" in this  
9 section mean the Agency for Workforce Innovation Division of  
10 ~~Jobs and Benefits~~.

11 Section 108. Subsections (2) and (5) of section  
12 443.211, Florida Statutes, are amended to read:

13 443.211 Employment Security Administration Trust Fund;  
14 appropriation; reimbursement.--

15 (2) SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST  
16 FUND.--There is created in the State Treasury a special fund,  
17 to be known as the "Special Employment Security Administration  
18 Trust Fund," into which shall be deposited or transferred all  
19 interest on contributions, penalties, and fines or fees  
20 collected under this chapter. Interest on contributions,  
21 penalties, and fines or fees deposited during any calendar  
22 quarter in the clearing account in the Unemployment  
23 Compensation Trust Fund shall, as soon as practicable after  
24 the close of such calendar quarter and upon certification of  
25 the division, be transferred to the Special Employment  
26 Security Administration Trust Fund. However, there shall be  
27 withheld from any such transfer the amount certified by the  
28 division to be required under this chapter to pay refunds of  
29 interest on contributions, penalties, and fines or fees  
30 collected and erroneously deposited into the clearing account  
31 in the Unemployment Compensation Trust Fund. Such amounts of

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1 interest and penalties so certified for transfer shall be  
2 deemed to have been erroneously deposited in the clearing  
3 account, and the transfer thereof to the Special Employment  
4 Security Administration Trust Fund shall be deemed to be a  
5 refund of such erroneous deposits. All moneys in this fund  
6 shall be deposited, administered, and disbursed in the same  
7 manner and under the same conditions and requirements as are  
8 provided by law for other special funds in the State Treasury.  
9 These moneys shall not be expended or be available for  
10 expenditure in any manner which would permit their  
11 substitution for, or permit a corresponding reduction in,  
12 federal funds which would, in the absence of these moneys, be  
13 available to finance expenditures for the administration of  
14 the Unemployment Compensation Law. But nothing in this  
15 section shall prevent these moneys from being used as a  
16 revolving fund to cover expenditures, necessary and proper  
17 under the law, for which federal funds have been duly  
18 requested but not yet received, subject to the charging of  
19 such expenditures against such funds when received. The  
20 moneys in this fund, with the approval of the Executive Office  
21 of the Governor, shall be used by the Division of Unemployment  
22 Compensation and the Agency for Workforce Innovation ~~Division~~  
23 ~~of Jobs and Benefits~~ for the payment of costs of  
24 administration which are found not to have been properly and  
25 validly chargeable against funds obtained from federal  
26 sources. All moneys in the Special Employment Security  
27 Administration Trust Fund shall be continuously available to  
28 the division for expenditure in accordance with the provisions  
29 of this chapter and shall not lapse at any time. All payments  
30 from the Special Employment Security Administration Trust Fund  
31 shall be approved by the division or by a duly authorized



1 agent thereof and shall be made by the Treasurer upon warrants  
2 issued by the Comptroller. The moneys in this fund are hereby  
3 specifically made available to replace, as contemplated by  
4 subsection (3), expenditures from the Employment Security  
5 Administration Trust Fund, established by subsection (1),  
6 which have been found by the Bureau of Employment Security, or  
7 other authorized federal agency or authority, because of any  
8 action or contingency, to have been lost or improperly  
9 expended. The Treasurer shall be liable on her or his  
10 official bond for the faithful performance of her or his  
11 duties in connection with the Special Employment Security  
12 Administration Trust Fund.

13 (5) In connection with its duties under s. 443.181,  
14 the Agency for Workforce Innovation ~~Division of Jobs and~~  
15 ~~Benefits~~ shall have several authority and responsibility for  
16 deposit, requisition, expenditure, approval of payment,  
17 reimbursement, and reporting in regard to the trust funds  
18 established by this section.

19 Section 109. Subsection (3) of section 443.221,  
20 Florida Statutes, is amended to read:

21 443.221 Reciprocal arrangements.--

22 (3) The administration of this chapter and of other  
23 state and federal unemployment compensation and public  
24 employment service laws will be promoted by cooperation  
25 between this state and such other states and the appropriate  
26 federal agencies and therefore the division is authorized to  
27 enter into reciprocal arrangements with appropriate and duly  
28 authorized agencies of other states or the Federal Government  
29 or both in exchanging services, determining and enforcing  
30 payment obligations, and making available facilities and  
31 information. The Division of Unemployment Compensation and

1 the Agency for Workforce Innovation ~~Division of Jobs and~~  
2 ~~Benefits~~ are each, therefore, authorized to make such  
3 investigations, secure and transmit such information, make  
4 available such services and facilities, and exercise such of  
5 the other powers provided herein with respect to the  
6 administration of this chapter as each deems necessary or  
7 appropriate to facilitate the administration of any such  
8 unemployment compensation or public employment service law  
9 and, in like manner, to accept and utilize information,  
10 services, and facilities made available to this state by the  
11 agency charged with the administration of any such other  
12 unemployment compensation or public employment service law.

13 Section 110. Subsection (6) of section 443.231,  
14 Florida Statutes, is amended to read:

15 443.231 Florida Training Investment Program.--The  
16 Florida Training Investment Program is designed to extend  
17 additional benefit eligibility to dislocated workers  
18 throughout Florida who have lost their jobs, have limited  
19 marketable skills, and enroll in vocational training intended  
20 to lead to employment in a recognized occupation for which  
21 there is labor market demand. Pursuant thereto:

22 (6) PROCEDURE.--

23 (a) Any dislocated worker may apply to receive  
24 benefits under this section while enrolled in an approved  
25 course of training pursuant to this section.

26 (b) Upon approval of an application the division shall  
27 notify both the applicant and the training institution by mail  
28 of the applicant's status under this section and shall request  
29 the training institution to promptly notify the regular claims  
30 reporting office in writing if the participant's attendance or  
31 progress should become unsatisfactory.

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1 (c) The division is required to notify applicants of  
2 the determination of eligibility by mail at the claimant's  
3 last known address. In addition to the initial approval or  
4 denial of the applicant, the division shall make any further  
5 determinations pursuant to s. 443.151(3) and rules 38B-3.016  
6 and 38B-3.017, Florida Administrative Code.

7 (d) A determination or redetermination will become  
8 final unless the claimant files, by mail or in person at the  
9 local one-stop career center ~~jobs and benefits office~~, an  
10 appeal of a determination or redetermination within 20  
11 calendar days after the mailing of the Notice of Determination  
12 or Redetermination to the claimant's last known address, or if  
13 such notice is not mailed, within 20 calendar days after the  
14 date of delivery of such notice. Appeals by mail shall be  
15 considered filed when postmarked by the United States Postal  
16 Service.

17 Section 111. Subsections (2) and (3) of section  
18 446.011, Florida Statutes, are amended to read:

19 446.011 Legislative intent regarding apprenticeship  
20 training.--

21 (2) It is the intent of the Legislature that the  
22 Division of Workforce Development ~~Jobs and Benefits~~ of the  
23 Department of Education ~~Labor and Employment Security~~ have  
24 responsibility for the development of the apprenticeship and  
25 preapprenticeship uniform minimum standards for the  
26 apprenticeable trades and that the Division of Workforce  
27 Development of the Department of Education have responsibility  
28 for assisting district school boards and community college  
29 district boards of trustees in developing preapprenticeship  
30 programs ~~in compliance with the standards established by the~~  
31 ~~Division of Jobs and Benefits.~~

1           (3) It is the further intent of ss. 446.011-446.092  
2 ~~this act~~ that the Division of Workforce Development ~~Jobs and~~  
3 ~~Benefits~~ ensure quality training through the adoption and  
4 enforcement of uniform minimum standards and that the Bureau  
5 of Apprenticeship ~~of the division of Jobs and Benefits~~  
6 promote, register, monitor, and service apprenticeship and  
7 training programs and ensure that such programs adhere to the  
8 standards.

9           Section 112. The Office of Program Policy Analysis and  
10 Government Accountability, in cooperation with Workforce  
11 Florida, Inc., and the Department of Education, shall submit a  
12 report to the Legislature by January 1, 2002, regarding joint  
13 programs, nonjoint programs, and other programs that provide  
14 formalized on-the-job training for skilled trades. The report  
15 must include recommendations for improving the efficiency of  
16 the programs, decreasing the cost of the programs, improving  
17 or retaining current practices regarding admission  
18 requirements, reducing the duration of the programs, and  
19 increasing the number of persons who successfully complete the  
20 programs.

21           Section 113. Subsections (1), (5), (12), and (13) of  
22 section 446.021, Florida Statutes, are amended to read:

23           446.021 Definitions of terms used in ss.  
24 446.011-446.092.--As used in ss. 446.011-446.092, the  
25 following words and terms shall have the following meanings  
26 unless the context clearly indicates otherwise:

27           (1) "Preapprentice" means any person 16 years of age  
28 or over engaged in any course of instruction in the public  
29 school system or elsewhere, which course is registered as a  
30 preapprenticeship program with the Division of Workforce  
31 Development ~~Jobs and Benefits~~ of the Department of Education

1 ~~Labor and Employment Security.~~

2 (5) "Preapprenticeship program" means an organized  
3 course of instruction in the public school system or  
4 elsewhere, which course is designed to prepare a person 16  
5 years of age or older to become an apprentice and which course  
6 is approved by and registered with the Bureau of  
7 Apprenticeship of the Division of Workforce Development ~~Jobs~~  
8 ~~and Benefits~~ and sponsored by a registered apprenticeship  
9 program.

10 (12) "Division" means the Division of Workforce  
11 Development ~~Jobs and Benefits~~ of the Department of Education  
12 ~~Labor and Employment Security.~~

13 (13) "Director" means the director of the Division of  
14 Workforce Development ~~Jobs and Benefits.~~

15 Section 114. Section 446.032, Florida Statutes, is  
16 amended to read:

17 446.032 General duties of division with respect to  
18 apprenticeship training.--The Division of Workforce  
19 Development ~~Jobs and Benefits~~ shall:

20 (1) Establish uniform minimum standards and policies  
21 governing apprentice programs and agreements. Such standards  
22 and policies shall govern the terms and conditions of the  
23 apprentice's employment and training, including the quality  
24 training of the apprentice with respect to, but not limited  
25 to, such matters as ratios of apprentices to journeymen,  
26 safety, related instruction, and on-the-job training; but such  
27 standards and policies shall not include rules, standards, or  
28 guidelines that require the use of apprentices and job  
29 trainees on state, county, or municipal contracts. The  
30 division may adopt rules as necessary to carry out such  
31 standards and policies.

1           (2) Establish ~~by rule~~ procedures to be used ~~utilized~~  
2 by the State Apprenticeship Advisory Council ~~in accordance~~  
3 ~~with the provisions of s. 446.045.~~

4           (3) Establish a Bureau of Apprenticeship pursuant to  
5 the instructions of the Commissioner of Education ~~Secretary of~~  
6 ~~Labor and Employment Security.~~

7           Section 115. Section 446.041, Florida Statutes, is  
8 amended to read:

9           446.041 Apprenticeship program, duties of  
10 division.--The Division of Workforce Development ~~Jobs and~~  
11 ~~Benefits~~ shall:

12           (1) Administer the provisions of ss. 446.011-446.092.

13           (2) Administer the standards established by the  
14 division.

15           (3) Register in accordance with this chapter any  
16 apprenticeship or preapprenticeship program, regardless of  
17 affiliation, which meets standards established by the  
18 division.

19           (4) Investigate complaints concerning the failure of  
20 any registered program to meet the standards established by  
21 the division.

22           (5) Cancel the registration of any program that ~~which~~  
23 fails to comply with the standards and policies of the  
24 division or that ~~which~~ unreasonably fails or refuses to  
25 cooperate with the division in monitoring and enforcing  
26 compliance with such standards.

27           (6) Develop and encourage apprenticeship programs.

28           (7) Cooperate with and assist local apprenticeship  
29 sponsors in the development of their apprenticeship standards  
30 and training requirements.

31           ~~(8) Cooperate with and assist the Division of~~

1 ~~Workforce Development of the Department of Education and~~  
2 ~~appropriate education institutions in the development of~~  
3 ~~viable apprenticeship and preapprenticeship programs.~~

4 (8)~~(9)~~ Encourage registered apprenticeship programs to  
5 grant consideration and credit to individuals completing  
6 registered preapprenticeship programs.

7 (9)~~(10)~~ Monitor registered apprenticeship programs to  
8 ensure that they are being operated in compliance with all  
9 applicable standards.

10 (10)~~(11)~~ Supervise all apprenticeship programs which  
11 are registered with the division.

12 (11) Ensure that minority and gender diversity are  
13 considered in administering this program.

14 (12) Adopt rules as required to implement ss.  
15 446.011-446.092 ~~the provisions of this act.~~

16 Section 116. Section 446.045, Florida Statutes, is  
17 amended to read:

18 446.045 State Apprenticeship Advisory Council.--

19 (1) For the purposes of this section, the term:

20 (a) "Joint employee organization" means an  
21 apprenticeship sponsor who participates in a collective  
22 bargaining agreement and represents employees.

23 (b) "Nonjoint employer organization" means an  
24 apprenticeship sponsor who does not participate in a  
25 collective bargaining agreement and who represents management.

26 (2)(a) There is created a State Apprenticeship  
27 Advisory Council to be composed of 13 members, which shall be  
28 advisory to the Division of Workforce Development. ~~Jobs and~~  
29 ~~Benefits of the Department of Labor and Employment Security.~~  
30 The purpose of the advisory council is to advise the division  
31 and the council on matters relating to apprenticeship. The

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1 advisory council may not establish policy, adopt rules, or  
2 consider whether particular apprenticeship programs should be  
3 approved by the division ~~or bureau. Only those matters~~  
4 ~~contained in the notice of meeting provided by the division~~  
5 ~~shall be considered by the council at council meetings.~~  
6 (b) The division director or the division director's  
7 designee shall be ex officio chair of the State Apprenticeship  
8 Advisory Council, but may not vote. The ~~administrator of~~  
9 ~~industrial education of the Department of Education and the~~  
10 state director of the Bureau of Apprenticeship and Training of  
11 the United States Department of Labor shall be appointed a  
12 nonvoting member ~~members~~ of the council. The Governor shall  
13 appoint two three-member committees for the purpose of  
14 nominating candidates for appointment to the council. One  
15 nominating committee shall be composed of joint employee  
16 organization representatives, and the other nominating  
17 committee shall be composed of nonjoint employer organization  
18 representatives. The joint employee organization nominating  
19 committee shall submit to the Governor the names of three  
20 persons for each vacancy occurring among the joint employee  
21 organization members on the council, and the nonjoint employer  
22 organization nominating committee likewise shall submit to the  
23 Governor the names of three persons for each vacancy occurring  
24 among the nonjoint employer organization members on the  
25 council. The Governor shall appoint to the council five  
26 members representing joint employee organizations and five  
27 members representing nonjoint employer organizations from the  
28 candidates nominated for each position by the respective  
29 nominating committees. Each member shall represent industries  
30 which have registered apprenticeship programs or in which a  
31 need for apprenticeship programs has been demonstrated.



1 Initially, the Governor shall appoint four members for terms  
2 of 4 years, two members for terms of 3 years, two members for  
3 terms of 2 years, and two members for terms of 1 year.

4 Thereafter, members shall be appointed for 4-year terms. A  
5 vacancy shall be filled for the remainder of the unexpired  
6 term.

7 (c) The council shall meet at the call of the chair or  
8 at the request of a majority of its membership, but at least  
9 twice a year. A majority of the voting members shall  
10 constitute a quorum, and the affirmative vote of a majority of  
11 a quorum is necessary to take action.

12 (d) The Governor may remove any member for cause.

13 (e) The council shall maintain minutes of each  
14 meeting. The division shall keep on file the minutes of each  
15 meeting and shall make such minutes available to any  
16 interested person.

17 (f) Members of the council shall serve without  
18 compensation, but shall be entitled to receive reimbursement  
19 for per diem and travel expenses as provided in s. 112.061.

20 Section 117. Subsection (3) of section 446.052,  
21 Florida Statutes, is amended to read:

22 446.052 Preapprenticeship program.--

23 (3) The Division of Workforce Development, the  
24 district school boards, and the community college district  
25 boards of trustees, ~~and the Division of Jobs and Benefits~~  
26 shall work together with existing registered apprenticeship  
27 programs so that individuals completing such preapprenticeship  
28 programs may be able to receive credit towards completing a  
29 registered apprenticeship program.

30 Section 118. Section 446.061, Florida Statutes, is  
31 amended to read:

1           446.061 Expenditures.--The Division of Workforce  
2 Development of the Department of Education ~~Jobs and Benefits~~  
3 shall make necessary expenditures from the appropriation  
4 provided by law for personal services, travel, printing,  
5 equipment, office space, and supplies as provided by law.

6           Section 119. Subsection (1) of section 446.071,  
7 Florida Statutes, is amended to read:

8           446.071 Apprenticeship sponsors.--

9           (1) One or more local apprenticeship sponsors shall be  
10 approved in any trade or group of trades by the Division of  
11 Workforce Development of the Department of Education ~~Jobs and~~  
12 ~~Benefits~~, upon a determination of need, provided the  
13 apprenticeship sponsor meets all of the standards established  
14 by the division. "Need" refers to the need of state residents  
15 for apprenticeship training. In the absence of proof to the  
16 contrary, it shall be presumed that there is need for  
17 apprenticeship and preapprenticeship training in each county  
18 in this state.

19           Section 120. Section 446.075, Florida Statutes, is  
20 amended to read:

21           446.075 Federal and state cooperation.--The Division  
22 of Workforce Development of the Department of Education may  
23 ~~Jobs and Benefits of the Department of Labor and Employment~~  
24 ~~Security is authorized to~~ make and enter into contracts with  
25 the United States Department of Labor, and may ~~to~~ assume ~~such~~  
26 other functions and duties as are necessary for the division  
27 to serve as registration agent for federal apprenticeship  
28 registration purposes, except that the division may ~~shall~~ not  
29 enforce any federal apprenticeship requirement unless the  
30 division first adopts such requirement as a rule. All rules  
31 adopted ~~promulgated~~ and administrative hearings afforded by

1 the division under ~~because of~~ this section must ~~shall~~ be in  
2 accordance with the requirements of chapter 120.

3 Section 121. Section 446.40, Florida Statutes, is  
4 amended to read:

5 446.40 Rural Workforce ~~Manpower~~ Services Act; short  
6 title.--Sections 446.40-446.44 may ~~shall~~ be cited as the  
7 "Rural Workforce ~~Manpower~~ Services Act."

8 Section 122. Section 446.41, Florida Statutes, is  
9 amended to read:

10 446.41 Legislative intent with respect to rural  
11 workforce ~~manpower~~ training and development; establishment of  
12 Rural Workforce ~~Manpower~~ Services Program.--In order that the  
13 state may achieve its full economic and social potential,  
14 consideration must be given to rural workforce ~~manpower~~  
15 training and development to enable its rural citizens as well  
16 as urban citizens to develop their maximum capacities and  
17 participate productively in our society. It is, therefore,  
18 the policy of the state to make available those services  
19 needed to assist individuals and communities in rural areas to  
20 improve their quality of life. It is with a great sense of  
21 urgency that a Rural Workforce ~~Manpower~~ Services Program is  
22 established within the Agency for Workforce Innovation, under  
23 the direction of Workforce Florida, Inc., ~~Division of Jobs and~~  
24 ~~Benefits of the Department of Labor and Employment Security~~ to  
25 provide equal access to all manpower training programs  
26 available to rural as well as urban areas.

27 Section 123. Section 446.42, Florida Statutes, is  
28 amended to read:

29 446.42 General purpose of Rural Workforce ~~Manpower~~  
30 Services Program.--A trained labor force is an essential  
31 ingredient for industrial as well as agricultural growth.

1 Therefore, it shall be the general responsibility of the Rural  
2 Workforce ~~Manpower~~ Services Program to provide rural business  
3 and potential rural businesses with the employment and  
4 workforce ~~manpower~~ training services and resources necessary  
5 to train and retain Florida's rural workforce.

6 Section 124. Section 446.43, Florida Statutes, is  
7 amended to read:

8 446.43 Scope and coverage of Rural Workforce ~~Manpower~~  
9 Services Program.--The scope of the area to be covered by the  
10 Rural Workforce ~~Manpower~~ Services Program will include all  
11 counties of the state not classified as standard metropolitan  
12 statistical areas (SMSA) by the United States Department of  
13 Labor Manpower Administration. Florida's designated SMSA labor  
14 areas include: Broward, Dade, Duval, Escambia, Hillsborough,  
15 Pinellas, Leon, Orange, and Palm Beach Counties.

16 Section 125. Section 446.44, Florida Statutes, is  
17 amended to read:

18 446.44 Duties of Rural Workforce ~~Manpower~~ Services  
19 Program.--It shall be the direct responsibility of the Rural  
20 Workforce ~~Manpower~~ Services Program to promote and deliver ~~all~~  
21 employment and workforce ~~manpower~~ services and resources to  
22 the rural undeveloped and underdeveloped counties of the state  
23 in an effort to:

24 (1) Slow down out-migration of untrained rural  
25 residents to the state's overcrowded large metropolitan  
26 centers.

27 (2) Assist Enterprise Florida, Inc., ~~the department's~~  
28 ~~Economic Development Division~~ in attracting light,  
29 pollution-free industry to the rural counties.

30 (3) Improve the economic status of the impoverished  
31 rural residents.

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~~

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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 ~~1989~~, and annual updates of the plan must be submitted by

1 January 1 of each subsequent year.

2 (5) DISPLACED HOMEMAKER TRUST FUND.--

3 (a) There is established within the State Treasury a  
4 Displaced Homemaker Trust Fund to be used by the agency  
5 ~~division~~ for its administration of the displaced homemaker  
6 program and to fund displaced homemaker service programs  
7 according to criteria established under this section.

8 (b) The trust fund shall receive funds generated from  
9 an additional fee on marriage license applications and  
10 dissolution of marriage filings as specified in ss. 741.01(3)  
11 and 28.101, respectively, and may receive funds from any other  
12 public or private source.

13 (c) Funds that are not expended by the agency division  
14 at the end of the budget cycle or through a supplemental  
15 budget approved by the agency division shall revert to the  
16 trust fund.

17 Section 127. Subsection (3) of section 447.02, Florida  
18 Statutes, is amended to read:

19 447.02 Definitions.--The following terms, when used in  
20 this chapter, shall have the meanings ascribed to them in this  
21 section:

22 (3) The term "department" ~~"division"~~ means the  
23 ~~Division of Jobs and Benefits~~ of the Department of Labor and  
24 Employment Security.

25 Section 128. Subsections (2), (3), and (4) of section  
26 447.04, Florida Statutes, are amended to read:

27 447.04 Business agents; licenses, permits.--

28 (2)(a) Every person desiring to act as a business  
29 agent in this state shall, before doing so, obtain a license  
30 or permit by filing an application under oath therefor with  
31 ~~the Division of Jobs and Benefits of the department of Labor~~

1 ~~and Employment Security~~, accompanied by a fee of \$25 and a  
2 full set of fingerprints of the applicant taken by a law  
3 enforcement agency qualified to take fingerprints. There  
4 shall accompany the application a statement signed by the  
5 president and the secretary of the labor organization for  
6 which he or she proposes to act as agent, showing his or her  
7 authority to do so. The department ~~division~~ shall hold such  
8 application on file for a period of 30 days, during which time  
9 any person may file objections to the issuing of such license  
10 or permit.

11 (b) The department ~~division~~ may also conduct an  
12 independent investigation of the applicant; and, if objections  
13 are filed, it may hold, or cause to be held, a hearing in  
14 accordance with the requirements of chapter 120. The  
15 objectors and the applicant shall be permitted to attend such  
16 hearing and present evidence.

17 (3) After the expiration of the 30-day period,  
18 regardless of whether or not any objections have been filed,  
19 the department ~~division~~ shall review the application, together  
20 with all information that it may have, including, but not  
21 limited to, any objections that may have been filed to such  
22 application, any information that may have been obtained  
23 pursuant to an independent investigation, and the results of  
24 any hearing on the application. If the department ~~division~~,  
25 from a review of the information, finds that the applicant is  
26 qualified, pursuant to the terms of this chapter, it shall  
27 issue such license or permit; and such license or permit shall  
28 run for the calendar year for which issued, unless sooner  
29 surrendered, suspended, or revoked.

30 (4) Licenses and permits shall expire at midnight,  
31 December 31, but may be renewed by the department ~~division~~ on

1 a form prescribed by it; however, if any such license or  
2 permit has been surrendered, suspended, or revoked during the  
3 year, then such applicant must go through the same formalities  
4 as a new applicant.

5 Section 129. Section 447.041, Florida Statutes, is  
6 amended to read:

7 447.041 Hearings.--

8 (1) Any person or labor organization denied a license,  
9 permit, or registration shall be afforded the opportunity for  
10 a hearing by the department ~~division~~ in accordance with the  
11 requirements of chapter 120.

12 (2) The department ~~division~~ may, pursuant to the  
13 requirements of chapter 120, suspend or revoke the license or  
14 permit of any business agent or the registration of any labor  
15 organization for the violation of any provision of this  
16 chapter.

17 Section 130. Section 447.045, Florida Statutes, is  
18 amended to read:

19 447.045 Information confidential.--Neither the  
20 department ~~division~~ nor any investigator or employee of the  
21 department ~~division~~ shall divulge in any manner the  
22 information obtained pursuant to the processing of applicant  
23 fingerprint cards, and such information is confidential and  
24 exempt from the provisions of s. 119.07(1).

25 Section 131. Section 447.06, Florida Statutes, is  
26 amended to read:

27 447.06 Registration of labor organizations required.--

28 (1) Every labor organization operating in the state  
29 shall make a report under oath, in writing, to ~~the Division of~~  
30 ~~Jobs and Benefits of the department of Labor and Employment~~  
31 ~~Security~~ annually, on or before December 31. Such report shall

1 be filed by the secretary or business agent of such labor  
2 organization, shall be in such form as the department  
3 prescribes ~~division may prescribe~~, and shall show the  
4 following facts:

5 (a) The name of the labor organization;

6 (b) The location of its office; and

7 (c) The name and address of the president, secretary,  
8 treasurer, and business agent.

9 (2) At the time of filing such report, it shall be the  
10 duty of every such labor organization to pay the department  
11 ~~division~~ an annual fee therefor in the sum of \$1.

12 Section 132. Section 447.12, Florida Statutes, is  
13 amended to read:

14 447.12 Fees for registration.--All fees collected by  
15 ~~the Division of Jobs and Benefits of~~ the department under this  
16 part of Labor and Employment Security hereunder shall be paid  
17 to the Treasurer and credited to the General Revenue Fund.

18 Section 133. Section 447.16, Florida Statutes, is  
19 amended to read:

20 447.16 Applicability of chapter ~~when effective~~--Any  
21 labor business agent licensed on July 1, 1965, may renew such  
22 license each year on forms provided by ~~the Division of Jobs~~  
23 ~~and Benefits of~~ the department ~~of Labor and Employment~~  
24 ~~Security~~ without submitting fingerprints so long as such  
25 license or permit has not expired or has not been surrendered,  
26 suspended, or revoked. The fingerprinting requirements of  
27 this act shall become effective for a new applicant for a  
28 labor business agent license immediately upon this act  
29 becoming a law.

30 Section 134. Subsection (4) of section 447.305,  
31 Florida Statutes, is amended to read:

1           447.305 Registration of employee organization.--

2           (4) Notification of registrations and renewals of  
3 registration shall be furnished at regular intervals by the  
4 commission to ~~the Division of Jobs and Benefits of the~~  
5 Department of Labor and Employment Security.

6           Section 135. Subsection (4) of section 450.012,  
7 Florida Statutes, is amended to read:

8           450.012 Definitions.--For the purpose of this chapter,  
9 the word, phrase, or term:

10           (4) "Department" ~~"Division"~~ means ~~the Division of Jobs~~  
11 ~~and Benefits of the Department of Labor and Employment~~  
12 Security.

13           Section 136. Subsection (3) of section 450.061,  
14 Florida Statutes, is amended to read:

15           450.061 Hazardous occupations prohibited;  
16 exemptions.--

17           (3) No minor under 18 years of age, whether such  
18 person's disabilities of nonage have been removed by marriage  
19 or otherwise, shall be employed or permitted or suffered to  
20 work in any place of employment or at any occupation hazardous  
21 or injurious to the life, health, safety, or welfare of such  
22 minor, as such places of employment or occupations may be  
23 determined and declared by ~~the Division of Jobs and Benefits~~  
24 ~~of the department of Labor and Employment Security~~ to be  
25 hazardous and injurious to the life, health, safety, or  
26 welfare of such minor.

27           Section 137. Paragraph (c) of subsection (5) of  
28 section 450.081, Florida Statutes, is amended to read:

29           450.081 Hours of work in certain occupations.--

30           (5) The provisions of subsections (1) through (4)  
31 shall not apply to:

1 (c) Minors enrolled in a public educational  
2 institution who qualify on a hardship basis such as economic  
3 necessity or family emergency. Such determination shall be  
4 made by the school superintendent or his or her designee, and  
5 a waiver of hours shall be issued to the minor and the  
6 employer. The form and contents thereof shall be prescribed by  
7 the department ~~division~~.

8 Section 138. Section 450.095, Florida Statutes, is  
9 amended to read:

10 450.095 Waivers.--In extenuating circumstances when it  
11 clearly appears to be in the best interest of the child, the  
12 department ~~division~~ may grant a waiver of the restrictions  
13 imposed by the Child Labor Law on the employment of a child.  
14 Such waivers shall be granted upon a case-by-case basis and  
15 shall be based upon such factors as the department ~~division~~,  
16 by rule, establishes as determinative of whether such waiver  
17 is in the best interest of a child.

18 Section 139. Subsections (1), (2), and (5) of section  
19 450.121, Florida Statutes, are amended to read:

20 450.121 Enforcement of Child Labor Law.--

21 (1) The department ~~Division of Jobs and Benefits~~ shall  
22 administer this chapter. It shall employ such help as is  
23 necessary to effectuate the purposes of this chapter. Other  
24 agencies of the state may cooperate with the department  
25 ~~division~~ in the administration and enforcement of this part.  
26 To accomplish this joint, cooperative effort, the department  
27 ~~division~~ may enter into intergovernmental agreements with  
28 other agencies of the state whereby the other agencies may  
29 assist the department ~~division~~ in the administration and  
30 enforcement of this part. Any action taken by an agency  
31 pursuant to an intergovernmental agreement entered into

1 pursuant to this section shall be considered to have been  
2 taken by the department ~~division~~.

3 (2) It is the duty of the department ~~division~~ and its  
4 agents and all sheriffs or other law enforcement officers of  
5 the state or of any municipality of the state to enforce the  
6 provisions of this law, to make complaints against persons  
7 violating its provisions, and to prosecute violations of the  
8 same. The department ~~division~~ and its agents have authority to  
9 enter and inspect at any time any place or establishment  
10 covered by this law and to have access to age certificates  
11 kept on file by the employer and such other records as may aid  
12 in the enforcement of this law. A designated school  
13 representative acting in accordance with s. 232.17 shall  
14 report to the department ~~division~~ all violations of the Child  
15 Labor Law that may come to his or her knowledge.

16 (5) The department ~~division~~ may adopt rules:

17 (a) Defining words, phrases, or terms used in the  
18 child labor rule or in this part, as long as the word, phrase,  
19 or term is not a word, phrase, or term defined in s. 450.012.

20 (b) Prescribing additional documents that may be used  
21 to prove the age of a minor and the procedure to be followed  
22 before a person who claims his or her disability of nonage has  
23 been removed by a court of competent jurisdiction may be  
24 employed.

25 (c) Requiring certain safety equipment and a safe  
26 workplace environment for employees who are minors.

27 (d) Prescribing the deadlines applicable to a response  
28 to a request for records under subsection (2).

29 (e) Providing an official address from which child  
30 labor forms, rules, laws, and posters may be requested and  
31 prescribing the forms to be used in connection with this part.



1           Section 140. Subsections (1), (2), (3), (4), and (5)  
2 of section 450.132, Florida Statutes, are amended to read:

3           450.132 Employment of children by the entertainment  
4 industry; rules; procedures.--

5           (1) Children within the protection of our child labor  
6 statutes may, notwithstanding such statutes, be employed by  
7 the entertainment industry in the production of motion  
8 pictures, legitimate plays, television shows, still  
9 photography, recording, publicity, musical and live  
10 performances, circuses, and rodeos, in any work not determined  
11 by the department ~~Division of Jobs and Benefits~~ to be  
12 hazardous, or detrimental to their health, morals, education,  
13 or welfare.

14           (2) The department ~~Division of Jobs and Benefits~~  
15 shall, as soon as convenient, and after such investigation as  
16 to the department ~~division~~ may seem necessary or advisable,  
17 determine what work in connection with the entertainment  
18 industry is not hazardous or detrimental to the health,  
19 morals, education, or welfare of minors within the purview and  
20 protection of our child labor laws. When so adopted, such  
21 rules shall have the force and effect of law in this state.

22           (3) Entertainment industry employers or agents wishing  
23 to qualify for the employment of minors in work not hazardous  
24 or detrimental to their health, morals, or education shall  
25 make application to the department ~~division~~ for a permit  
26 qualifying them to employ minors in the entertainment  
27 industry. The form and contents thereof shall be prescribed by  
28 the department ~~division~~.

29           (4) Any duly qualified entertainment industry employer  
30 may employ any minor. However, if any entertainment industry  
31 employer employing a minor causes, permits, or suffers such

1 minor to be placed under conditions which are dangerous to the  
2 life or limb or injurious or detrimental to the health or  
3 morals or education of the minor, the right of that  
4 entertainment industry employer and its representatives and  
5 agents to employ minors as provided herein shall stand  
6 revoked, unless otherwise ordered by the department ~~division~~,  
7 and the person responsible for such unlawful employment is  
8 guilty of a misdemeanor of the second degree, punishable as  
9 provided in s. 775.082 or s. 775.083.

10 (5) Any entertainment industry employer and its agents  
11 employing minors hereunder are required to notify the  
12 department ~~division~~, showing the date of the commencement of  
13 work, the number of days worked, the location of the work, and  
14 the date of termination.

15 Section 141. Subsections (2) and (3) of section  
16 450.141, Florida Statutes, are amended to read:

17 450.141 Employing minor children in violation of law;  
18 penalties.--

19 (2) Any person, firm, corporation, or governmental  
20 agency, or agent thereof, that has employed minors in  
21 violation of this part, or any rule adopted pursuant thereto,  
22 may be subject by the department ~~division~~ to fines not to  
23 exceed \$2,500 per offense. The department ~~division~~ shall  
24 adopt, by rule, disciplinary guidelines specifying a  
25 meaningful range of designated penalties based upon the  
26 severity and repetition of the offenses, and which distinguish  
27 minor violations from those which endanger a minor's health  
28 and safety.

29 (3) If the department ~~division~~ has reasonable grounds  
30 for believing there has been a violation of this part or any  
31 rule adopted pursuant thereto, it shall give written notice to

1 the person alleged to be in violation. Such notice shall  
2 include the provision or rule alleged to be violated, the  
3 facts alleged to constitute such violation, and requirements  
4 for remedial action within a time specified in the notice. No  
5 fine may be levied unless the person alleged to be in  
6 violation fails to take remedial action within the time  
7 specified in the notice.

8 Section 142. Paragraph (j) of subsection (1) of  
9 section 450.191, Florida Statutes, is amended to read:

10 450.191 Executive Office of the Governor; powers and  
11 duties.--

12 (1) The Executive Office of the Governor is authorized  
13 and directed to:

14 (j) Cooperate with the farm labor office of the  
15 Department of Labor and Employment Security ~~Florida State~~  
16 ~~Employment Service~~ in the recruitment and referral of migrant  
17 laborers and other persons for the planting, cultivation, and  
18 harvesting of agricultural crops in Florida.

19 Section 143. Subsection (2) of section 450.28, Florida  
20 Statutes, is amended to read:

21 450.28 Definitions.--

22 (2) "Department" ~~"Division"~~ means ~~the Division of Jobs~~  
23 ~~and Benefits of~~ the Department of Labor and Employment  
24 Security.

25 Section 144. Section 450.30, Florida Statutes, is  
26 amended to read:

27 450.30 Requirement of certificate of registration;  
28 education and examination program.--

29 (1) No person may act as a farm labor contractor until  
30 a certificate of registration has been issued to him or her by  
31 the department ~~division~~ and unless such certificate is in full

1 force and effect and is in his or her possession.

2 (2) No certificate of registration may be transferred  
3 or assigned.

4 (3) Unless sooner revoked, each certificate of  
5 registration, regardless of the date of issuance, shall be  
6 renewed on the last day of the birth month following the date  
7 of issuance and, thereafter, each year on the last day of the  
8 birth month of the registrant. The date of incorporation shall  
9 be used in lieu of birthdate for registrants that are  
10 corporations. Applications for certificates of registration  
11 and renewal thereof shall be on a form prescribed by the  
12 department ~~division~~.

13 (4) The department ~~division~~ shall provide a program of  
14 education and examination for applicants under this part. The  
15 program may be provided by the department ~~division~~ or through  
16 a contracted agent. The program shall be designed to ensure  
17 the competency of those persons to whom the department  
18 ~~division~~ issues certificates of registration.

19 (5) The department ~~division~~ shall require each  
20 applicant to demonstrate competence by a written or oral  
21 examination in the language of the applicant, evidencing that  
22 he or she is knowledgeable concerning the duties and  
23 responsibilities of a farm labor contractor. The examination  
24 shall be prepared, administered, and evaluated by the  
25 department ~~division~~ or through a contracted agent.

26 (6) The department ~~division~~ shall require an applicant  
27 for renewal of a certificate of registration to retake the  
28 examination only if:

29 (a) During the prior certification period, the  
30 department ~~division~~ issued a final order assessing a civil  
31 monetary penalty or revoked or refused to renew or issue a

1 certificate of registration; or

2 (b) The department ~~division~~ determines that new  
3 requirements related to the duties and responsibilities of a  
4 farm labor contractor necessitate a new examination.

5 (7) The department ~~division~~ shall charge each  
6 applicant a \$35 fee for the education and examination program.  
7 Such fees shall be deposited in the Crew Chief Registration  
8 Trust Fund.

9 (8) The department ~~division~~ may adopt rules  
10 prescribing the procedures to be followed to register as a  
11 farm labor contractor.

12 Section 145. Subsections (1), (2), and (4) of section  
13 450.31, Florida Statutes, are amended to read:

14 450.31 Issuance, revocation, and suspension of, and  
15 refusal to issue or renew, certificate of registration.--

16 (1) The department ~~division~~ shall not issue to any  
17 person a certificate of registration as a farm labor  
18 contractor, nor shall it renew such certificate, until:

19 (a) Such person has executed a written application  
20 therefor in a form and pursuant to regulations prescribed by  
21 the department ~~division~~ and has submitted such information as  
22 the department ~~division~~ may prescribe.

23 (b) Such person has obtained and holds a valid federal  
24 certificate of registration as a farm labor contractor, or a  
25 farm labor contractor employee, unless exempt by federal law.

26 (c) Such person pays to the department ~~division~~, in  
27 cash, certified check, or money order, a nonrefundable  
28 application fee of \$75. Fees collected by the department  
29 ~~division~~ under this subsection shall be deposited in the State  
30 Treasury into the Crew Chief Registration Trust Fund, which is  
31 hereby created, and shall be utilized for administration of

1 this part.

2 (d) Such person has successfully taken and passed the  
3 farm labor contractor examination.

4 (2) The department ~~division~~ may revoke, suspend, or  
5 refuse to renew any certificate of registration when it is  
6 shown that the farm labor contractor has:

7 (a) Violated or failed to comply with any provision of  
8 this part or the rules adopted pursuant to s. 450.36.

9 (b) Made any misrepresentation or false statement in  
10 his or her application for a certificate of registration.

11 (c) Given false or misleading information concerning  
12 terms, conditions, or existence of employment to persons who  
13 are recruited or hired to work on a farm.

14 (4) The department ~~division~~ may refuse to issue or  
15 renew, or may suspend or revoke, a certificate of registration  
16 if the applicant or holder is not the real party in interest  
17 in the application or certificate of registration and the real  
18 party in interest is a person who has been refused issuance or  
19 renewal of a certificate, has had a certificate suspended or  
20 revoked, or does not qualify under this section for a  
21 certificate.

22 Section 146. Subsections (1), (4), (5), (6), (8), (9),  
23 and (10) of section 450.33, Florida Statutes, are amended to  
24 read:

25 450.33 Duties of farm labor contractor.--Every farm  
26 labor contractor must:

27 (1) Carry his or her certificate of registration with  
28 him or her at all times and exhibit it to all persons with  
29 whom the farm labor contractor intends to deal in his or her  
30 capacity as a farm labor contractor prior to so dealing and,  
31 upon request, to persons designated by the department

1 ~~division.~~

2 (4) Display prominently, at the site where the work is  
3 to be performed and on all vehicles used by the registrant for  
4 the transportation of employees, a single posting containing a  
5 written statement in English and in the language of the  
6 majority of the non-English-speaking employees disclosing the  
7 terms and conditions of employment in a form prescribed by the  
8 department ~~division~~ or by the United States Department of  
9 Labor for this purpose.

10 (5) Take out a policy of insurance with any insurance  
11 carrier which policy insures such registrant against liability  
12 for damage to persons or property arising out of the operation  
13 or ownership of any vehicle or vehicles for the transportation  
14 of individuals in connection with his or her business,  
15 activities, or operations as a farm labor contractor. In no  
16 event may the amount of such liability insurance be less than  
17 that required by the provisions of the financial  
18 responsibility law of this state. Any insurance carrier that  
19 is licensed to operate in this state and that has issued a  
20 policy of liability insurance to operate a vehicle used to  
21 transport farm workers shall notify the department ~~division~~  
22 when it intends to cancel such policy.

23 (6) Maintain such records as may be designated by the  
24 department ~~division~~.

25 (8) File, within such time as the department ~~division~~  
26 may prescribe, a set of his or her fingerprints.

27 (9) Produce evidence to the department ~~division~~ that  
28 each vehicle he or she uses for the transportation of  
29 employees complies with the requirements and specifications  
30 established in chapter 316, s. 316.620, or Pub. L. No. 93-518  
31 as amended by Pub. L. No. 97-470 meeting Department of

1 Transportation requirements or, in lieu thereof, bears a valid  
2 inspection sticker showing that the vehicle has passed the  
3 inspection in the state in which the vehicle is registered.

4 (10) Comply with all applicable statutes, rules, and  
5 regulations of the United States and of the State of Florida  
6 for the protection or benefit of labor, including, but not  
7 limited to, those providing for wages, hours, fair labor  
8 standards, social security, workers' compensation,  
9 unemployment compensation, child labor, and transportation.

10 The department ~~division~~ shall not suspend or revoke a  
11 certificate of registration pursuant to this subsection  
12 unless:

13 (a) A court or agency of competent jurisdiction  
14 renders a judgment or other final decision that a violation of  
15 one of the laws, rules, or regulations has occurred and, if  
16 invoked, the appellate process is exhausted;

17 (b) An administrative hearing pursuant to ss. 120.569  
18 and 120.57 is held on the suspension or revocation and the  
19 administrative law judge finds that a violation of one of the  
20 laws, rules, or regulations has occurred and, if invoked, the  
21 appellate process is exhausted; or

22 (c) The holder of a certificate of registration  
23 stipulates that a violation has occurred or defaults in the  
24 administrative proceedings brought to suspend or revoke his or  
25 her registration.

26 Section 147. Section 450.35, Florida Statutes, is  
27 amended to read:

28 450.35 Certain contracts prohibited.--It is unlawful  
29 for any person to contract for the employment of farm workers  
30 with any farm labor contractor as defined in this act until  
31 the labor contractor displays to him or her a current



1 certificate of registration issued by the department ~~division~~  
2 pursuant to the requirements of this part.

3 Section 148. Section 450.36, Florida Statutes, is  
4 amended to read:

5 450.36 Rules and regulations.--The department ~~division~~  
6 may adopt rules necessary to enforce and administer this part.

7 Section 149. Section 450.37, Florida Statutes, is  
8 amended to read:

9 450.37 Cooperation with federal agencies.--The  
10 department ~~division~~ shall, whenever appropriate, cooperate  
11 with any federal agency.

12 Section 150. Subsections (2), (3), and (4) of section  
13 450.38, Florida Statutes, are amended to read:

14 450.38 Enforcement of farm labor contractor laws.--

15 (2) Any person who, on or after June 19, 1985, commits  
16 a violation of this part or of any rule adopted thereunder may  
17 be assessed a civil penalty of not more than \$1,000 for each  
18 such violation. Such assessed penalties shall be paid in cash,  
19 certified check, or money order and shall be deposited into  
20 the General Revenue Fund. The department ~~division~~ shall not  
21 institute or maintain any administrative proceeding to assess  
22 a civil penalty under this subsection when the violation is  
23 the subject of a criminal indictment or information under this  
24 section which results in a criminal penalty being imposed, or  
25 of a criminal, civil, or administrative proceeding by the  
26 United States government or an agency thereof which results in  
27 a criminal or civil penalty being imposed. The department  
28 ~~division~~ may adopt rules prescribing the criteria to be used  
29 to determine the amount of the civil penalty and to provide  
30 notification to persons assessed a civil penalty under this  
31 section.

1           (3) Upon a complaint of the department ~~division~~ being  
2 filed in the circuit court of the county in which the farm  
3 labor contractor may be doing business, any farm labor  
4 contractor who fails to obtain a certificate of registration  
5 as required by this part may, in addition to such penalties,  
6 be enjoined from engaging in any activity which requires the  
7 farm labor contractor to possess a certificate of  
8 registration.

9           (4) For the purpose of any investigation or proceeding  
10 conducted by the department ~~division~~, the secretary of the  
11 department or the secretary's designee shall have the power to  
12 administer oaths, take depositions, make inspections when  
13 authorized by statute, issue subpoenas which shall be  
14 supported by affidavit, serve subpoenas and other process, and  
15 compel the attendance of witnesses and the production of  
16 books, papers, documents, and other evidence. The secretary of  
17 the department or the secretary's designee shall exercise this  
18 power on the secretary's own initiative.

19           Section 151. Subsection (7) of section 497.419,  
20 Florida Statutes, is amended to read:

21           497.419 Cancellation of, or default on, preneed  
22 contracts.--

23           (7) All preneed contracts are cancelable and revocable  
24 as provided in this section, provided that a preneed contract  
25 does not restrict any contract purchaser who is a qualified  
26 applicant for, or a recipient of, supplemental security  
27 income, temporary cash assistance ~~under the WAGES Program~~, or  
28 Medicaid from making her or his contract irrevocable.

29           Section 152. Subsection (3) of section 240.3341,  
30 Florida Statutes, is amended, and subsection (5) is added to  
31 said section, to read:

1           240.3341 Incubator facilities for small business  
2 concerns.--

3           (3)~~(a)~~ The incubator facility and any improvements to  
4 the facility shall be owned by or leased the community  
5 college. The community college may charge residents of the  
6 facility all or part of the cost for facilities, utilities,  
7 and support personnel and equipment. No small business  
8 concern shall reside in the incubator facility for more than 5  
9 calendar years. The state shall not be liable for any act or  
10 failure to act of any small business concern residing in an  
11 incubator facility pursuant to this section or of any such  
12 concern benefiting from the incubator facilities program.

13           ~~(b) Notwithstanding any provision of paragraph (a) to~~  
14 ~~the contrary, and for the 1999-2000 fiscal year only, the~~  
15 ~~incubator facility may be leased by the community college.~~  
16 ~~This paragraph is repealed on July 1, 2000.~~

17           (5) Community colleges are encouraged to establish  
18 incubator facilities through which emerging small businesses  
19 supportive of development of content and technology for  
20 digital broadband media and digital broadcasting may be  
21 served.

22           Section 153. Section 240.710, Florida Statutes, is  
23 created to read:

24           240.710 Digital Media Education Coordination Group.--

25           (1) The Board of Regents shall create a Digital Media  
26 Education Coordination Group composed of representatives of  
27 the universities within the State University System that shall  
28 work in conjunction with the Department of Education, the  
29 State Board of Community Colleges, and the Articulation  
30 Coordinating Committee on the development of a plan to enhance  
31 Florida's ability to meet the current and future workforce

1 needs of the digital media industry. The following purposes  
2 of the group shall be included in its plan development  
3 process:

4 (a) Coordination of the use of existing academic  
5 programs and research and faculty resources to promote the  
6 development of a digital media industry in this state.

7 (b) Address strategies to improve opportunities for  
8 interdisciplinary study and research within the emerging field  
9 of digital media through the development of tracts in existing  
10 degree programs, new interdisciplinary degree programs, and  
11 interdisciplinary research centers.

12 (c) Address the sharing of resources among  
13 universities in such a way as to allow a student to take  
14 courses from multiple departments or multiple educational  
15 institutions in pursuit of competency, certification, and  
16 degrees in digital information and media technology.

17 (2) Where practical, private accredited institutions  
18 of higher learning in this state should be encouraged to  
19 participate.

20 (3) In addition to the elements of the plan governed  
21 by the purposes described in (1), the plan shall include, to  
22 the maximum extent practical, the coordination of educational  
23 resources to be provided by distance learning and shall  
24 facilitate to the maximum extent possible articulation and  
25 transfer of credits between community colleges and the state  
26 universities. The plan shall address student enrollment in  
27 affected programs with emphasis on enrollment beginning as  
28 early as fall term, 2001.

29 (4) The Digital Media Education Coordination Group  
30 shall submit its plan to the President of the Senate and the  
31 Speaker of the House of Representatives no later than January

1 1, 2001.

2 Section 154. Workforce Florida, Inc., through the  
3 Agency for Workforce Innovation, may use funds dedicated for  
4 Incumbent Worker Training for the digital media industry.  
5 Training may be provided by public or private training  
6 providers for broadband digital media jobs listed on the  
7 targeted occupations list developed by the Workforce  
8 Estimating Conference or Workforce Florida Inc. Programs that  
9 operate outside the normal semester time periods and  
10 coordinate the use of industry and public resources should be  
11 given priority status for funding.

12 Section 155. Section 445.012, Florida Statutes, is  
13 created to read:

14 445.012 Careers for Florida's Future Incentive Grant  
15 Program.--

16 (1) The Careers for Florida's Future Incentive Grant  
17 Program is created to encourage students in this state to  
18 obtain degrees or certificates in postsecondary programs that  
19 produce graduates with job skills in advanced technology which  
20 are critical to the economic future of this state. The program  
21 shall provide for a forgivable loan that requires a student to  
22 enroll in and complete an eligible program and then to  
23 maintain employment in an eligible occupation in this state  
24 for 1 year for each year of grant receipt. The recipient must  
25 begin repayment of the grant 1 year after the recipient is no  
26 longer enrolled in an eligible institution or completes the  
27 program, unless the recipient obtains employment in an  
28 eligible occupation.

29 (2) Workforce Florida, Inc., shall manage the Careers  
30 for Florida's Future Incentive Grant Program in accordance  
31 with rules and procedures established for this purpose.

1 Workforce Florida, Inc., shall contract with the Office of  
2 Student Financial Assistance in the Department of Education to  
3 administer the incentive grant program for students pursuing  
4 baccalaureate degrees or degree career education programs that  
5 articulate into baccalaureate degree programs. The office  
6 shall advertise the availability of the grant program and  
7 collect all delinquent incentive grant repayments.

8 (a) The Office of Student Financial Assistance of the  
9 Department of Education shall issue awards from the incentive  
10 grant program each semester. Before the registration period  
11 each semester, the department shall transmit payment for each  
12 award to the president or director of the postsecondary  
13 education institution, or his or her representative, except  
14 that the department may withhold payment if the receiving  
15 institution fails to report or make refunds to the department  
16 as required in this section.

17 (b) Within 30 days after the end of regular  
18 registration each semester, the educational institution shall  
19 certify to the department the eligibility status of each  
20 student who receives an award. After the end of the  
21 drop-and-add period, an institution is not required to  
22 reevaluate or revise a student's eligibility status, but must  
23 make a refund to the department if a student who receives an  
24 award disbursement terminates enrollment for any reason during  
25 an academic term and a refund is permitted by the  
26 institution's refund policy.

27 (c) An institution that receives funds from the  
28 program shall certify to the department the amount of funds  
29 disbursed to each student and shall remit to the department  
30 any undisbursed advances within 60 days after the end of  
31 regular registration. The department may suspend or revoke an

1 institution's eligibility to receive future moneys for the  
2 program if the department finds that an institution has not  
3 complied with this section.

4 (3) Workforce Florida, Inc., shall allocate to each  
5 regional workforce board its share of funds available for  
6 incentive grants in eligible diploma, certificate, and degree  
7 career education programs that do not articulate into  
8 baccalaureate programs. Each regional workforce board shall  
9 administer the program, including determining award recipients  
10 within funds available to it for that purpose. Workforce  
11 Florida, Inc., shall contract with the Office of Student  
12 Financial Assistance in the Department of Education for  
13 collecting delinquent incentive grant repayments.

14 (a) Workforce Florida, Inc., shall reallocate any  
15 funds not encumbered by the regional workforce boards by  
16 January 31 of each year to other regional workforce boards for  
17 additional awards, in accordance with rules and procedures  
18 established for this purpose.

19 (b) Within 30 days after the student begins classes,  
20 the educational institution shall certify to the regional  
21 workforce board the eligibility status of each student who  
22 receives an award. After this report, an institution is not  
23 required to reevaluate or revise a student's eligibility  
24 status, but must make a refund to the regional workforce board  
25 if a student who receives an award disbursement terminates  
26 enrollment for any reason during the period that would permit  
27 a refund by the institution's refund policy.

28 (c) Regional workforce boards shall ensure that each  
29 recipient receives maximum funding possible by coordinating  
30 career education awards with Individual Training Accounts  
31 funded by the federal Workforce Investment Act, Retention

1 Incentive Training Accounts funded by the federal Temporary  
2 Assistance for Needy Families Act, the federal Welfare-to-Work  
3 program, and other programs intended to assist incumbent  
4 workers in upgrading their skills.

5 (4) If funds appropriated are not adequate to provide  
6 the maximum allowable award to each eligible applicant, full  
7 awards must be provided in the order of priority established  
8 by Workforce Florida, Inc. Awards must not be reduced to  
9 increase the number of recipients.

10 (5) A recipient who is pursuing a baccalaureate degree  
11 shall receive \$100 for each lower-division credit hour in  
12 which the student is enrolled at an eligible college or  
13 university, up to a maximum of \$1,500 per semester, and \$200  
14 for each upper-division credit hour in which the student is  
15 enrolled at an eligible college or university, up to a maximum  
16 of \$3,000 per semester. For purposes of this section, a  
17 student is pursuing a baccalaureate degree if he or she is in  
18 a program that articulates into a baccalaureate degree program  
19 by agreement of the Articulation Coordinating Committee. A  
20 student in an applied technology diploma program, a  
21 certificate career education program, or a degree career  
22 education program that does not articulate into a  
23 baccalaureate degree program shall receive \$2 for each  
24 vocational contact hour, or the equivalent, for certificate  
25 programs, or \$60 for each credit hour, or the equivalent, for  
26 degree career education programs and applied technology  
27 programs for which the student is enrolled at an eligible  
28 college, technical center, or nonpublic career education  
29 school.

30 (6) If a recipient who is enrolled in a diploma,  
31 certificate, or degree career education program that does not



1 articulate into a baccalaureate degree program transfers from  
2 one eligible institution to another within the same workforce  
3 region and continues to meet eligibility requirements, the  
4 award shall be transferred with the student.

5 (7) If a recipient who is enrolled in a baccalaureate  
6 degree or a degree career education program that articulates  
7 into a baccalaureate degree program transfers from one  
8 eligible institution to another and continues to meet  
9 eligibility requirements, the award shall be transferred with  
10 the student.

11 (8) An award recipient may use an award for enrollment  
12 in a summer term if funds are available.

13 (9) Funds may not be used to pay for remedial,  
14 college-preparatory, or vocational-preparatory coursework.

15 Section 156. Section 445.0121, Florida Statutes, is  
16 created to read:

17 445.0121 Student eligibility requirements for initial  
18 awards.--

19 (1) To be eligible for an initial award for lower  
20 division college credit courses that lead to a baccalaureate  
21 degree, as defined in s. 445.0122(5), a student must:

22 (a)1. Have been a resident of this state for purposes  
23 other than to obtain an education for the previous 3 years; or

24 2. Have received a standard Florida high school  
25 diploma, as provided in s. 232.246, or its equivalent, as  
26 described in s. 229.814, within the previous 2 years, unless:

27 a. The student is enrolled full-time in the  
28 early-admission program of an eligible postsecondary education  
29 institution or completes a home-education program in  
30 accordance with s. 232.0201; or

31 b. The student earns a high school diploma from a

1 non-Florida school while living with a parent or guardian who  
2 is on military or public service assignment outside this  
3 state.

4 (b) In addition to the residency requirements in  
5 paragraph (a), an eligible lower-division, baccalaureate  
6 degree-seeking student must:

7 1. Have earned a cumulative grade point average of at  
8 least 2.75 on a 4.0 scale in postsecondary coursework.

9 2. Have earned at least 18 credit hours at the  
10 postsecondary level.

11 3. Be enrolled in an eligible public or independent  
12 postsecondary educational institution in this state for at  
13 least 6 semester credit hours or the equivalent.

14 (2) To be eligible for an initial award for  
15 upper-division courses, a student must:

16 (a) Have been a resident of this state for the  
17 previous 3 years for purposes other than to obtain an  
18 education.

19 (b) Be enrolled in an eligible baccalaureate degree  
20 program, as specified in s. 445.0124, for at least 6 semester  
21 credit hours or the equivalent.

22 (c) Have earned a cumulative grade point average of at  
23 least 2.75 on a 4.0 scale in all postsecondary coursework.

24 (3) To be eligible for an initial award for an applied  
25 technology diploma program or a certificate or degree career  
26 education program that does not articulate into a  
27 baccalaureate degree program, a student must:

28 (a) Have been a resident of this state for  
29 noneducational purposes for the previous 5 years.

30 (b) Be enrolled in an eligible diploma, certificate,  
31 or degree career education program, as specified in s.

1 445.0124.

2 Section 157. Section 445.0122, Florida Statutes, is  
3 created to read:

4 445.0122 Student eligibility requirements for renewal  
5 awards.--

6 (1) To be eligible to renew an incentive grant for a  
7 degree program, a student must:

8 (a) Complete at least 12 semester credit hours or the  
9 equivalent of program requirements in the previous academic  
10 year, including summer school.

11 (b) Maintain the equivalent of a grade point average  
12 of at least 2.75 on a 4.0 scale for all postsecondary  
13 education work.

14 (2) A student who is enrolled in a program that  
15 terminates in a baccalaureate degree or who is enrolled in an  
16 associate degree program that articulates into a baccalaureate  
17 degree may receive an award for a maximum of 110 percent of  
18 the number of credit hours required to complete the program.

19 (3) To be eligible to renew an incentive grant for an  
20 applied technology diploma program or a certificate or degree  
21 career education program that does not articulate into a  
22 baccalaureate degree program, a student must have successfully  
23 attained the last occupational completion point attempted. If  
24 an occupational completion point requires more than one term  
25 to complete, a student may receive grants for the additional  
26 terms if the institution reports that the student is making  
27 adequate progress toward completion.

28 (4) A student who is enrolled in a program that  
29 terminates in an applied technology diploma or a certificate  
30 or degree career education program that does not articulate  
31 into a baccalaureate degree program may receive an award for a

1 maximum of 110 percent of the credit hours or clock hours  
2 required to complete the program, up to 90 semester credit  
3 hours or the equivalent in quarter or clock hours.

4 (5) A student maintains eligibility for an award for 4  
5 years following receipt of the initial award for courses in  
6 the lower division and 4 years following receipt of the  
7 initial award for courses in the upper division. For purposes  
8 of this subsection, lower-division courses include courses in  
9 an eligible applied technology diploma program or a  
10 certificate or degree career education program that does not  
11 articulate into a baccalaureate degree program by agreement of  
12 the Articulation Coordinating Committee, as well as courses in  
13 associate in arts and associate in science degree programs  
14 that articulate into a baccalaureate degree program.

15 Section 158. Section 445.0123, Florida Statutes, is  
16 created to read:

17 445.0123 Eligible postsecondary education  
18 institutions.--A student is eligible for an award or the  
19 renewal of an award from the Careers for Florida's Future  
20 Incentive Grant Program if the student meets the requirements  
21 for the program as described in ss. 445.012-445.0125 and is  
22 enrolled in a postsecondary education institution that meets  
23 the description of any one of the following:

24 (1) A public university, community college, or  
25 technical center in this state.

26 (2) An independent college or university in this state  
27 which is recognized by the United States Department of  
28 Education and has operated in this state for at least 3 years.

29 (3) An independent postsecondary education institution  
30 in this state which is chartered in Florida and accredited by  
31 the Commission on Colleges of the Southern Association of

1 Colleges and Schools.

2 (4) An independent postsecondary education institution  
3 in this state which is licensed by the State Board of  
4 Independent Colleges and Universities and which:

5 (a) Shows evidence of sound financial condition; and

6 (b) Has operated in this state for at least 3 years  
7 without having its approval, accreditation, or license placed  
8 on probation.

9 (4) An independent postsecondary education institution  
10 in this state which is licensed by the State Board of  
11 Nonpublic Career Education and which:

12 (a) Has a program-completion and placement rate of at  
13 least the rate required by current state law, the Florida  
14 Administrative Code, or the Department of Education for an  
15 institution at its level;

16 (b) Shows evidence of sound financial condition; and

17 (c)1. Is accredited at the institutional level by an  
18 accrediting agency recognized by the United States Department  
19 of Education and has operated in this state for at least 3  
20 years during which there has been no complaint for which  
21 probable cause has been found; or

22 2. Has operated in this state for 5 years during which  
23 there has been no complaint for which probable cause has been  
24 found.

25 Section 159. Section 445.0124, Florida Statutes, is  
26 created to read:

27 445.0124 Eligible programs.--

28 (1) A student must enroll in a program determined  
29 eligible by Workforce Florida, Inc.

30 (2) Eligible lower-division programs are those  
31 programs that prepare a student for admission to a degree

1 program that prepares students for employment in targeted  
2 career occupations listed in subsection (3). These programs  
3 include any associate in science degree program that  
4 articulates into a baccalaureate degree program by agreement  
5 of the Articulation Coordinating Committee.

6 (3) Eligible upper-division programs are those  
7 programs that prepare students for employment in targeted  
8 career occupations in one of the following business sectors:  
9 information technology/telecommunications, biomedical  
10 technology, manufacturing-electronics, and  
11 aviation/transportation. Workforce Florida, Inc., must  
12 determine eligible programs within these sectors annually in  
13 cooperation with the Board of Regents.

14 (4) Eligible career education programs are those  
15 programs in the following business sectors: information  
16 technology/telecommunications, biomedical technology,  
17 manufacturing-electronics, aviation/transportation, and  
18 skilled building trades. Workforce Florida, Inc., must  
19 determine eligible programs within these sectors annually in  
20 cooperation with the State Board of Community Colleges and the  
21 Department of Education.

22 Section 160. Section 445.0125, Florida Statutes, is  
23 created to read:

24 445.0125 Repayment schedule.--

25 (1) A recipient must repay an incentive grant from the  
26 Careers for Florida's Future Incentive Grant Program within 10  
27 years after termination of the grant.

28 (a) Repayment must begin:

29 1. One year after completion of the program of  
30 studies, unless the recipient is employed in an eligible  
31 occupation; or

1           2. One year after the student is no longer enrolled in  
2 an eligible institution.

3           (b) Workforce Florida, Inc., shall determine whether a  
4 grant recipient is employed in an eligible occupation. For  
5 repayment purposes, an occupation determined to be eligible  
6 remains eligible for the duration of the repayment period.

7           (c) The State Board of Education shall adopt by rule  
8 repayment schedules.

9           (2) Credit for repayment of an incentive grant shall  
10 be as follows:

11           (a) To repay an incentive grant for upper-division or  
12 lower-division courses that lead to a baccalaureate degree, a  
13 student must earn the baccalaureate degree and then maintain  
14 employment in an eligible occupation in this state for 1 year  
15 for each year in which the grant was received for full-time  
16 enrollment. If the student's actual enrollment was part-time,  
17 the grant repayment shall be calculated as the length of time  
18 required to complete the program based on full-time  
19 enrollment.

20           (b) For an incentive grant for a program that  
21 generates credit toward an occupational completion point, a  
22 certificate, or a career education degree that does not  
23 articulate into a baccalaureate degree, a student must  
24 complete the program and maintain employment in an eligible  
25 occupation in this state for 6 months for every semester of  
26 full-time enrollment in the program. If the student's actual  
27 enrollment in the program was part-time, the grant repayment  
28 shall be calculated as the length of time required to complete  
29 the program based on full-time enrollment, based on 6 months  
30 for each semester.

31           (3) Any incentive grant recipient who does not remain

1 employed in an eligible occupation in this state must repay  
2 the loan plus accrued annual interest at the rate of the  
3 3-month United States Treasury Bill, plus 2.3 percent.

4 (4) An incentive grant recipient may receive repayment  
5 credit for eligible employment rendered at any time during the  
6 scheduled repayment period. However, this repayment credit is  
7 applicable only to the current principal and accrued interest  
8 balance that remains at the time the repayment credit is  
9 earned. An incentive grant recipient may not be reimbursed for  
10 previous cash payments of principal and interest.

11 Section 161. Section 445.014, Florida Statutes, is  
12 created to read:

13 445.014 Small business workforce service initiative.--

14 (1) Subject to legislative appropriation, Workforce  
15 Florida, Inc., shall establish a program to encourage regional  
16 workforce development boards to establish one-stop delivery  
17 systems that maximize the provision of workforce and  
18 human-resource support services to small businesses. Under the  
19 program, a regional workforce board may apply, on a  
20 competitive basis, for funds to support the provision of such  
21 services to small businesses through the region's one-stop  
22 delivery system.

23 (2) Eligible uses of funds under this program include,  
24 but are not limited to:

25 (a) Identifying common training needs among small  
26 businesses;

27 (b) Developing curriculum to address common training  
28 needs among small businesses;

29 (c) Facilitating the provision of training services  
30 for such small businesses through eligible training providers;

31 (d) Assisting small businesses to identify incentives



1 and complete applications or other paperwork associated with  
2 such incentives; and

3 (e) Establishing a single point of contact for the  
4 provision of preemployment and postemployment services to  
5 small businesses.

6 (3) Workforce Florida, Inc., shall establish  
7 guidelines governing the administration of this program and  
8 shall establish criteria to be used in evaluating applications  
9 for funding. Such criteria must include, but need not be  
10 limited to, a showing that the regional board has in place a  
11 detailed plan for establishing a one-stop delivery system  
12 designed to meet the workforce needs of small businesses and  
13 for leveraging other funding sources in support of such  
14 activities.

15 (4) For purposes of this section, the term "small  
16 business" means an independently owned and operated business  
17 concern that employs 30 or fewer permanent full-time employees  
18 and that, together with its affiliates, has a net worth of not  
19 more than \$3 million and an average net income, after federal  
20 income taxes and excluding any carryover losses, of not more  
21 than \$2 million for the preceding 2 years.

22 Section 162. Temporary decennial census  
23 employment.--Notwithstanding any provision of state law, and  
24 within the procedures, requirements, and limitations of  
25 federal law and regulation, income earned through temporary  
26 decennial census employment shall be disregarded when  
27 determining eligibility or continued eligibility for  
28 participation in programs requiring a financial determination  
29 for receipt of benefits, payments, or services, including the  
30 WAGES Program under chapter 414, Florida Statutes, subsidized  
31 child care under s. 402.3015, Florida Statutes, and any other

1 social or economic assistance funded through the state share  
2 of Temporary Assistance for Needy Families (TANF) block grant  
3 funds. For purposes of this section, "temporary decennial  
4 census employment" means employment for 120 days or less,  
5 within the period January 1, 2000, to December 31, 2000, with  
6 the United States Department of Commerce as a census-taker or  
7 block canvasser.

8       Section 163. (1) For the purchase of workforce  
9 marketing materials required by section 445.006, Florida  
10 Statutes, the sum of \$250,000 in nonrecurring general revenue  
11 is appropriated to the Agency for Workforce Innovation.

12       (2) For the workforce training institute established  
13 pursuant to section 445.008, Florida Statutes, the sum of  
14 \$200,000 is appropriated from nonrecurring Temporary  
15 Assistance for Needy Families funds to the Agency for  
16 Workforce Innovation.

17       (3) For diversion services for needy families  
18 authorized by section 445.018, Florida Statutes, the sum of \$8  
19 million is appropriated from recurring Temporary Assistance  
20 for Needy Families funds to the Agency for Workforce  
21 Innovation.

22       (4) For the workforce information systems required by  
23 s. 445.011, Florida Statutes, the sum of \$15 million is  
24 appropriated from nonrecurring Temporary Assistance for Needy  
25 Families funds to the Agency for Workforce Innovation.  
26 Workforce Florida, Inc., shall develop implementation plans  
27 for workforce information systems in consultation with the  
28 State Technology Office. The plans shall ensure optimal  
29 delivery of workforce services to all clients of the workforce  
30 system, provide the best long-term solution, and ensure that  
31 previous investments and current appropriations made by the

1 state for workforce information systems are maximized. All  
2 automated workforce information systems shall be compatible  
3 with the WAGES information system provided for in Specific  
4 Appropriation 1817 of Chapter Law 99-226, Laws of Florida.

5 (5) For the Careers for Florida's Future Incentive  
6 Grant Program established pursuant to sections  
7 445.012-445.0125, Florida Statutes, the sum of \$10 million in  
8 recurring General Revenue is appropriated to the Agency for  
9 Workforce Innovation.

10 (6) For the Small Business Workforce Service  
11 Initiative established pursuant to section 445.014, Florida  
12 Statutes, the sum of \$500,000 in nonrecurring General Revenue  
13 is appropriated to the Agency for Workforce Innovation.

14 Section 164. Paragraph (b) of subsection (4) of  
15 section 402.305, Florida Statutes, is amended to read:

16 402.305 Licensing standards; child care facilities.--

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

18 (b) This subsection does not apply to nonpublic  
19 schools and their integral programs as defined in s.  
20 402.3025(2)(d)1. In addition, an individual participating in a  
21 community service work experience activity under s.  
22 ~~445.024(1)(d)414.065(1)(d)~~, or a work experience activity  
23 under s. ~~445.024(1)(e)414.065(1)(e)~~, at a child care facility  
24 may not be considered in calculating the staff-to-children  
25 ratio.

26 Section 165. Nothing in this act shall be construed as  
27 creating an entitlement to services or benefits authorized by  
28 any section of the act.

29 Section 166. If any provision of this act or its  
30 application to any person or circumstance is held invalid, the  
31 invalidity does not affect other provisions or applications of

1 the act which can be given effect without the invalid  
2 provision or application, and to this end the provisions of  
3 this act are severable.

4 Section 167. Except as otherwise expressly provided in  
5 this act, this act shall take effect July 1, 2000.

6  
7

8 ===== T I T L E A M E N D M E N T =====

9 And the title is amended as follows:

10 On page 1, line 2, through page 18, line 26,  
11 remove from the title of the bill: all of said lines,  
12  
13 and insert in lieu thereof:

14 An act relating to workforce innovation;  
15 creating s. 445.001, F.S.; designating chapter  
16 445, F.S., as the "Workforce Innovation Act of  
17 2000"; creating s. 445.002, F.S.; providing  
18 definitions; transferring, renumbering, and  
19 amending s. 288.9956, F.S.; revising provisions  
20 implementing the federal Workforce Investment  
21 Act of 1998 to conform to changes made by the  
22 act; revising the investment act principles;  
23 revising funding requirements; deleting  
24 obsolete provisions; transferring, renumbering,  
25 and amending s. 288.9952, F.S.; redesignating  
26 the Workforce Development Board as "Workforce  
27 Florida, Inc."; providing for Workforce  
28 Florida, Inc., to function as a not-for-profit  
29 corporation and be the principal workforce  
30 policy organization for the state; providing  
31 for a board of directors; providing for the

Amendment No. \_\_\_\_ (for drafter's use only)

1 appointment of a president of Workforce  
2 Florida, Inc.; providing duties of the board of  
3 directors; specifying programs to be under the  
4 oversight of Workforce Florida, Inc.; requiring  
5 reports and measures of outcomes; providing for  
6 Workforce Florida, Inc., to develop the state's  
7 workforce development strategy; authorizing the  
8 granting of charters to regional workforce  
9 boards; creating s. 445.005, F.S.; requiring  
10 the chairperson of Workforce Florida, Inc., to  
11 establish the First Jobs/First Wages Council,  
12 the Better Jobs/Better Wages Council, and the  
13 High Skills/High Wages Council; providing for  
14 council members; providing for the councils to  
15 advise the board of directors of Workforce  
16 Florida, Inc., and make recommendations for  
17 implementing workforce strategies; creating s.  
18 445.006, F.S.; requiring Workforce Florida,  
19 Inc., to develop a strategic plan for workforce  
20 development; requiring updates of the plan;  
21 requiring a marketing plan as part of the  
22 strategic plan; providing for performance  
23 measures and contract guidelines; requiring  
24 that the plan include a teen pregnancy  
25 prevention component; transferring,  
26 renumbering, and amending s. 288.9953, F.S.;  
27 redesignating the regional workforce  
28 development boards as the "regional workforce  
29 boards"; providing requirements for contracts  
30 with an organization or individual represented  
31 on the board; transferring duties for

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1           overseeing the regional workforce boards to  
2           Workforce Florida, Inc.; requiring the  
3           workforce boards to establish certain  
4           committees; specifying that regional workforce  
5           boards and their entities are not state  
6           agencies; providing for procurement procedures;  
7           creating s. 445.008, F.S.; authorizing  
8           Workforce Florida, Inc., to create the  
9           Workforce Training Institute; providing for the  
10          institute to include Internet-based modules;  
11          requiring Workforce Florida, Inc., to adopt  
12          policies for operating the institute;  
13          authorizing the acceptance of grants and  
14          donations; transferring, renumbering, and  
15          amending s. 288.9951, F.S.; redesignating  
16          one-stop career centers as the "one-stop  
17          delivery system"; providing for the system to  
18          be the state's primary strategy for providing  
19          workforce development services; providing a  
20          procedure for designating one-stop delivery  
21          system operators; requiring the Office of  
22          Program Policy Analysis and Governmental  
23          Accountability to review the delivery of  
24          employment services and report to the Governor  
25          and Legislature; providing legislative intent  
26          with respect to the transfer of programs and  
27          administrative responsibilities for the state's  
28          workforce development system; providing for a  
29          transition period; requiring that the Governor  
30          appoint a representative to coordinate the  
31          transition plan; requiring that the Governor

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1 submit information and obtain waivers as  
2 required by federal law; providing for the  
3 transfer of records, balances of  
4 appropriations, and other funds; providing for  
5 the Office of Tourism, Trade, and Economic  
6 Development within the Executive Office of the  
7 Governor to contract with Workforce Florida,  
8 Inc., as the state's principal workforce policy  
9 organization; transferring the records,  
10 appropriations, and other funds of the WAGES  
11 Program and the Workforce Development Board of  
12 Enterprise Florida, Inc., to Workforce Florida,  
13 Inc., as created by the act; transferring the  
14 employees of the Jobs and Education Partnership  
15 to the Agency for Workforce Innovation;  
16 transferring the programs and functions of the  
17 Division of Workforce and Employment  
18 Opportunities and the Office of Labor Market  
19 and Performance Information of the Department  
20 of Labor and Employment Security to the Agency  
21 for Workforce Innovation; providing certain  
22 exceptions; transferring certain vacant  
23 positions to the Agency for Workforce  
24 Innovation for allocation to regional workforce  
25 boards; authorizing Workforce Florida, Inc., to  
26 contract with the Agency for Workforce  
27 Innovation for the lease of employees;  
28 requiring the Department of Labor and  
29 Employment Security to develop a plan for  
30 certain purposes; creating s. 445.010, F.S. ;  
31 providing principles for developing and

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1 managing information technology for the  
2 workforce system; requiring the sharing of  
3 information between agencies within the  
4 workforce system; creating s. 445.011, F.S.;  
5 requiring Workforce Florida, Inc., to implement  
6 a workforce information system, subject to  
7 legislative appropriation; specifying  
8 information systems to be included; providing  
9 requirements for procurement and validation  
10 services; requiring that the system be  
11 compatible with the state's information system;  
12 creating s. 445.013, F.S.; providing for  
13 challenge grants in support of welfare-to-work  
14 initiatives; requiring Workforce Florida, Inc.,  
15 to establish the grant program, subject to  
16 legislative appropriation; specifying types of  
17 organizations that are eligible to receive a  
18 grant under the program; providing requirements  
19 for matching funds; providing requirements for  
20 administering and evaluating the grant program;  
21 transferring, renumbering, and amending s.  
22 288.9955, F.S., relating to the Untried Worker  
23 Placement and Employment Incentive Act;  
24 conforming provisions to changes made by the  
25 act; transferring, renumbering, and amending s.  
26 414.15, F.S.; providing certain diversion  
27 services under the one-stop delivery system;  
28 providing for regional workforce boards to  
29 determine eligibility for diversion services;  
30 deleting certain limitations on diversion  
31 payments; creating s. 445.018, F.S.; providing



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1 for a diversion program to strengthen families;  
2 specifying services that may be offered under  
3 the program; providing that such services are  
4 not assistance under federal law or guidelines;  
5 requiring families that receive services to  
6 agree not to apply for temporary cash  
7 assistance for a specified period unless an  
8 emergency arises; providing requirements for  
9 repaying the value of services provided;  
10 transferring, renumbering, and amending s.  
11 414.159, F.S., relating to the teen parent and  
12 pregnancy prevention diversion program;  
13 conforming cross references to changes made by  
14 the act; creating s. 445.020, F.S.; providing  
15 for certain criteria for establishing  
16 eligibility for diversion programs;  
17 transferring, renumbering, and amending s.  
18 414.155, F.S., relating to the relocation  
19 assistance program; providing duties of the  
20 regional workforce boards; revising eligibility  
21 requirements for services under the program;  
22 requiring the board of directors of Workforce  
23 Florida, Inc., to determine eligibility  
24 criteria and relocation plans; transferring,  
25 renumbering, and amending s. 414.223, F.S.,  
26 relating to Retention Incentive Training  
27 Accounts; authorizing the board of directors of  
28 Workforce Florida, Inc., to establish such  
29 accounts; transferring, renumbering, and  
30 amending s. 414.18, F.S., relating to a program  
31 for dependent care for families with children

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1 with special needs; conforming provisions to  
2 changes made by the act; creating s. 445.024,  
3 F.S.; specifying the activities that satisfy  
4 the work requirements for a participant in the  
5 welfare transition program; providing for  
6 regional workforce boards to administer various  
7 subsidized employment programs formerly  
8 administered by the local WAGES coalitions;  
9 including GED preparation and literacy  
10 education within the activities that satisfy  
11 work requirements under the welfare transition  
12 program; providing requirements for  
13 participating in work activities; providing for  
14 certain individuals to be exempt from such  
15 requirements; requiring regional workforce  
16 boards to prioritize work requirements if funds  
17 are insufficient; requiring regional workforce  
18 boards to contract for work activities,  
19 training, and other services; transferring,  
20 renumbering, and amending s. 414.20, F.S.;  
21 authorizing the regional workforce boards to  
22 prioritize or limit certain support services;  
23 providing requirements for the boards in  
24 providing for counseling and therapy services;  
25 transferring, renumbering, and amending s.  
26 414.1525, F.S.; providing for a severance  
27 benefit in lieu of cash assistance payments;  
28 requiring the regional workforce boards to  
29 determine eligibility for such a benefit;  
30 creating s. 445.028, F.S.; requiring the  
31 Department of Children and Family Services, in

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1 cooperation with Workforce Florida, Inc., to  
2 provide for certain transitional benefits and  
3 services for families leaving the temporary  
4 cash assistance program; transferring,  
5 renumbering, and amending s. 414.21, F.S.,  
6 relating to transitional medical benefits;  
7 clarifying requirements for notification;  
8 transferring, renumbering, and amending s.  
9 414.22, F.S.; authorizing the board of  
10 directors of Workforce Florida, Inc., to  
11 prioritize transitional education and training;  
12 providing for regional workforce boards to  
13 authorize child care or other services;  
14 transferring, renumbering, and amending s.  
15 414.225, F.S.; providing for transitional  
16 transportation services administered by  
17 regional workforce boards; expanding the period  
18 such services may be available; creating s.  
19 445.032, F.S.; providing for transitional child  
20 care services; authorizing regional workforce  
21 boards to prioritize such services;  
22 transferring, renumbering, and amending s.  
23 414.23, F.S.; providing for the evaluation of  
24 programs funded under Temporary Assistance for  
25 Needy Families; creating s. 445.034, F.S.;  
26 providing requirements for expenditures from  
27 the Temporary Assistance for Needy Families  
28 block grant; transferring, renumbering, and  
29 amending s. 414.44, F.S.; requiring the board  
30 of directors of Workforce Florida, Inc., to  
31 collect data and make reports; amending s.

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1 414.025, F.S.; revising legislative intent with  
2 respect to the programs administered under  
3 chapter 414, F.S., to conform to changes made  
4 by the act; amending s. 414.0252, F.S.;  
5 revising definitions; amending s. 414.045,  
6 F.S., relating to the cash assistance program;  
7 specifying families that are considered to be  
8 work eligible cases; providing for the regional  
9 workforce boards to provide for service  
10 delivery for work eligible cases; amending s.  
11 414.065, F.S.; deleting provisions governing  
12 work activities to conform to changes made by  
13 the act; providing an additional exception to  
14 certain noncompliance penalties; amending s.  
15 414.085, F.S.; specifying eligibility standards  
16 for the temporary cash assistance program;  
17 amending s. 414.095, F.S.; revising  
18 requirements for determining eligibility for  
19 temporary cash assistance; conforming cross  
20 references to changes made by the act; revising  
21 eligibility requirements for noncitizens;  
22 amending s. 414.105, F.S.; revising procedures  
23 for reviewing exemptions from the requirements  
24 for eligibility for temporary cash assistance;  
25 deleting certain limitations on the period of  
26 such exemptions; providing an extension of  
27 certain time limitations with respect to an  
28 applicant for supplemental security disability  
29 income (SSDI); providing for the regional  
30 workforce boards to review the prospects of  
31 certain participants for employment; amending

1 s. 414.157, F.S., relating to the diversion  
2 program for victims of domestic violence;  
3 conforming provisions to changes made by the  
4 act; amending s. 414.158, F.S.; providing for a  
5 diversion program to prevent or reduce child  
6 abuse and neglect; providing for eligibility;  
7 amending ss. 414.35 and 414.36, F.S., relating  
8 to emergency relief and the recovery of  
9 overpayments; deleting obsolete provisions;  
10 amending ss. 414.39 and 414.41, F.S., relating  
11 to case screening and the recovery of certain  
12 payments; conforming provisions to changes made  
13 by the act; amending s. 414.55, F.S.; deleting  
14 provisions authorizing a delay in the  
15 implementation of certain programs; providing  
16 for Workforce Florida, Inc., to implement the  
17 community work program; amending s. 414.70,  
18 F.S.; revising certain provisions of a  
19 drug-testing and drug-screening program to  
20 conform to changes made by the act; deleting  
21 obsolete provisions; repealing ss. 239.249,  
22 288.9950, 288.9954, 288.9957, 288.9958,  
23 288.9959, 414.015, 414.026, 414.0267, 414.027,  
24 414.028, 414.029, 414.030, 414.055, 414.125,  
25 414.25, and 414.38, F.S., relating to funding  
26 for vocational and technical education  
27 programs, the Workforce Florida Act of 1996,  
28 the Workforce Development Board, the WAGES  
29 Program State Board of Directors, the WAGES  
30 Program, matching grants, local WAGES  
31 coalitions, the WAGES Program business

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1 registry, WAGES Program Employment Projects,  
2 one-stop career centers, the Learnfare Program,  
3 exemptions from requirements for certain leases  
4 of real property, and certain pilot programs;  
5 conforming provisions to changes made by the  
6 act; amending s. 14.2015, F.S.; providing  
7 additional duties of the Office of Tourism,  
8 Trade, and Economic Development within the  
9 Executive Office of the Governor with respect  
10 to workforce development; requiring that the  
11 office cooperate and contract with Workforce  
12 Florida, Inc., in performing certain functions;  
13 amending s. 20.171, F.S.; revising duties of  
14 the Assistant Secretary for Programs and  
15 Operations within the Department of Labor and  
16 Employment Security; abolishing the Division of  
17 Workforce and Employment Opportunities within  
18 the department to conform to changes made by  
19 the act; creating s. 20.50, F.S.; creating the  
20 Agency for Workforce Innovation in the  
21 Department of Management Services; specifying  
22 duties of the agency; providing for the agency  
23 to administer the Office of Workforce Services,  
24 the Office of Workforce Support Services, the  
25 Office of Workforce Investment and  
26 Accountability, and the Office of Workforce  
27 Information Services; specifying the federal  
28 grants and other funds assigned to the agency  
29 for administration; amending s. 212.08, F.S.,  
30 relating to sales tax exemptions; deleting a  
31 requirement that a business register with the

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1 WAGES Program Business Registry for purposes of  
2 qualifying for certain exemptions; amending s.  
3 212.096, F.S.; redefining the term "new  
4 employee" to include participants in the  
5 welfare transition program for purposes of  
6 certain tax credits; amending ss. 212.097 and  
7 212.098, F.S., relating to job tax credits;  
8 providing eligibility for tax credits to  
9 certain businesses that hire participants in  
10 the welfare transition program; amending s.  
11 216.136, F.S.; redesignating the Occupational  
12 Forecasting Conference as the "Workforce  
13 Estimating Conference"; specifying additional  
14 duties of the conference with respect to  
15 developing forecasts for employment demands and  
16 occupational trends; amending s. 220.181, F.S.,  
17 relating to the enterprise zone jobs credit;  
18 providing for businesses that hire participants  
19 in the welfare transition program to be  
20 eligible for the credit; amending s. 230.2305,  
21 F.S., relating to the prekindergarten early  
22 intervention program; providing eligibility for  
23 children whose parents participate in the  
24 welfare transition program; amending s. 232.17,  
25 F.S.; revising requirements for administering  
26 the Child Labor Law to conform to changes made  
27 by the act; amending s. 234.01, F.S.; providing  
28 for school boards to provide transportation  
29 services to participants in the welfare  
30 transition program; amending s. 234.211, F.S.,  
31 relating to the use of school buses; conforming

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1 provisions to changes made by the act; amending  
2 s. 239.105, F.S.; redefining the term "degree  
3 vocational education program" for purposes of  
4 ch. 239, F.S.; amending s. 239.115, F.S.;  
5 providing for a program to be used to provide  
6 customized training for businesses; providing  
7 for remaining balances to carry over; providing  
8 for performance funds to be distributed to  
9 certain workforce programs; conforming  
10 provisions to changes made by the act; amending  
11 s. 239.117, F.S.; providing for school  
12 districts or community colleges to pay the fees  
13 of students enrolled in a program under the  
14 welfare transition program; amending s.  
15 239.229, F.S.; requiring the Department of  
16 Education to update certain vocational, adult,  
17 and community education programs and  
18 establishes restrictions on job training  
19 programs; amending s. 239.301, F.S.; providing  
20 for literacy assessments and other specialized  
21 services for participants in the welfare  
22 transition program; amending s. 239.514, F.S.,  
23 relating to the Workforce Development  
24 Capitalization Incentive Grant Program;  
25 conforming provisions to changes made by the  
26 act; amending s. 240.209, F.S.; requiring that  
27 the Board of Regents consider industry-driven  
28 competencies in certain program reviews;  
29 amending s. 240.312, F.S.; revising  
30 requirements for reviewing certificate career  
31 education programs and certain degree programs;



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1 amending s. 240.35, F.S.; providing for  
2 students enrolled in employment and training  
3 programs under the welfare transition program  
4 to be exempt from certain fees; amending ss.  
5 240.40207 and 240.40685, F.S., relating to the  
6 Florida Gold Seal Vocational Scholars award and  
7 the Certified Education Paraprofessional  
8 Welfare Transition Program; conforming  
9 provisions to changes made by the act; amending  
10 s. 240.61, F.S., relating to college reach-out  
11 programs; providing for including temporary  
12 cash assistance in determining eligibility;  
13 amending s. 246.50, F.S.; providing for  
14 recipients of temporary cash assistance to be  
15 eligible for the Teacher-Aide Welfare  
16 Transition Program; amending ss. 288.046,  
17 288.047, and 288.0656, F.S., relating to  
18 quick-response training; deleting a reference  
19 to targeted industrial clusters; providing for  
20 the program to be administered by Workforce  
21 Florida, Inc., in conjunction with Enterprise  
22 Florida, Inc.; abolishing the advisory  
23 committee; revising requirements for the grant  
24 agreements; providing for a Quick-Response  
25 Training Program for participants in the  
26 welfare transition program; amending s.  
27 288.901, F.S.; providing for the chair of  
28 Workforce Florida, Inc., to be a member of the  
29 board of directors of Enterprise Florida, Inc.;  
30 amending ss. 288.904, 288.905, and 288.906,  
31 F.S.; revising the duties and functions of

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1 Enterprise Florida, Inc., to conform to changes  
2 made by the act; amending s. 320.20, F.S.;  
3 providing for employing participants in the  
4 welfare transition program for certain projects  
5 of the Department of Transportation and the  
6 Florida Seaport Transportation and Economic  
7 Development Council; amending ss. 322.34 and  
8 341.052, F.S., relating to proceeds from the  
9 sale of seized motor vehicles and a public  
10 transit block grant program; conforming  
11 provisions to changes made by the act; amending  
12 s. 402.3015, F.S.; including children who  
13 participate in certain diversion programs under  
14 ch. 445, F.S., in the subsidized child care  
15 program; providing for certain needy families  
16 to be eligible to participate in the subsidized  
17 child care program; amending s. 402.33, F.S.;  
18 defining the term "state and federal aid" to  
19 include temporary cash assistance; amending s.  
20 402.40, F.S.; revising membership requirements  
21 of the Child Welfare Standards and Training  
22 Council to reflect changes made by the act;  
23 amending s. 402.45, F.S., relating to the  
24 community resource mother or father program;  
25 providing for eligibility for recipients of  
26 temporary cash assistance; amending s. 403.973,  
27 F.S.; providing for expedited permitting of  
28 projects that employ participants in the  
29 welfare transition program; amending ss.  
30 409.2554 and 409.259, F.S., relating to the  
31 child support enforcement program; conforming

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1 provisions to changes made by the act; amending  
2 s. 409.2564, F.S.; correcting a cross  
3 reference, to conform; amending s. 409.903,  
4 F.S., relating to payments for medical  
5 assistance; conforming provisions; amending s.  
6 409.942, F.S.; requiring Workforce Florida,  
7 Inc., to establish an electronic benefit  
8 transfer program; requiring that the program be  
9 compatible with the benefit transfer program of  
10 the Department of Children and Family Services;  
11 amending ss. 411.01, 411.232, and 411.242,  
12 F.S., relating to the Florida Partnership for  
13 School Readiness, the Children's Early  
14 Investment Program, and the Education Now and  
15 Babies Later Program; conforming provisions and  
16 revising eligibility for such programs;  
17 amending s. 413.82, F.S., relating to  
18 occupational access and opportunity; conforming  
19 a definition to changes made by the act;  
20 amending s. 421.10, F.S., relating to housing  
21 authorities; conforming income requirements;  
22 amending ss. 427.013, 427.0155, and 427.0157,  
23 F.S., relating to the Commission for the  
24 Transportation Disadvantaged and community  
25 transportation programs; providing for the  
26 Division of Workforce Development within the  
27 Department of Education to perform duties with  
28 respect to apprenticeship training which were  
29 formerly performed by the Division of Jobs and  
30 Benefits within the Department of Labor and  
31 Employment Security; providing for the Division

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1 of Workforce Development within the Department  
2 of Education to perform duties with respect to  
3 apprenticeship training which were formerly  
4 performed by the Division of Jobs and Benefits  
5 within the Department of Labor and Employment  
6 Security; redesignating the State  
7 Apprenticeship Council as the "State  
8 Apprenticeship Advisory Council"; revising the  
9 method of appointing members to the council;  
10 amending ss. 443.091, 443.151, 443.181,  
11 443.211, 443.221, 443.231, 446.011, 446.021,  
12 446.032, 446.041, 446.045, 446.052, 446.061,  
13 446.071, and 446.075, F.S., to conform;  
14 amending ss. 446.40, 446.41, 446.42, 446.43,  
15 and 446.44, F.S.; redesignating the Rural  
16 Manpower Services Program as the "Rural  
17 Workforce Services Program"; providing for the  
18 Division of Workforce Administrative Support of  
19 the Department of Management Services to  
20 administer the program under the direction of  
21 Workforce Florida, Inc.; amending s. 446.50,  
22 F.S.; requiring the Agency for Workforce  
23 Innovation to administer services for displaced  
24 homemakers under the direction of Workforce  
25 Florida, Inc.; requiring Workforce Florida,  
26 Inc., to develop the plan for the program;  
27 amending ss. 447.02, 447.04, 447.041, 447.045,  
28 447.06, 447.12, and 447.16, F.S.; providing for  
29 part I of ch. 447, F.S., relating to the  
30 regulation of labor organizations, to be  
31 administered by the Department of Labor and

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1           Employment Security; deleting references to the  
2           Division of Jobs and Benefits; amending s.  
3           447.305, F.S., relating to the registration of  
4           employee organizations; providing for  
5           administration by the Department of Labor and  
6           Employment Security; amending ss. 450.012,  
7           450.061, 450.081, 450.095, 450.121, 450.132,  
8           and 450.141, F.S.; providing for part I of ch.  
9           450, F.S., relating to child labor, to be  
10          administered by the Department of Labor and  
11          Employment Security; deleting references to the  
12          Division of Jobs and Benefits; amending s.  
13          450.191, F.S., relating to the duties of the  
14          Executive Office of the Governor with respect  
15          to migrant labor; conforming provisions to  
16          changes made by the act; amending ss. 450.28,  
17          450.30, 450.31, 450.33, 450.35, 450.36, 450.37,  
18          and 450.38, F.S., relating to farm labor  
19          registration; providing for part III of ch.  
20          450, F.S., to be administered by the Department  
21          of Labor and Employment Security; deleting  
22          references to the Division of Jobs and  
23          Benefits; amending s. 497.419, F.S., relating  
24          to preneed contracts; conforming provisions to  
25          changes made by the act; amending s. 240.3341,  
26          F.S.; encouraging community colleges to  
27          establish incubator facilities for digital  
28          media content and technology development;  
29          requiring the Workforce Development Board to  
30          reserve funds for digital media industry  
31          training; providing direction on training;

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1           creating s. 240.710, F.S.; requiring the Board  
2           of Regents to create a Digital Media Education  
3           Coordination Group; providing for membership;  
4           providing purposes; requiring the group to  
5           develop a plan and submit the plan to the  
6           Legislature; authorizing Workforce Florida,  
7           Inc., to use certain funds for certain  
8           purposes; creating s. 445.012, F.S.;  
9           establishing the Careers for Florida's Future  
10          Incentive Grant Program; providing for loans to  
11          encourage students to obtain degrees or  
12          certificates in advanced technology fields;  
13          requiring Workforce Florida, Inc., to manage  
14          the grant program, under contract with the  
15          Department of Education; providing for the  
16          allocation of funds; providing for regional  
17          workforce boards to determine award recipients;  
18          specifying the amount of the grants; providing  
19          for the transfer of a grant award; creating s.  
20          445.0121, F.S.; providing eligibility  
21          requirements for an initial incentive grant  
22          award; creating s. 445.0122, F.S.; providing  
23          for renewal of grants; creating s. 445.0123,  
24          F.S.; specifying postsecondary education  
25          institutions that are eligible to enroll a  
26          student who receives an incentive grant;  
27          creating s. 445.0124, F.S.; specifying eligible  
28          programs; creating s. 445.0125, F.S.; providing  
29          a repayment schedule after termination of an  
30          incentive grant; creating s. 445.014, F.S.;  
31          providing for a small business workforce

1 service initiative; requiring Workforce  
2 Florida, Inc., to establish a program for  
3 support services to small businesses, subject  
4 to legislative appropriation; specifying  
5 eligible uses of funds under the program;  
6 providing program criteria; defining the term  
7 "small business" for purposes of the program;  
8 providing that income earned as a temporary  
9 federal census worker shall be disregarded in  
10 determination of eligibility for certain public  
11 assistance programs; providing limitations;  
12 providing appropriations; amending s. 402.305,  
13 F.S., to conform certain cross references;  
14 providing that no entitlement is created by the  
15 act; providing for expiration of specified  
16 sections; providing for severability; providing  
17 effective dates.

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