

By Senators King, Holzendorf, Diaz-Balart, Sullivan, Myers,
Klein, Burt, Kirkpatrick, Kurth, Hargrett, Sebesta and Silver

8-762D-00

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

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

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

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

1 creating s. 445.012, F.S.; establishing the
2 Careers for Florida's Future Incentive Grant
3 Program; providing for loans to encourage
4 students to obtain degrees or certificates in
5 advanced technology fields; requiring Workforce
6 Florida, Inc., to manage the grant program,
7 under contract with the Department of
8 Education; providing for the allocation of
9 funds; providing for regional workforce boards
10 to determine award recipients; specifying the
11 amount of the grants; providing for the
12 transfer of a grant award; creating s.
13 445.0121, F.S.; providing eligibility
14 requirements for an initial incentive grant
15 award; creating s. 445.0122, F.S.; providing
16 for renewal of grants; creating s. 445.0123,
17 F.S.; specifying postsecondary education
18 institutions that are eligible to enroll a
19 student who receives an incentive grant;
20 creating s. 445.0124, F.S.; specifying eligible
21 programs; creating s. 445.0125, F.S.; providing
22 a repayment schedule after termination of an
23 incentive grant; creating s. 445.0128, F.S.;
24 authorizing school boards and community college
25 boards of trustees to apply to Workforce
26 Florida, Inc., for workplace education grants;
27 providing requirements for grant applications;
28 providing for a workplace education
29 coordinator; providing program requirements;
30 creating s. 445.013, F.S.; providing for
31 challenge grants in support of welfare-to-work

1 initiatives; requiring Workforce Florida, Inc.,
2 to establish the grant program, subject to
3 legislative appropriation; specifying types of
4 organizations that are eligible to receive a
5 grant under the program; providing requirements
6 for matching funds; providing requirements for
7 administering and evaluating the grant program;
8 creating s. 445.014, F.S.; providing for a
9 small business workforce service initiative;
10 requiring Workforce Florida, Inc., to establish
11 a program for support services to small
12 businesses, subject to legislative
13 appropriation; specifying eligible uses of
14 funds under the program; providing program
15 criteria; defining the term "small business"
16 for purposes of the program; creating s.
17 445.015, F.S.; providing for initiatives to
18 support economic development for working poor
19 families; authorizing Workforce Florida, Inc.,
20 to establish economic-development projects for
21 families at risk of welfare dependency, subject
22 to legislative appropriation; providing
23 eligibility requirements; requiring Workforce
24 Florida, Inc., to establish a pilot grant
25 program for youth internships, subject to
26 legislative appropriation; specifying the
27 amount of a grant under the program; providing
28 for eligibility; requiring a business to submit
29 an internship work plan; specifying criteria
30 for evaluating an application for funding of an
31 internship; requiring Workforce Florida, Inc.,

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

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

1 boards to prioritize work requirements if funds
2 are insufficient; requiring regional workforce
3 boards to contract for work activities,
4 training, and other services; transferring,
5 renumbering, and amending s. 414.20, F.S.;
6 authorizing the regional workforce boards to
7 prioritize or limit certain support services;
8 providing requirements for the boards in
9 providing for counseling and therapy services;
10 transferring, renumbering, and amending s.
11 414.1525, F.S.; providing for a severance
12 benefit in lieu of cash assistance payments;
13 requiring the regional workforce boards to
14 determine eligibility for such a benefit;
15 creating s. 445.028, F.S.; requiring the
16 Department of Children and Family Services, in
17 cooperation with Workforce Florida, Inc., to
18 provide for certain transitional benefits and
19 services for families leaving the temporary
20 cash assistance program; transferring,
21 renumbering, and amending s. 414.21, F.S.,
22 relating to transitional medical benefits;
23 clarifying requirements for notification;
24 transferring, renumbering, and amending s.
25 414.22, F.S.; authorizing the board of
26 directors of Workforce Florida, Inc., to
27 prioritize transitional education and training;
28 providing for regional workforce boards to
29 authorize child care or other services;
30 transferring, renumbering, and amending s.
31 414.225, F.S.; providing for transitional

1 transportation services administered by
2 regional workforce boards; expanding the period
3 such services may be available; creating s.
4 445.032, F.S.; providing for transitional child
5 care services; authorizing regional workforce
6 boards to prioritize such services;
7 transferring, renumbering, and amending s.
8 414.23, F.S.; providing for the evaluation of
9 programs funded under Temporary Assistance for
10 Needy Families; creating s. 445.034, F.S.;
11 providing requirements for expenditures from
12 the Temporary Assistance for Needy Families
13 block grant; transferring, renumbering, and
14 amending s. 414.44, F.S.; requiring the board
15 of directors of Workforce Florida, Inc., to
16 collect data and make reports; amending s.
17 414.025, F.S.; revising legislative intent with
18 respect to the programs administered under
19 chapter 414, F.S., to conform to changes made
20 by the act; amending s. 414.0252, F.S.;
21 revising definitions; amending s. 414.045,
22 F.S., relating to the cash assistance program;
23 specifying families that are considered to be
24 work-eligible cases; providing for the regional
25 workforce boards to provide for service
26 delivery for work-eligible cases; amending s.
27 414.065, F.S.; deleting provisions governing
28 work activities to conform to changes made by
29 the act; amending s. 414.085, F.S.; specifying
30 eligibility standards for the temporary cash
31 assistance program; amending s. 414.095, F.S.;

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

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

1 the department to conform to changes made by
2 the act; amending s. 20.22, F.S.; creating the
3 Division of Workforce Administrative Support
4 within the Department of Management Services;
5 specifying duties of the division; providing
6 for the division to administer the Office of
7 One-Stop Workforce Services, the Office of
8 Workforce Investment and Accountability, and
9 the Office of Workforce Information Services;
10 specifying the federal grants and other funds
11 assigned to the division for administration;
12 amending s. 212.08, F.S., relating to sales tax
13 exemptions; deleting a requirement that a
14 business register with the WAGES Program
15 Business Registry for purposes of qualifying
16 for certain exemptions; amending s. 212.096,
17 F.S.; redefining the term "new employee" to
18 include participants in the welfare-transition
19 program for purposes of certain tax credits;
20 amending ss. 212.097, 212.098, F.S., relating
21 to job tax credits; providing eligibility for
22 tax credits to certain businesses that hire
23 participants in the welfare-transition program;
24 amending s. 216.136, F.S.; redesignating the
25 Occupational Forecasting Conference as the
26 "Workforce Estimating Conference"; specifying
27 additional duties of the conference with
28 respect to developing forecasts for employment
29 demands and occupational trends; amending s.
30 220.181, F.S., relating to the enterprise zone
31 jobs credit; providing for businesses that hire

1 participants in the welfare-transition program
2 to be eligible for the credit; amending s.
3 230.2305, F.S., relating to the prekindergarten
4 early intervention program; providing
5 eligibility for children whose parents
6 participate in the welfare-transition program;
7 amending s. 232.17, F.S.; revising requirements
8 for administering the Child Labor Law to
9 conform to changes made by the act; amending s.
10 234.01, F.S.; providing for school boards to
11 provide transportation services to participants
12 in the welfare-transition program; amending s.
13 234.211, F.S., relating to the use of school
14 buses; conforming provisions to changes made by
15 the act; amending s. 239.105, F.S.; redefining
16 the term "degree vocational education program"
17 for purposes of ch. 239, F.S.; amending s.
18 239.115, F.S.; providing for a response fund to
19 be used to provide customized training for
20 businesses; providing for remaining balances to
21 carry over; providing for performance funds to
22 be distributed to certain workforce programs;
23 conforming provisions to changes made by the
24 act; amending s. 239.117, F.S.; providing for
25 school districts or community colleges to pay
26 the fees of students enrolled in a program
27 under the welfare-transition program; amending
28 s. 239.229, F.S.; requiring the Department of
29 Education to update certain vocational, adult,
30 and community education programs; amending s.
31 239.301, F.S.; providing for literacy

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

1 Florida, Inc., in conjunction with Enterprise
2 Florida, Inc.; abolishing the advisory
3 committee; revising requirements for the grant
4 agreements; providing for a Quick-Response
5 Training Program for participants in the
6 welfare-transition program; amending s.
7 288.901, F.S.; providing for the chairperson of
8 Workforce Florida, Inc., to be a member of the
9 board of directors of Enterprise Florida, Inc.;
10 amending ss. 288.904, 288.905, 288.906, F.S.;
11 revising the duties and functions of Enterprise
12 Florida, Inc., to conform to changes made by
13 the act; amending s. 320.20, F.S.; providing
14 for employing participants in the
15 welfare-transition program for certain projects
16 of the Department of Transportation and the
17 Florida Seaport Transportation and Economic
18 Development Council; amending ss. 322.34,
19 341.052, F.S., relating to proceeds from the
20 sale of seized motor vehicles and a public
21 transit block grant program; conforming
22 provisions to changes made by the act; amending
23 s. 402.3015, F.S.; including children who
24 participate in certain diversion programs under
25 ch. 445, F.S., in the subsidized child care
26 program; providing for certain needy families
27 to be eligible to participate in the subsidized
28 child care program; amending s. 402.33, F.S.;
29 defining the term "state and federal aid" to
30 include temporary cash assistance; amending s.
31 402.40, F.S.; revising membership requirements

1 of the Child Welfare Standards and Training
2 Council to reflect changes made by the act;
3 amending s. 402.45, F.S., relating to the
4 community resource mother or father program;
5 providing for eligibility for recipients of
6 temporary cash assistance; amending s. 403.973,
7 F.S.; providing for expedited permitting of
8 projects that employ participants in the
9 welfare-transition program; amending ss.
10 409.2554, 409.259, F.S., relating to the child
11 support enforcement program; conforming
12 provisions to changes made by the act; amending
13 s. 409.903, F.S., relating to payments for
14 medical assistance; conforming provisions;
15 amending s. 409.942, F.S.; requiring Workforce
16 Florida, Inc., to establish an electronic
17 benefit transfer program; requiring that the
18 program be compatible with the benefit transfer
19 program of the Department of Children and
20 Family Services; amending ss. 411.01, 411.232,
21 411.242, F.S., relating to the Florida
22 Partnership for School Readiness, the
23 Children's Early Investment Program, and the
24 Education Now and Babies Later Program;
25 conforming provisions and revising eligibility
26 for such programs; amending s. 413.82, F.S.,
27 relating to occupational access and
28 opportunity; conforming a definition to changes
29 made by the act; amending s. 421.10, F.S.,
30 relating to housing authorities; conforming
31 income requirements; amending ss. 427.013,

1 427.0155, 427.0157, F.S., relating to the
2 Commission for the Transportation Disadvantaged
3 and community transportation programs;
4 conforming cross-references and provisions to
5 changes made by the act; amending s. 443.091,
6 443.151, F.S.; providing for the Division of
7 Workforce Administrative Support in the
8 Department of Management Services to administer
9 certain unemployment programs; providing for
10 the division to enforce certain requirements
11 for providing bilingual materials; amending s.
12 443.181, F.S.; providing for the division to
13 administer employment services under the policy
14 direction of Workforce Florida, Inc.; providing
15 for the one-stop delivery system to be the
16 primary method for delivering employment
17 services; amending ss. 443.211, 443.221,
18 443.231, F.S., relating to the Employment
19 Security Administration Trust Fund, reciprocal
20 arrangements, and the Florida Training
21 Investment Program; conforming provisions to
22 changes made by the act; requiring Workforce
23 Florida, Inc., to report to the Legislature on
24 its programs and on-the-job training; requiring
25 Workforce Florida, Inc., to make
26 recommendations for improving the programs and
27 decreasing costs; amending ss. 446.011,
28 446.021, 446.032, 446.041, 446.045, 446.052,
29 446.061, 446.071, 446.075, F.S.; providing for
30 the Division of Workforce Administrative
31 Support within the Department of Management

1 Services to perform duties with respect to
2 apprenticeship training which were formerly
3 performed by the Division of Jobs and Benefits
4 within the Department of Labor and Employment
5 Security; providing for the division to operate
6 under the direction of Workforce Florida, Inc.;
7 redesignating the State Apprenticeship Council
8 as the "State Apprenticeship Advisory Council";
9 revising the method of appointing members to
10 the council; amending ss. 446.40, 446.41,
11 446.42, 446.43, 446.44, F.S.; redesignating the
12 Rural Manpower Services Program as the "Rural
13 Workforce Services Program"; providing for the
14 Division of Workforce Administrative Support of
15 the Department of Management Services to
16 administer the program under the direction of
17 Workforce Florida, Inc.; amending s. 446.50,
18 F.S.; requiring the Division of Workforce
19 Administrative Support to administer services
20 for displaced homemakers under the direction of
21 Workforce Florida, Inc.; requiring Workforce
22 Florida, Inc., to develop the plan for the
23 program; amending ss. 447.02, 447.04, 447.041,
24 447.045, 447.06, 447.12, 447.16, F.S.;
25 providing for part I of ch. 447, F.S., relating
26 to the regulation of labor organizations, to be
27 administered by the Department of Labor and
28 Employment Security; deleting references to the
29 Division of Jobs and Benefits; amending s.
30 447.305, F.S., relating to the registration of
31 employee organizations; providing for

1 administration by the Department of Labor and
2 Employment Security; amending ss. 450.012,
3 450.061, 450.081, 450.095, 450.121, 450.132,
4 450.141, F.S.; providing for part I of ch. 450,
5 F.S., relating to child labor, to be
6 administered by the Department of Labor and
7 Employment Security; deleting references to the
8 Division of Jobs and Benefits; amending s.
9 450.191, F.S., relating to the duties of the
10 Executive Office of the Governor with respect
11 to migrant labor; conforming provisions to
12 changes made by the act; amending ss. 450.28,
13 450.30, 450.31, 450.33, 450.35, 450.36, 450.37,
14 450.38, F.S., relating to farm labor
15 registration; providing for part III of ch.
16 450, F.S., to be administered by the Department
17 of Labor and Employment Security; deleting
18 references to the Division of Jobs and
19 Benefits; amending s. 497.419, F.S., relating
20 to preneed contracts; conforming provisions to
21 changes made by the act; providing
22 appropriations; providing for severability;
23 providing effective dates.

24
25 WHEREAS, the state's workforce-development system and
26 the state's economic-development strategy are not coordinated,
27 with the result that there is an insufficient number of
28 potential employees who have the literacy skills, work ethic,
29 or work habits to meet the needs of employers in this state,
30 and
31

1 WHEREAS, the number of potential employees with
2 technical or professional skills is insufficient to meet the
3 needs of employers in this state, and

4 WHEREAS, Florida's welfare-reform initiative, the WAGES
5 Program, has reduced the welfare caseload by more than 75
6 percent, and these welfare-transition clients have joined
7 other "working poor" Floridians who need higher wages, jobs
8 with benefits, transportation, child care, and other
9 employment-support services, and

10 WHEREAS, to remain competitive in a changing
11 marketplace, employers in this state must continually upgrade
12 the job skills of their employees, and these "incumbent
13 workers" must be trained for career advancement, and

14 WHEREAS, small businesses provide entry-level
15 employment opportunities for many Floridians, yet the owners
16 of small businesses have limited resources for employee
17 recruitment or training, and

18 WHEREAS, more than \$4.6 billion is spent annually for
19 workforce programs through seven separate Florida agencies,
20 yet there is no focal point of accountability for system
21 performance, and

22 WHEREAS, the multiple and overlapping state and local
23 administrative structures associated with workforce and
24 welfare-reform efforts in this state have fragmented
25 accountability, wasted money, and frustrated efforts to
26 integrate workforce activities at the point of service, and

27 WHEREAS, it is the intent of the Florida Legislature
28 that this act create an environment in which families in this
29 state can achieve economic self-sufficiency through
30 employment, and

31

1 WHEREAS, it is the intent of the Florida Legislature
2 that this act enable Florida employers to meet their needs for
3 qualified, motivated employees, and

4 WHEREAS, it is the intent of the Florida Legislature
5 that this act encourage the continued growth of Florida's
6 economy by developing and retaining a highly skilled and
7 flexible workforce, NOW, THEREFORE,

8

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

10

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

13

14 445.001 Short title.--This chapter may be cited as the
"Workforce Innovation Act of 2000."

15

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

18

19 445.002 Definitions.--As used in this chapter, the
18 term:

19

20 (1) "Department" means the Department of Management
Services.

21

22 (2) "Services and one-time payments" or "services,"
when used in reference to individuals who are not receiving
23 temporary cash assistance, means nonrecurrent, short-term
24 benefits designed to deal with a specific crisis situation or
25 episode of need and other services; work subsidies; supportive
26 services such as child care and transportation; services such
27 as counseling, case management, peer support, and child care
28 information and referral; transitional services, job
29 retention, job advancement, and other employment-related
30 services; nonmedical treatment for substance abuse or mental
31 health problems; teen-pregnancy prevention and

1 responsible-fatherhood services; and any other services that
2 are reasonably calculated to further the purposes of the
3 welfare-transition program. Such terms do not include
4 assistance as defined in federal regulations at 45 C.F.R. s.
5 260.31(a).

6 (3) "Welfare-transition services" means those
7 workforce services provided to current or former recipients of
8 temporary cash assistance under chapter 414.

9 Section 3. Section 288.9956, Florida Statutes, is
10 transferred, renumbered as section 445.003, Florida Statutes,
11 and amended to read:

12 445.003 ~~288.9956~~ Implementation of the federal
13 Workforce Investment Act of 1998.--

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

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

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

23 (c) Universal Access.--Through a one-stop delivery
24 system ~~Career Centers~~, every Floridian will have access to
25 employment services.

26 (d) Increased Accountability.--The state, localities,
27 and training providers will be held accountable for their
28 performance.

29 (e) Local Board and Private Sector Leadership.--Local
30 boards will focus on strategic planning, policy development,
31 and oversight of the local system, choosing local managers to

1 direct the operational details of their one-stop delivery
2 system center ~~Career Centers~~.

3 (f) Local Flexibility and Integration.--Localities
4 will have exceptional flexibility to build on existing
5 reforms. Unified planning will free local groups from
6 conflicting micromanagement, while waivers and WorkFlex will
7 allow local innovations.

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

27 (3) FUNDING.--

28 (a) Title I, Workforce Investment Act of 1998 funds;
29 Wagner-Peyser funds; and NAFTA/Trade Act funds will be
30 expended based on the ~~Workforce Development Board's~~ 5-year
31 plan of Workforce Florida, Inc. The plan shall outline and

1 direct the method used to administer and coordinate various
2 funds and programs that are operated by various agencies. The
3 following provisions shall also apply to these funds:
4 1. At least 50 percent of the Title I funds for Adults
5 and Dislocated Workers that are passed through to regional
6 workforce ~~development~~ boards shall be allocated to Individual
7 Training Accounts unless a regional workforce ~~development~~
8 board obtains a waiver from ~~the~~ Workforce Florida, Inc.
9 ~~Development Board.~~ Tuition, fees, and performance-based
10 incentive awards paid in compliance with Florida's
11 Performance-Based Incentive Fund Program qualify as an
12 Individual Training Account expenditure, as do other programs
13 developed by regional workforce ~~development~~ boards in
14 compliance with ~~the Workforce Development Board's~~ policies of
15 Workforce Florida, Inc.
16 2. Fifteen percent of Title I funding shall be
17 retained at the state level and shall be dedicated to state
18 administration and used to design, develop, induce, and fund
19 innovative Individual Training Account pilots, demonstrations,
20 and programs. Of such funds retained at the state level, \$2
21 million shall be reserved for the Incumbent Worker Training
22 Program, created under subparagraph 3. Eligible state
23 administration costs include the costs of: funding for ~~of~~ the
24 ~~Workforce Development~~ board and ~~Workforce Development Board's~~
25 staff of Workforce Florida, Inc.; operating fiscal,
26 compliance, and management accountability systems through ~~the~~
27 Workforce Florida, Inc. ~~Development Board;~~ conducting
28 evaluation and research on workforce development activities;
29 and providing technical and capacity building assistance to
30 regions at the direction of ~~the~~ Workforce Florida, Inc.
31 ~~Development Board.~~ Notwithstanding s. 288.9952, such

1 administrative costs shall not exceed 25 percent of these
2 funds. An amount not to exceed 75 ~~Seventy~~ percent of these
3 funds shall be allocated to Individual Training Accounts and
4 other workforce-development strategies for: the Minority
5 Teacher Education Scholars program, the Certified Teacher-Aide
6 program, the Self-Employment Institute, and other training
7 ~~Individual Training Accounts~~ designed and tailored by ~~the~~
8 Workforce Florida, Inc. ~~Development Board~~, including, but not
9 limited to, programs for incumbent workers, displaced
10 homemakers, nontraditional employment, empowerment zones, and
11 enterprise zones. ~~The Workforce Florida, Inc., Development~~
12 ~~Board~~ shall design, adopt, and fund Individual Training
13 Accounts for distressed urban and rural communities. ~~The~~
14 ~~remaining 5 percent shall be reserved for the Incumbent Worker~~
15 ~~Training Program.~~

16 3. The Incumbent Worker Training Program is created
17 for the purpose of providing grant funding for continuing
18 education and training of incumbent employees at existing
19 Florida businesses. The program will provide reimbursement
20 grants to businesses that pay for preapproved, direct,
21 training-related costs.

22 a. The Incumbent Worker Training Program will be
23 administered by ~~a private business organization, known as the~~
24 ~~grant administrator, under contract with the~~ Workforce
25 Florida, Inc. ~~Development Board.~~ Workforce Florida, Inc., at
26 its discretion, may contract with a private business
27 organization to serve as grant administrator.

28 b. To be eligible for the program's grant funding, a
29 business must have been in operation in Florida for a minimum
30 of 1 year prior to the application for grant funding; have at
31 least one full-time employee; demonstrate financial viability;

1 and be current on all state tax obligations. Priority for
2 funding shall be given to businesses with 25 employees or
3 fewer, businesses in rural areas, businesses in distressed
4 inner-city areas, businesses in a qualified targeted industry,
5 ~~or~~ businesses whose grant proposals represent a significant
6 upgrade in employee skills, or businesses whose grant
7 proposals represent a significant layoff-avoidance strategy.

8 c. All costs reimbursed by the program must be
9 preapproved by the grant administrator. The program will not
10 reimburse businesses for trainee wages, the purchase of
11 capital equipment, or the purchase of any item or service that
12 may possibly be used outside the training project. A business
13 approved for a grant may be reimbursed for preapproved,
14 direct, training-related costs including tuition and fees;
15 books and classroom materials; and overhead or indirect
16 ~~administrative~~ costs not to exceed 5 percent of the grant
17 amount.

18 d. A business that is selected to receive grant
19 funding must provide a matching contribution to the training
20 project, including but not limited to, wages paid to trainees
21 or the purchase of capital equipment used in the training
22 project; must sign an agreement with the grant administrator
23 to complete the training project as proposed in the
24 application; must keep accurate records of the project's
25 implementation process; and must submit monthly or quarterly
26 reimbursement requests with required documentation.

27 e. All Incumbent Worker Training Program grant
28 projects shall be performance-based with specific measurable
29 performance outcomes, including completion of the training
30 project and job retention. The grant administrator shall
31 withhold the final payment to the grantee until a final grant

1 report is submitted and all performance criteria specified in
2 the grant contract have been achieved.

3 f. ~~The Workforce Florida, Inc., may Development Board~~
4 ~~is authorized to~~ establish guidelines necessary to implement
5 the Incumbent Worker Training Program.

6 g. No more than 10 percent of the Incumbent Worker
7 Training Program's total appropriation may be used for
8 overhead or indirect administrative purposes.

9 h. The grant administrator shall ~~is required to~~ submit
10 a report to ~~the Workforce Florida, Inc., Development Board~~ and
11 the Legislature on the financial and general operations of the
12 Incumbent Worker Training Program. Such report will be due
13 before October ~~December~~ 1 of any fiscal year for which the
14 program is funded by the Legislature.

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

1 based on a plan developed by ~~the~~ Workforce Florida, Inc.,
2 ~~Development Board~~ and approved by the Governor.

3 (b) The administrative entity for Title I, Workforce
4 Investment Act of 1998 funds, and Rapid Response activities,
5 will be determined by ~~the~~ Workforce Florida, Inc.~~Development~~
6 ~~Board, except that the administrative entity for Rapid~~
7 ~~Response for fiscal year 1999-2000 must be the Department of~~
8 ~~Labor and Employment Security.~~The administrative entity will
9 provide services through a contractual agreement with ~~the~~
10 Workforce Florida, Inc.~~Development Board.~~The terms and
11 conditions of the agreement may include, but are not limited
12 to, the following:

13 1. All policy direction to regional workforce
14 ~~development~~ boards regarding Title I programs and Rapid
15 Response activities shall emanate from the administrative
16 entity pursuant to the direction of Workforce Florida, Inc.
17 ~~Development Board.~~

18 2. Any policies by a state agency acting as an
19 administrative entity which may materially impact local
20 workforce boards, local governments, or educational
21 institutions must be adopted ~~promulgated~~ under chapter 120.

22 3. ~~The administrative entity will operate under a~~
23 ~~procedures manual, approved by the Workforce Development~~
24 ~~Board, addressing: financial services including cash~~
25 ~~management, accounting, and auditing; procurement; management~~
26 ~~information system services; and federal and state compliance~~
27 ~~monitoring, including quality control.~~

28 3.4. State Career Service employees in the ~~Department~~
29 ~~of Labor and Employment Security~~ may be leased or assigned to
30 the administrative entity to provide administrative and
31 professional functions.

1 (4) FEDERAL REQUIREMENTS, EXCEPTIONS AND REQUIRED
2 MODIFICATIONS.--

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

7 (b) ~~The Workforce Florida, Inc., Development Board~~ may
8 negotiate and settle all outstanding issues with the United
9 States Department of Labor relating to decisions made by ~~the~~
10 Workforce Florida, Inc., any predecessor workforce
11 organization, Development Board and the Legislature with
12 regard to the Job Training Partnership Act, making settlements
13 and closing out all JTPA program year grants ~~before the repeal~~
14 ~~of the act June 30, 2000.~~

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

23 (5) The Department of Labor and Employment Security
24 shall phase-down JTPA duties before the federal program is
25 abolished July 1, 2000. Outstanding accounts and issues shall
26 be promptly closed out after this date.

27 (6) LONG-TERM CONSOLIDATION OF WORKFORCE
28 DEVELOPMENT.--

29 ~~(a) The Workforce Florida, Inc., Development Board~~ may
30 recommend workforce-related divisions, bureaus, units,
31

1 programs, duties, commissions, boards, and councils that can
2 be eliminated, consolidated, or privatized.

3 ~~(b) By December 31, 1999, the Office of Program Policy~~
4 ~~Analysis and Government Accountability shall review the~~
5 ~~workforce development system, identifying divisions, bureaus,~~
6 ~~units, programs, duties, commissions, boards, and councils~~
7 ~~that could be eliminated, consolidated, or privatized. The~~
8 ~~office shall submit preliminary findings by December 31, 1999,~~
9 ~~and its final report and recommendations by January 31, 2000,~~
10 ~~to the President of the Senate and the Speaker of the House of~~
11 ~~Representatives. As part of the report, the Office of Program~~
12 ~~Policy Analysis and Government Accountability shall~~
13 ~~specifically identify, by funding stream, indirect,~~
14 ~~administrative, management information system, and overhead~~
15 ~~costs of the Department of Labor and Employment Security.~~

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

29 Section 4. Section 288.9952, Florida Statutes, is
30 transferred, renumbered as section 445.004, Florida Statutes,
31 and amended to read:

1 445.004 ~~288.9952~~ Workforce Florida, Inc.; creation;
2 purpose; membership; duties and powers ~~Development Board.--~~

3 (1) There is created ~~within the not-for-profit~~
4 ~~corporate structure of Enterprise Florida, Inc., a~~
5 not-for-profit corporation, to be known as "Workforce Florida,
6 Inc.," which shall be registered, incorporated, organized, and
7 operated in compliance with chapter 617, and which shall not
8 be a unit or entity of state government. The Legislature
9 determines, however, that public policy dictates that
10 Workforce Florida, Inc., operate in the most open and
11 accessible manner consistent with its public purpose. To this
12 end, the Legislature specifically declares that Workforce
13 Florida, Inc., its board, its councils, and any advisory
14 committees or similar groups created by Workforce Florida,
15 Inc., are subject to the provisions of chapter 119 relating to
16 public records, and those provisions of chapter 286 relating
17 to public meetings ~~public-private Workforce Development Board.~~

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

26 (3)~~(2)~~(a) ~~The~~ Workforce Florida, Inc.,~~Development~~
27 ~~Board~~ shall be governed by a ~~25-voting-member~~ board of
28 directors whose membership and appointment must be consistent
29 with Pub. L. No. 105-220, Title I, s. 111(b), and contain
30 three representatives of organized labor. Notwithstanding s.
31 114.05(1)(f)~~s. 114.05(f)~~, the Governor may appoint members of

1 the current Workforce Development Board or the WAGES Program
2 State Board of Directors, established pursuant to chapter
3 96-175, Laws of Florida,to serve on the reconstituted board
4 as required by this section. By July 1, 2000 ~~June 1, 1999~~, the
5 Workforce Development Board will provide to the Governor a
6 transition plan to incorporate the changes required by this
7 act and Pub. L. No. 105-220, specifying the ~~timeframe and~~
8 manner of changes to the board. This plan shall govern the
9 transition, unless otherwise notified by the Governor. The
10 importance of minority and gender representation shall be
11 considered when making appointments to the board and the
12 geographic representation of board members shall also be
13 considered. ~~Additional members may be appointed when necessary~~
14 ~~to conform to the requirements of Pub. L. No. 105-220.~~

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

18 (c) Private-sector members appointed by the Governor
19 must be appointed for 4-year, staggered terms. Public-sector
20 members appointed by the Governor must be appointed to 4-year
21 terms. One-third of all representatives of businesses
22 required to be appointed by the Governor pursuant to Pub. L.
23 No. 105-220, must be recommended by the President of the
24 Senate from leaders nominated by statewide business
25 organizations. One-third of all representatives of businesses
26 required to be appointed by the Governor pursuant to Pub. L.
27 No. 105-220, must be recommended by the Speaker of the House
28 of Representatives from leaders nominated by statewide
29 business organizations. ~~Members appointed by the Governor~~
30 ~~serve at the pleasure of the Governor.~~

31

1 (d) The Governor shall appoint members to the board of
2 directors of ~~the~~ Workforce Florida, Inc., Development Board
3 within 30 days after the receipt of nominations.

4 (e) A member of the board of directors of ~~the~~
5 Workforce Florida, Inc., Development Board may be removed by
6 the Governor for cause. Absence from three consecutive
7 meetings results in automatic removal. The chairperson chair
8 of ~~the~~ Workforce Florida, Inc., Development Board shall notify
9 the Governor of such absences.

10 (f) Representatives of businesses appointed to the
11 board of directors may not include providers of workforce
12 services.

13 ~~(4)(3)~~(a) The president of ~~the~~ Workforce Florida,
14 Inc., Development Board shall be hired by the board of
15 directors of Workforce ~~president of Enterprise Florida, Inc.,~~
16 and shall serve in the capacity of an executive director and
17 secretary of ~~the~~ Workforce Florida, Inc., Development Board.

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

21 (c) A majority of the total current membership of the
22 board of directors of ~~the~~ Workforce Florida, Inc., Development
23 Board comprises a quorum of the board.

24 (d) A majority of those voting is required to organize
25 and conduct the business of the ~~Workforce Development~~ board,
26 except that a majority of the entire board of directors ~~of the~~
27 ~~Workforce Development Board~~ is required to adopt or amend the
28 operational plan.

29 (e) Except as delegated or authorized by the board of
30 directors of ~~the~~ Workforce Florida, Inc., Development Board,
31 individual members have no authority to control or direct the

1 operations of ~~the~~ Workforce Florida, Inc., ~~Development Board~~
2 or the actions of its officers and employees, including the
3 president.

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

7 (f)(g) Members of the board of directors of ~~the~~
8 Workforce Florida, Inc., ~~Development Board~~ and its committees
9 shall serve without compensation, but these members, the
10 president, and all employees of ~~the~~ Workforce Florida, Inc.,
11 ~~Development Board~~ may be reimbursed for all reasonable,
12 necessary, and actual expenses, ~~as determined by the board of~~
13 ~~directors of Enterprise Florida, Inc.~~

14 (g)(h) The board of directors of ~~the~~ Workforce
15 Florida, Inc., ~~Development Board~~ may establish an executive
16 committee consisting of the chair and at least two additional
17 board members selected by the board of directors. The
18 executive committee and the president shall have such
19 authority as the board ~~of directors of the Workforce~~
20 ~~Development Board~~ delegates to it, except that the board of
21 directors may not delegate to the executive committee
22 authority to take action that requires approval by a majority
23 of the entire board of directors.

24 (h)(i) The chairperson ~~board of directors of the~~
25 ~~Workforce Development Board~~ may appoint committees to fulfill
26 its responsibilities, to comply with federal requirements, or
27 to obtain technical assistance, and must incorporate members
28 of regional workforce development boards into its structure.
29 At a minimum, the chairperson shall establish the following
30 standing committees: the First Jobs/First Wages Council, the
31 Better Jobs/Better Wages Council, and the High Skills/High

1 Wages Council. For purposes of Pub. L. No. 105-220, the First
2 Jobs/First Wages Council shall serve as the state's youth
3 council.

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

9 (5)(4) ~~The Workforce Florida, Inc., Development Board~~
10 shall have all the powers and authority, not explicitly
11 prohibited by statute, necessary or convenient to carry out
12 and effectuate the purposes as determined by statute, Pub. L.
13 No. 105-220, and the Governor, as well as its functions,
14 duties, and responsibilities, including, but not limited to,
15 the following:

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

22 (b) Supervising the administration of the following
23 programs:

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

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

30
31

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

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

7 5. Activities authorized under 38 U.S.C., chapter 41,
8 including job counseling, training, and placement for
9 veterans.

10 6. Employment and training activities carried out
11 under the Community Services Block Grant Act, 42 U.S.C. ss.
12 9901 et seq.

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

16 8. Welfare-transition services funded by the Temporary
17 Assistance for Needy Families Program, created under the
18 Personal Responsibility and Work Opportunity Reconciliation
19 Act of 1996, as amended, Pub. L. No. 104-193, and Title IV, s.
20 403, of the Social Security Act, as amended.

21 9. Apprenticeship services, provided under ss.
22 446.011-446.092.

23 10. Displaced homemaker programs, provided under s.
24 446.50.

25 11. The Florida Bonding Program, provided under Pub.
26 L. No. 97-300, s. 164(a)(1).

27 12. The Food Stamp Employment and Training Program,
28 provided under the Food Stamp Act of 1977, U.S.C. ss.
29 2011-2032; the Food Security Act of 1988, Pub. L. No. 99-198;
30 and the Hunger Prevention Act, Pub. L. No. 100-435.

31

1 13. The Quick-Response Training Program, provided
2 under ss. 288.046-288.047.

3 14. The Work Opportunity Tax Credit, provided under
4 the Tax and Trade Relief Extension Act of 1998, Pub. L. No.
5 105-277, and the Taxpayer Relief Act of 1997, Pub. L. 105-34.

6 15. Offender-placement services, provided under ss.
7 944.707-944.708.

8 16. Programs authorized under the National and
9 Community Service Act of 1990, 42 U.S.C. ss. 12501 et seq.,
10 and the Service-America programs, the National Service Trust
11 programs, the Civilian Community Corps, the Corporation for
12 National and Community Service, the American Conservation and
13 Youth Service Corps, and the Points of Light Foundation
14 programs, if such programs are awarded to the state.

15 17. Other programs funded by federal or state
16 appropriations, as determined by the Legislature in the
17 General Appropriations Act or by law.

18 (c)(b) Contracting with public and private entities as
19 necessary to further the directives of this section. All
20 contracts executed by Workforce Florida, Inc., must include
21 specific performance expectations and deliverables., except
22 that any contract made with an organization represented on the
23 board of directors of Enterprise Florida, Inc., or on the
24 board of directors of the Workforce Development Board must be
25 approved by a two-thirds vote of the entire board of directors
26 of the Workforce Development Board, and, if applicable, the
27 board member representing such organization shall abstain from
28 voting. No more than 65 percent of the dollar value of all
29 contracts or other agreements entered into in any fiscal year,
30 exclusive of grant programs, shall be made with an
31 organization represented on the board of directors of

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

17 ~~(c) Providing an annual report to the board of~~
18 ~~directors of Enterprise Florida, Inc., by November 1 that~~
19 ~~includes a copy of an annual financial and compliance audit of~~
20 ~~its accounts and records conducted by an independent certified~~
21 ~~public accountant and performed in accordance with rules~~
22 ~~adopted by the Auditor General.~~

23 (d) Notifying the Governor, the President of the
24 Senate, and the Speaker of the House of Representatives of
25 noncompliance by agencies or obstruction of the board's
26 efforts by agencies. Upon such notification, the Executive
27 Office of the Governor shall assist agencies to bring them
28 into compliance with board objectives.

29 (e) Ensuring that the state does not waste valuable
30 training resources. Thus, the board shall direct that all
31 resources, including equipment purchased for training

1 Workforce Investment Act clients, be available for use at all
2 times by eligible populations as first priority users. At
3 times when eligible populations are not available, such
4 resources shall be used for any other state authorized
5 education and training purpose.

6 (f) Archiving records with the Bureau of Archives and
7 Records Management of the Division of Library and Information
8 Services of the Department of State.

9 ~~(5) Notwithstanding s. 216.351, to allow time for~~
10 ~~documenting program performance, funds allocated for the~~
11 ~~incentives in s. 239.249 must be carried forward to the next~~
12 ~~fiscal year and must be awarded for the current year's~~
13 ~~performance, unless federal law requires the funds to revert~~
14 ~~at the year's end.~~

15 (6) ~~The Workforce Florida, Inc., Development Board~~ may
16 take action that it deems necessary to achieve the purposes of
17 this section, including, but not limited to:~~and consistent~~
18 ~~with the policies of the board of directors of Enterprise~~
19 ~~Florida, Inc., in partnership with private enterprises, public~~
20 ~~agencies, and other organizations. The Workforce Development~~
21 ~~Board shall advise and make recommendations to the board of~~
22 ~~directors of Enterprise Florida, Inc., and through that board~~
23 ~~of directors to the State Board of Education and the~~
24 ~~Legislature concerning action needed to bring about the~~
25 ~~following benefits to the state's social and economic~~
26 ~~resources:~~

27 (a) Creating a state employment, education, and
28 training policy that ensures that programs to prepare workers
29 are responsive to present and future business and industry
30 needs and complement the initiatives of Enterprise Florida,
31 Inc.

1 (b) Establishing a funding system that provides
2 incentives to improve the outcomes of vocational education
3 programs, and of registered apprenticeship and work-based
4 learning programs, and that focuses resources on occupations
5 related to new or emerging industries that add greatly to the
6 value of the state's economy.

7 (c) Implementing a comprehensive approach to the
8 education and training of target populations such as those who
9 have disabilities, are economically disadvantaged, receive
10 public assistance, are not proficient in English, or are
11 dislocated workers. This approach should ensure the effective
12 use of federal, state, local, and private resources in
13 reducing the need for public assistance.

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

28 (e) Implementing a system to project and evaluate
29 labor market supply and demand using the results of the
30 Workforce Estimating ~~Occupational Forecasting~~ Conference
31

1 created in s. 216.136 and the career education performance
2 standards identified under s. 239.233.

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

7 (g) Expanding the occupations identified by the
8 Workforce Estimating Conference to meet needs created by local
9 emergencies or plant closings or to capture occupations within
10 emerging industries.

11 (7) By December 1 of each year, Workforce Enterprise
12 Florida, Inc., shall submit to the Governor, the President of
13 the Senate, the Speaker of the House of Representatives, the
14 Senate Minority Leader, and the House Minority Leader a
15 complete and detailed annual report ~~by the Workforce~~
16 ~~Development Board~~ setting forth:

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

19 (b) The operations and accomplishments of the
20 partnership including the programs or entities listed in
21 subsection (6).

22 (8) The Auditor General may, pursuant to his or her
23 own authority or at the direction of the Legislative Auditing
24 Committee, conduct an audit of ~~the Workforce Florida, Inc.,~~
25 ~~Development Board~~ or the programs or entities created by ~~the~~
26 Workforce Florida, Inc. ~~Development Board.~~

27 (9) ~~The Workforce Florida, Inc. Development Board,~~ in
28 collaboration with the regional workforce ~~development~~ boards
29 and appropriate state agencies and local public and private
30 service providers, and in consultation with the Office of
31 Program Policy Analysis and Government Accountability, shall

1 establish uniform measures and standards to gauge the
2 performance of the workforce development strategy. These
3 measures and standards must be organized into three outcome
4 tiers.

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

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

28 1. ~~Appropriate measures for one-stop Career Centers~~
29 ~~may include direct job placements at minimum wage, at a wage~~
30 ~~level established by the Occupational Forecasting Conference,~~
31

1 ~~and at a wage level above the level established by the~~
2 ~~Occupational Forecasting Conference.~~

3 2. ~~Appropriate measures for youth employment~~
4 ~~activities may include the number of students enrolling in and~~
5 ~~completing work-based programs, including apprenticeship~~
6 ~~programs; job placement rate; job retention rate; wage at~~
7 ~~placement; and wage growth.~~

8 3. ~~WAGES measures may include job placement rate, job~~
9 ~~retention rate, wage at placement, wage growth, reduction and~~
10 ~~elimination of reliance on public assistance, and savings~~
11 ~~resulting from reduced reliance on public assistance.~~

12 4. ~~High Skills/High Wages measures may include job~~
13 ~~placement rate, job retention rate, wage at placement, and~~
14 ~~wage growth.~~

15 (c) The third tier of measures must be the operational
16 output measures to be used by the agency implementing
17 programs, and it may be specific to federal requirements. The
18 tier-three measures must be developed by the agencies
19 implementing programs, and ~~the~~ Workforce Florida, Inc.,
20 ~~Development Board~~ may be consulted in this effort. Such
21 measures must be reported to ~~the~~ Workforce Florida, Inc.,
22 ~~Development Board~~ by the appropriate implementing agency.

23 (d) Regional differences must be reflected in the
24 establishment of performance goals and may include job
25 availability, unemployment rates, average worker wage, and
26 available employable population. ~~All performance goals must be~~
27 ~~derived from the goals, principles, and strategies established~~
28 ~~in the Workforce Florida Act of 1996.~~

29 (e) Job placement must be reported pursuant to s.
30 229.8075. Positive outcomes for providers of education and
31 training must be consistent with ss. 239.233 and 239.245.

1 (f) The uniform measures of success that are adopted
2 by ~~the~~ Workforce Florida, Inc., ~~Development Board~~ or the
3 regional workforce ~~development~~ boards must be developed in a
4 manner that provides for an equitable comparison of the
5 relative success or failure of any service provider in terms
6 of positive outcomes.

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

14 (10) The workforce-development strategy for the state
15 shall be designed by Workforce Florida, Inc., and shall be
16 centered around the strategies of First Jobs/First Wages,
17 Better Jobs/Better Wages, and High Skills/High Wages.

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

26 (b) Better Jobs/Better Wages is the state's strategy
27 for assisting employers in upgrading or updating the skills of
28 their employees and for assisting incumbent workers in
29 improving their performance in their current jobs or acquiring
30 the education or training needed to secure a better job with
31 better wages.

1 (c) High Skills/High Wages is the state's strategy for
2 aligning education and training programs with high-paying,
3 high-demand occupations that advance individuals' careers,
4 build a more skilled workforce, and enhance Florida's efforts
5 to attract and expand job-creating business.

6 (11) The workforce development system shall use a
7 charter-process approach aimed at encouraging local design and
8 control of service delivery and targeted activities. Workforce
9 Florida, Inc., shall be responsible for granting charters to
10 regional workforce boards that have a membership consistent
11 with the requirements of federal and state law and that have
12 developed a plan consistent with the state's
13 workforce-development strategy. The plan must specify methods
14 for allocating the resources and programs in a manner that
15 eliminates unwarranted duplication, minimizes administrative
16 costs, meets the existing job-market demands and the
17 job-market demands resulting from successful
18 economic-development activities, ensures access to quality
19 workforce-development services for all Floridians, and
20 maximizes successful outcomes. As part of the charter process,
21 Workforce Florida, Inc., shall establish incentives for
22 effective coordination of federal and state programs, outline
23 rewards for successful job placements, and institute
24 collaborative approaches among local service providers. Local
25 decisionmaking and control shall be important components for
26 inclusion in this charter application.

27 Section 5. Section 445.005, Florida Statutes, is
28 created to read:

29 445.005 First Jobs/First Wages, Better Jobs/Better
30 Wages, and High Skills/High Wages Councils of Workforce
31 Florida, Inc.--

1 (1) The chairperson of Workforce Florida, Inc., shall
2 establish by October 1, 2000, and shall maintain at least
3 until September 30, 2002, three standing councils, which shall
4 be known as the First Jobs/First Wages Council, the Better
5 Jobs/Better Wages Council, and the High Skills/High Wages
6 Council.

7 (a) The chairperson of Workforce Florida, Inc., shall
8 determine the number of members to serve on each council.

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

16 (c) The chairperson of Workforce Florida, Inc., shall
17 name a chairperson for each council from among the members of
18 the council who are also members of the board of directors.

19 (d) Each council may meet at the call of its
20 chairperson or at the direction of the board of directors of
21 Workforce Florida, Inc., but shall meet at least quarterly.

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

31

1 (3) The Better Jobs/Better Wages Council shall develop
2 strategies for approval by the board of directors of Workforce
3 Florida, Inc., which promote the ability of adult workers to
4 build careers by obtaining and retaining jobs with potential
5 for advancement over time. The mission of the council includes
6 developing strategies that promote the ability of participants
7 in the welfare-transition program to succeed in the workforce
8 and avoid a return to dependence upon cash assistance from the
9 government. The council shall advise the board of directors
10 and make recommendations on implementing programs and
11 expending funds in support of such adult workforce strategies.

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

22 (5) Prior to the 2002 legislative session, the board
23 of directors of Workforce Florida, Inc., shall report to the
24 Governor, the President of the Senate, and the Speaker of the
25 House of Representatives on the contribution of the councils
26 toward fulfilling the goals of Workforce Florida, Inc. The
27 report must include recommendations on whether the councils
28 should be continued and on any proposed legislative action
29 concerning the councils.

30 Section 6. Section 445.006, Florida Statutes, is
31 created to read:

1 445.006 Strategic plan for workforce development.--
2 (1) Workforce Florida, Inc., in conjunction with state
3 and local partners in the workforce system, shall develop a
4 strategic plan for workforce, with the goal of producing
5 skilled employees for employers in the state. The strategic
6 plan shall be submitted to the Governor, the President of the
7 Senate, and the Speaker of the House of Representatives by
8 February 1, 2001. The strategic plan shall be updated or
9 modified by January 1 of each year thereafter, unless the
10 board of directors of Workforce Florida, Inc., determines that
11 updates or modifications are not necessary, in which case
12 Workforce Florida, Inc., shall notify the Governor, the
13 President of the Senate, and the Speaker of the House of
14 Representatives of such determination. The plan must include,
15 but need not be limited to, strategies for:
16 (a) Fulfilling the workforce system goals and
17 strategies prescribed in s. 445.004;
18 (b) Aggregating, integrating, and leveraging workforce
19 system resources;
20 (c) Coordinating the activities of federal, state, and
21 local workforce system partners;
22 (d) Addressing the workforce needs of small
23 businesses; and
24 (e) Fostering the participation of rural communities
25 and distressed urban cores in the workforce system.
26 (2) As a component of the strategic plan required
27 under this section, Workforce Florida, Inc., shall develop a
28 workforce marketing plan, with the goal of educating
29 individuals inside and outside the state about the employment
30 market and employment conditions in the state. The marketing
31 plan must include, but need not be limited to, strategies for:

1 (a) Distributing information to secondary and
2 postsecondary education institutions about the diversity of
3 businesses in the state, specific clusters of businesses or
4 business sectors in the state, and occupations by industry
5 which are in demand by employers in the state;

6 (b) Distributing information about and promoting use
7 of the Internet-based job-matching and
8 labor-market-information system authorized under s. 445.011;
9 and

10 (c) Coordinating with Enterprise Florida, Inc., to
11 ensure that workforce marketing efforts complement the
12 economic development marketing efforts of the state.

13 (3) The strategic plan must include performance
14 measures, standards, measurement criteria, and contract
15 guidelines in the following areas with respect to participants
16 in the welfare-transition program:

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

18 (b) Caseload trends;

19 (c) Recidivism;

20 (d) Participation in diversion and
21 relocation-assistance programs;

22 (e) Employment retention;

23 (f) Wage growth; and

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

26 (4) The strategic plan must include criteria for
27 allocating workforce resources to regional workforce boards.
28 With respect to allocating funds to serve customers of the
29 welfare-transition program, such criteria may include
30 weighting factors that indicate the relative degree of
31 difficulty associated with securing and retaining employment

1 placements for specific subsets of the welfare-transition
2 caseload.

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

6 1. The degree of difficulty associated with placement
7 and retention;

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

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

11 (b) The payment structure must provide that a minimum
12 of 15 percent of the total amount of the contract for services
13 be reserved until receipt of evidence of satisfactory
14 performance under the contract. The payment structure must
15 also provide for bonus payments of up to 10 percent of the
16 contract amount to providers that achieve notable success in
17 achieving contract objectives, including, but not limited to,
18 success in diverting families in which there is an adult who
19 is subject to work requirements from receiving cash assistance
20 and in achieving long-term job retention and wage growth with
21 respect to welfare-transition-program customers.

22 (6) The strategic plan must include a
23 teen-pregnancy-prevention component that includes, but is not
24 necessarily limited to, a plan for implementing the Florida
25 Education Now and Babies Later (ENABL) program under s.
26 411.242 and the Teen Pregnancy Prevention Community Initiative
27 within each county of the service area in which the teen birth
28 rate is higher than the state average. Each regional workforce
29 board may fund community-based welfare prevention and
30 reduction initiatives that increase the support provided by
31 noncustodial parents to their welfare-dependent children and

1 are consistent with program and financial guidelines developed
2 by Workforce Florida, Inc., and the Commission on Responsible
3 Fatherhood. These initiatives may include, but are not limited
4 to, improved paternity establishment, work activities for
5 noncustodial parents, and programs aimed at decreasing
6 out-of-wedlock pregnancies, encouraging the involvement of
7 fathers with their children, and increasing child-support
8 payments.

9 Section 7. Section 288.9953, Florida Statutes, is
10 transferred, renumbered as section 445.007, Florida Statutes,
11 and amended to read:

12 445.007 ~~288.9953~~ Regional Workforce ~~Development~~
13 Boards.--

14 (1) One regional workforce ~~development~~ board shall be
15 appointed in each designated service delivery area and shall
16 serve as the local workforce investment board pursuant to Pub.
17 L. No. 105-220. The membership of the board shall be
18 consistent with Pub. L. No. 105-220, Title I, s. 117(b), and
19 contain three representatives of organized labor. The
20 importance of minority and gender representation shall be
21 considered when making appointments to the board. If the
22 regional workforce board enters into a contract with an
23 organization or individual represented on the board of
24 directors, the contract must be approved by a two-thirds vote
25 of the entire board, and the board member who could benefit
26 financially from the transaction must abstain from voting on
27 the contract. A board member must disclose any such conflict
28 in a manner that is consistent with the procedures outlined in
29 s. 112.3143. ~~A member of a regional workforce development~~
30 ~~board may not vote on a matter under consideration by the~~
31 ~~board regarding the provision of services by such member, or~~

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

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

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

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

20 (a) Develop, submit, ratify, or amend the local plan
21 pursuant to Pub. L. No. 105-220, Title I, s. 118.

22 (b) Conclude agreements necessary to designate the
23 fiscal agent and administrative entity. A public or private
24 entity that makes a majority of the appointments to a regional
25 workforce board may not serve as the board's administrative
26 entity. Workforce Florida, Inc., may waive this prohibition
27 upon a showing that, based upon the availability of potential,
28 qualified public or private entities in the region, such
29 prohibition would unduly impede the ability of the regional
30 workforce board to identify an administrative entity or fiscal
31 agent. As a condition of authorizing a regional workforce

1 board to designate the local governmental unit or a council of
2 government consortium as the board's administrative entity,
3 Workforce Florida, Inc., must require the regional workforce
4 board to demonstrate that a fair and competitive process was
5 used to select the administrative entity.

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

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

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

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

27 (7) Each regional workforce ~~development~~ board shall
28 establish by October 1, 2000, and shall maintain at least
29 until September 30, 2002, a high skills/high wages committee
30 consisting of at least five private-sector business
31 representatives appointed in consultation with local chambers

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

27 (a) At least annually ~~During fiscal year 1999-2000,~~
28 each high skills/high wages committee shall submit, ~~quarterly,~~
29 recommendations to the Workforce Florida, Inc., ~~Development~~
30 ~~Board~~ related to:

31

1 1. Policies to enhance the responsiveness of high
2 skills/high wages programs in its region to business and
3 economic development opportunities.

4 2. Integrated use of state education and federal
5 workforce development funds to enhance the training and
6 placement of designated population individuals with local
7 businesses and industries.

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

24 (c) ~~Annually, the Workforce Development Board shall~~
25 ~~compile all the recommendations of the high skills/high wages~~
26 ~~committees, research their feasibility, and make~~
27 ~~recommendations to the Governor, the President of the Senate,~~
28 ~~and the Speaker of the House of Representatives.~~

29 (8) Each regional workforce board shall establish a
30 better jobs/better wages committee consisting of at least five
31 members. Initial appointments to this committee shall include

1 at least three members of the local WAGES coalition,
2 established pursuant to chapter 96-175, Laws of Florida.

3 (9) Each regional workforce board shall establish a
4 first jobs/first wages committee consisting of at least five
5 members. This committee shall serve as the youth council for
6 purposes of Pub. L. No. 105-220.

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

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

18 Section 8. Section 445.008, Florida Statutes, is
19 created to read:

20 445.008 Workforce Training Institute.--

21 (1) Workforce Florida, Inc., may create the Workforce
22 Training Institute, which shall be a comprehensive program of
23 workforce training courses designed to meet the unique needs
24 of the workforce system partners. The workforce training
25 courses shall include Internet-based training modules suitable
26 for, and made available to, school guidance counselors,
27 community college counselors, and other professionals integral
28 to the workforce system.

29 (2) Workforce Florida, Inc., may enter into a contract
30 for the provision of administrative support services for the
31 institute. Workforce Florida, Inc., shall adopt policies for

1 the administration and operation of the institute and
2 establish admission fees in an amount which, in the aggregate,
3 does not exceed the cost of the program. Workforce Florida,
4 Inc., may accept donations or grants of any type for any
5 function or purpose of the institute.

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

12 Section 9. Section 288.9951, Florida Statutes, is
13 transferred, renumbered as section 445.009, Florida Statutes,
14 and amended to read:

15 445.009 ~~288.9951~~ One-stop delivery system ~~Career~~
16 ~~Centers~~.--

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

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

23 (b) Career counseling and educational planning.

24 (c) Consumer reports on service providers.

25 (d) Recruitment and eligibility determination.

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

28 (f) Employability skills training.

29 (g) Adult education and basic skills training.

30 (h) Technical training leading to a certification and
31 degree.

1 (i) Claim filing for unemployment compensation
2 services.

3 (j) Temporary income, health, nutritional, and housing
4 assistance.

5 (k) Other appropriate and available workforce
6 development services.

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

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

24 (b) A regional workforce board may not designate as
25 its administrative entity any public or private entity that is
26 eligible to provide training services under any state or
27 federal workforce program that is a mandatory or discretionary
28 partner in the region's one-stop delivery system. Workforce
29 Florida, Inc., may waive this prohibition upon a showing that,
30 based upon the availability of potential, qualified public or
31 private entities in the region, such prohibition would unduly

1 impede the ability of the regional workforce board to identify
2 an administrative entity or fiscal agent. As a condition of
3 authorizing a regional workforce board to designate such an
4 entity as its administrative entity or fiscal agent, Workforce
5 Florida, Inc., must require the regional workforce board to
6 demonstrate that safeguards are in place to ensure that the
7 administrative entity or fiscal agent will not exercise an
8 unfair competitive advantage or unfairly refer or direct
9 customers of the one-stop delivery system to training programs
10 provided by that administrative entity or fiscal agent.A
11 regional workforce ~~development~~ board may retain its current
12 One-Stop Career Center operator without further procurement
13 action where the board has established a One-Stop Career
14 Center that has complied with federal and state law.

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

1 ~~payments shall be based on performance measures developed by~~
2 ~~the Workforce Development Board.~~

3 (a) Unless otherwise required by federal law, at least
4 90 percent of the Wagner-Peyser funding must go into direct
5 customer service costs.

6 (b) Employment services must be provided through the
7 one-stop delivery system Career Centers, under the guidance of
8 one-stop delivery system Career Center operators. One-stop
9 delivery system operators shall have overall authority for
10 directing the staff of the workforce-development system.

11 Personnel matters shall remain under the ultimate authority of
12 the Department of Management Services. However, the one-stop
13 delivery system operator shall submit to the department
14 information concerning the job performance of department
15 employees who deliver employment services. The department
16 shall consider any such information submitted by the one-stop
17 delivery system operator in conducting performance appraisals
18 of the employees.

19 (c) As a part of the memorandum of understanding under
20 this subsection, a regional workforce board may elect to enter
21 into an agreement with the Department of Management Services
22 under which department employees delivering employment
23 services shall be leased to the one-stop delivery system
24 operator. Notwithstanding any provisions in chapter 110 to the
25 contrary, a department employee leased pursuant to this
26 paragraph shall retain the position classification as a state
27 employee that he or she held on the day before the lease
28 agreement takes effect, as well as any state employee
29 personnel rights or benefits associated with that position
30 classification. This lease agreement, at a minimum, must
31 specify that:

1 1. The department shall retain fiscal responsibility
2 and accountability for the administration of funds allocated
3 to the state under the Wagner-Peyser Act.

4 2. The department shall retain ultimate authority over
5 personnel matters relating to an employee covered by the lease
6 agreement; however, the employee shall be under the day-to-day
7 supervision of the one-stop delivery system operator. The
8 one-stop delivery system operator shall submit to the
9 department information relating to the job performance of
10 department employees, as provided in paragraph (b).

11 3. An employee covered by the lease agreement who is
12 providing employment services authorized under the
13 Wagner-Peyser Act shall be paid using Wagner-Peyser Act funds.

14 (d) Workforce Florida, Inc., in consultation with the
15 Office of Program Policy Analysis and Government
16 Accountability, shall review the delivery of employment
17 services under the Wagner-Peyser Act and the integration of
18 those services with other activities performed through the
19 one-stop delivery system and shall provide recommendations to
20 the Legislature for improving the effectiveness of the
21 delivery of employment services in this state. Workforce
22 Florida, Inc., shall submit a report and recommendations to
23 the Governor, the President of the Senate, and the Speaker of
24 the House of Representatives by January 1, 2001.

25 ~~(4)(5)~~ One-stop delivery system Career Center partners
26 ~~identified in subsection (2)~~ shall enter into a memorandum of
27 understanding pursuant to Pub. L. No. 105-220, Title I, s.
28 121, with the regional workforce ~~development~~ board. Failure of
29 a local partner to participate cannot unilaterally block the
30 majority of partners from moving forward with their one-stop
31 delivery system Career Centers, and the Workforce Florida,

1 ~~Inc. Development Board~~, pursuant to s. 445.004(5)(d)~~s.~~
2 ~~288.9952(4)(d)~~, may make notification of a local partner that
3 fails to participate.

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

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

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

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

28 (c) To the extent feasible, core services shall be
29 accessible through the Internet. Through this technology, core
30 services shall be made available at public libraries, schools,
31 community centers, kiosks, neighborhood facilities, and

1 satellite one-stop delivery system sites. Each regional
2 workforce board's web page shall serve as a portal for
3 contacting potential employees by integrating the placement
4 efforts of universities and private companies, including
5 staffing-services firms, into the existing one-stop delivery
6 system.

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

17 (7)~~(8)~~(a) Individual Training Accounts must be
18 expended on programs that prepare people to enter high-wage
19 occupations identified by the Occupational Forecasting
20 Conference created by s. 216.136, and on other programs as
21 approved by ~~the Workforce Florida, Inc. Development Board.~~

22 (b) For each approved training program, regional
23 workforce ~~development~~ boards, in consultation with training
24 providers, shall establish a fair-market purchase price to be
25 paid through an Individual Training Account. The purchase
26 price must be based on prevailing costs and reflect local
27 economic factors, program complexity, and program benefits,
28 including time to beginning of training and time to
29 completion. The price shall ensure the fair participation of
30 public and nonpublic postsecondary educational institutions as
31 authorized service providers and shall prohibit the use of

1 unlawful remuneration to the student in return for attending
2 an institution. Unlawful remuneration does not include student
3 financial assistance programs.

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

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

18 (e) Training services provided through Individual
19 Training Accounts must be performance-based, with successful
20 job placement triggering full payment.

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

30 ~~(8)(9)(a)~~ Workforce Florida, Inc. ~~The Department of~~
31 ~~Management Services~~, working with the Department of Management

1 ~~Services Workforce Development Board~~, shall coordinate among
2 the agencies a plan for a One-Stop ~~Career Center~~ Electronic
3 Network made up of one-stop delivery system ~~Career~~ centers and
4 other partner agencies that are operated by authorized public
5 or private for-profit or not-for-profit agents. The plan shall
6 identify resources within existing revenues to establish and
7 support this electronic network for service delivery that
8 includes Government Services Direct.

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

17 1. The Unemployment Compensation System of the
18 Department of Labor and Employment Security.

19 2. The Job Service System of the Department of Labor
20 and Employment Security.

21 3. The FLORIDA System and the components related to
22 WAGES, food stamps, and Medicaid eligibility.

23 4. The Workers' Compensation System of the Department
24 of Labor and Employment Security.

25 5. The Student Financial Assistance System of the
26 Department of Education.

27 6. Enrollment in the public postsecondary education
28 system.

29
30 The systems shall be fully coordinated at both the state and
31 local levels ~~by January 1, 2000~~.

1 (9) To the maximum extent that is appropriate and
2 feasible, the one-stop delivery system shall use
3 private-sector staffing-services firms in the provision of
4 workforce services to individuals and employers in the state.
5 Regional workforce boards shall collaborate with
6 staffing-services firms in order to facilitate the provision
7 of services to the same target populations. Regional workforce
8 boards may contract with private-sector staffing-services
9 firms to design programs that meet the employment needs of the
10 region. All such contracts must be performance-based and
11 require a specific period of job tenure prior to payment.

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

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

1 implementing the plan and shall dedicate the financial and
2 staff resources that are necessary to implement the plan.

3 (3) The Governor shall designate a staff member of the
4 Office of Planning and Budgeting to serve as the Governor's
5 primary representative on matters related to implementing this
6 act and the transition plan required under this section. The
7 representative shall report to the Governor on the progress
8 being made in implementing this act and the transition plan,
9 including, but not limited to, any difficulties experienced by
10 Workforce Florida, Inc., in securing the full participation
11 and cooperation of applicable state agencies. The
12 representative shall also coordinate the submission of any
13 budget amendments, in accordance with chapter 216, Florida
14 Statutes, that may be necessary to implement this act.

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

26 (5) The transfer of any program, activity, or function
27 under this act includes the transfer of any records and
28 unexpended balances of appropriations, allocations, or other
29 funds related to such program, activity, or function. Unless
30 otherwise provided, the successor organization to any program,
31 activity, or function transferred under this act shall become

1 the custodian of any property of the organization that was
2 responsible for the program, activity, or function immediately
3 prior to the transfer.

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

10 Section 11. (1) Effective July 1, 2000, the following
11 programs and functions are assigned and transferred by a type
12 two transfer, as defined in section 20.06(2), Florida
13 Statutes, to Workforce Florida, Inc.:

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

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

25 (2) Effective July 1, 2000, employees of the Workforce
26 Development Board of Enterprise Florida, Inc., who are leased
27 from the Department of Management Services are transferred by
28 a type two transfer, as defined in section 20.06(2), Florida
29 Statutes, to the Division of Workforce Administrative Support
30 of the Department of Management Services.

31

1 (3) Effective October 1, 2000, the following programs
2 and functions are assigned to Workforce Florida, Inc., for
3 policy direction and administration and are transferred to the
4 Division of Workforce Administrative Support of the Department
5 of Management Services:

6 (a) The Division of Workforce and Employment
7 Opportunities and the Office of Labor Market and Performance
8 Information are transferred by a type two transfer, as defined
9 in section 20.06(2), Florida Statutes, from the Department of
10 Labor and Employment Security. Employees who are responsible
11 for licensing and permitting business agents and labor
12 organizations under chapter 447 and employees who are
13 responsible for regulating minority labor groups under chapter
14 450 are not included in this transfer.

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

25 (c) Staff of the displaced homemaker program are
26 transferred by a type two transfer, as defined in section
27 20.06(2), Florida Statutes, from the Department of Education.

28 (4) Prior to effecting the transfer of staff required
29 by paragraphs (3)(a) and (b), the Department of Labor and
30 Employment Security shall reduce by 25 percent the number of
31 staff to be transferred who are not engaged in directly

1 providing services to customers or in supervising the direct
2 provision of services. Positions vacated as a result of this
3 reduction shall be placed and maintained in reserve by the
4 Office of Planning and Budgeting of the Executive Office of
5 the Governor. Savings that result from position reductions
6 shall be transferred, under section 20.06(2), Florida
7 Statutes, to the Division of Workforce Administrative Support
8 of the Department of Management Services to be allocated by
9 Workforce Florida, Inc., to regional workforce boards for
10 operating the one-stop delivery system. Prior to January 15,
11 2001, Workforce Florida, Inc., in cooperation with the
12 Department of Management Services, shall submit to the
13 Governor, the President of the Senate, and the Speaker of the
14 House of Representatives a plan for reorganizing and further
15 reducing the number of staff members transferred pursuant to
16 paragraphs (3)(a) and (b).

17 (5) Workforce Florida, Inc., may contract with the
18 Department of Management Services to lease any employees
19 deemed necessary by Workforce Florida, Inc., for the effective
20 operation of the workforce system. Notwithstanding any
21 provisions in chapter 110, Florida Statutes, to the contrary,
22 a department employee who is leased pursuant to this
23 subsection shall retain the position classification as a state
24 employee which he or she held on the day before the lease
25 agreement takes effect and shall retain any state-employee
26 personnel rights or benefits associated with that position
27 classification.

28 Section 12. Section 445.010, Florida Statutes, is
29 created to read:

30 445.010 Workforce system information technology;
31 principles and information sharing.--

1 (1) The following principles shall guide the
2 development and management of workforce system information
3 resources:

4 (a) Workforce system entities should be committed to
5 information sharing.

6 (b) Cooperative planning by workforce-system entities
7 is a prerequisite for the effective development of systems to
8 enable the sharing of data.

9 (c) Workforce-system entities should maximize public
10 access to data, while complying with legitimate security,
11 privacy, and confidentiality requirements.

12 (d) When the capture of data for the mutual benefit of
13 workforce-system entities can be accomplished, the costs for
14 capturing, managing, and disseminating those data should be
15 shared.

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

18 (f) Only data that are auditable, or that otherwise
19 can be determined to be accurate, valid, and reliable, should
20 be maintained in workforce-information systems.

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

26 (2) Information that is essential to the integrated
27 delivery of services through the one-stop delivery system must
28 be shared between partner agencies within the workforce system
29 to the full extent permitted under state and federal law. In
30 order to enable the full integration of services for a
31 specific workforce-system customer, that customer must be

1 offered the opportunity to provide written consent prior to
2 sharing any information concerning that customer between the
3 workforce-system partners which is subject to confidentiality
4 under state or federal law.

5 Section 13. Section 445.011, Florida Statutes, is
6 created to read:

7 445.011 Workforce information systems.--

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

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

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

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

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

31

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. Section 445.012, Florida Statutes, is
20 created to read:

21 445.012 Careers for Florida's Future Incentive Grant
22 Program.--

23 (1) The Careers for Florida's Future Incentive Grant
24 Program is created to encourage students in this state to
25 obtain degrees or certificates in postsecondary programs that
26 produce graduates with job skills in advanced technology which
27 are critical to the economic future of this state. The program
28 shall provide for a forgivable loan that requires a student to
29 enroll in and complete an eligible program and then to
30 maintain employment in an eligible occupation in this state
31 for 1 year for each year of grant receipt. The recipient must

1 begin repayment of the grant 1 year after the recipient is no
2 longer enrolled in an eligible institution or completes the
3 program, unless the recipient obtains employment in an
4 eligible occupation.

5 (2) Workforce Florida, Inc., shall manage the Careers
6 for Florida's Future Incentive Grant Program in accordance
7 with rules and procedures established for this purpose.
8 Workforce Florida, Inc., shall contract with the Office of
9 Student Financial Assistance in the Department of Education to
10 administer the incentive grant program for students pursuing
11 baccalaureate degrees or degree career education programs that
12 articulate into baccalaureate degree programs. The office
13 shall advertise the availability of the grant program and
14 collect all delinquent incentive grant repayments.

15 (a) The Office of Student Financial Assistance of the
16 Department of Education shall issue awards from the incentive
17 grant program each semester. Before the registration period
18 each semester, the department shall transmit payment for each
19 award to the president or director of the postsecondary
20 education institution, or his or her representative, except
21 that the department may withhold payment if the receiving
22 institution fails to report or make refunds to the department
23 as required in this section.

24 (b) Within 30 days after the end of regular
25 registration each semester, the educational institution shall
26 certify to the department the eligibility status of each
27 student who receives an award. After the end of the
28 drop-and-add period, an institution is not required to
29 reevaluate or revise a student's eligibility status, but must
30 make a refund to the department if a student who receives an
31 award disbursement terminates enrollment for any reason during

1 an academic term and a refund is permitted by the
2 institution's refund policy.

3 (c) An institution that receives funds from the
4 program shall certify to the department the amount of funds
5 disbursed to each student and shall remit to the department
6 any undisbursed advances within 60 days after the end of
7 regular registration. The department may suspend or revoke an
8 institution's eligibility to receive future moneys for the
9 program if the department finds that an institution has not
10 complied with this section.

11 (3) Workforce Florida, Inc., shall allocate to each
12 regional workforce board its share of funds available for
13 incentive grants in eligible diploma, certificate, and degree
14 career education programs that do not articulate into
15 baccalaureate programs. Each regional workforce board shall
16 administer the program, including determining award recipients
17 within funds available to it for that purpose. Workforce
18 Florida, Inc., shall contract with the Office of Student
19 Financial Assistance in the Department of Education for
20 collecting delinquent incentive grant repayments.

21 (a) Workforce Florida, Inc., shall reallocate any
22 funds not encumbered by the regional workforce boards by
23 January 31 of each year to other regional workforce boards for
24 additional awards, in accordance with rules and procedures
25 established for this purpose.

26 (b) Within 30 days after the student begins classes,
27 the educational institution shall certify to the regional
28 workforce board the eligibility status of each student who
29 receives an award. After this report, an institution is not
30 required to reevaluate or revise a student's eligibility
31 status, but must make a refund to the regional workforce board

1 if a student who receives an award disbursement terminates
2 enrollment for any reason during the period that would permit
3 a refund by the institution's refund policy.

4 (c) Regional workforce boards shall ensure that each
5 recipient receives maximum funding possible by coordinating
6 career education awards with Individual Training Accounts
7 funded by the federal Workforce Investment Act, Retention
8 Incentive Training Accounts funded by the federal Temporary
9 Assistance for Needy Families Act, the federal Welfare-to-Work
10 program, and other programs intended to assist incumbent
11 workers in upgrading their skills.

12 (4) If funds appropriated are not adequate to provide
13 the maximum allowable award to each eligible applicant, full
14 awards must be provided in the order of priority established
15 by Workforce Florida, Inc. Awards must not be reduced to
16 increase the number of recipients.

17 (5) A recipient who is pursuing a baccalaureate degree
18 shall receive \$100 for each lower-division credit hour in
19 which the student is enrolled at an eligible college or
20 university, up to a maximum of \$1,500 per semester, and \$200
21 for each upper-division credit hour in which the student is
22 enrolled at an eligible college or university, up to a maximum
23 of \$3,000 per semester. For purposes of this section, a
24 student is pursuing a baccalaureate degree if he or she is in
25 a program that articulates into a baccalaureate degree program
26 by agreement of the Articulation Coordinating Committee. A
27 student in an applied technology diploma program, a
28 certificate career education program, or a degree career
29 education program that does not articulate into a
30 baccalaureate degree program shall receive \$2 for each
31 vocational contact hour, or the equivalent, for certificate

1 programs, or \$60 for each credit hour, or the equivalent, for
2 degree career education programs and applied technology
3 programs for which the student is enrolled at an eligible
4 college, technical center, or nonpublic career education
5 school.

6 (6) If a recipient who is enrolled in a diploma,
7 certificate, or degree career education program that does not
8 articulate into a baccalaureate degree program transfers from
9 one eligible institution to another within the same workforce
10 region and continues to meet eligibility requirements, the
11 award shall be transferred with the student.

12 (7) If a recipient who is enrolled in a baccalaureate
13 degree or a degree career education program that articulates
14 into a baccalaureate degree program transfers from one
15 eligible institution to another and continues to meet
16 eligibility requirements, the award shall be transferred with
17 the student.

18 (8) An award recipient may use an award for enrollment
19 in a summer term if funds are available.

20 (9) Funds may not be used to pay for remedial,
21 college-preparatory, or vocational-preparatory coursework.

22 Section 15. Section 445.0121, Florida Statutes, is
23 created to read:

24 445.0121 Student eligibility requirements for initial
25 awards.--

26 (1) To be eligible for an initial award for lower
27 division college credit courses that lead to a baccalaureate
28 degree, as defined in s. 445.0122(5), a student must:

29 (a)1. Have been a resident of this state for
30 noneducational purposes for the previous 5 years; or

31

1 2. Have received a standard Florida high school
2 diploma, as provided in s. 232.246, or its equivalent, as
3 described in s. 229.814, within the previous 2 years, unless:

4 a. The student is enrolled full-time in the
5 early-admission program of an eligible postsecondary education
6 institution or completes a home-education program in
7 accordance with s. 232.0201; or

8 b. The student earns a high school diploma from a
9 non-Florida school while living with a parent or guardian who
10 is on military or public service assignment outside this
11 state.

12 (b) In addition to the residency requirements in
13 paragraph (a), an eligible lower-division, baccalaureate
14 degree-seeking student must:

15 1. Have earned a cumulative grade point average of at
16 least 2.75 on a 4.0 scale in postsecondary coursework.

17 2. Have earned at least 18 credit hours at the
18 postsecondary level.

19 3. Be enrolled in an eligible public or independent
20 postsecondary educational institution in this state for at
21 least 6 semester credit hours or the equivalent.

22 (2) To be eligible for an initial award for
23 upper-division courses, a student must:

24 (a) Be a resident of this state as defined in s.
25 240.404 and rules of the State Board of Education.

26 (b) Be enrolled in an eligible baccalaureate degree
27 program, as specified in s. 445.0124, for at least 6 semester
28 credit hours or the equivalent.

29 (c) Have earned a cumulative grade point average of at
30 least 2.75 on a 4.0 scale in all postsecondary coursework.

31

1 (3) To be eligible for an initial award for an applied
2 technology diploma program or a certificate or degree career
3 education program that does not articulate into a
4 baccalaureate degree program, a student must:

5 (a) Have been a resident of this state for
6 noneducational purposes for the previous 5 years.

7 (b) Be enrolled in an eligible diploma, certificate,
8 or degree career education program, as specified in s.
9 445.0124.

10 (c) Have received a standard high school diploma or a
11 high school equivalency diploma pursuant to s. 229.814.

12 Section 16. Section 445.0122, Florida Statutes, is
13 created to read:

14 445.0122 Student eligibility requirements for renewal
15 awards.--

16 (1) To be eligible to renew an incentive grant for a
17 degree program, a student must:

18 (a) Complete at least 12 semester credit hours or the
19 equivalent of program requirements in the previous academic
20 year, including summer school.

21 (b) Maintain the equivalent of a grade point average
22 of at least 2.75 on a 4.0 scale for all postsecondary
23 education work.

24 (2) A student who is enrolled in a program that
25 terminates in a baccalaureate degree or who is enrolled in an
26 associate degree program that articulates into a baccalaureate
27 degree may receive an award for a maximum of 110 percent of
28 the number of credit hours required to complete the program.

29 (3) To be eligible to renew an incentive grant for an
30 applied technology diploma program or a certificate or degree
31 career education program that does not articulate into a

1 baccalaureate degree program, a student must have successfully
2 attained the last occupational completion point attempted. If
3 an occupational completion point requires more than one term
4 to complete, a student may receive grants for the additional
5 terms if the institution reports that the student is making
6 adequate progress toward completion.

7 (4) A student who is enrolled in a program that
8 terminates in an applied technology diploma or a certificate
9 or degree career education program that does not articulate
10 into a baccalaureate degree program may receive an award for a
11 maximum of 110 percent of the credit hours or clock hours
12 required to complete the program, up to 90 semester credit
13 hours or the equivalent in quarter or clock hours.

14 (5) A student maintains eligibility for an award for 4
15 years following receipt of the initial award for courses in
16 the lower division and 4 years following receipt of the
17 initial award for courses in the upper division. For purposes
18 of this subsection, lower-division courses include courses in
19 an eligible applied technology diploma program or a
20 certificate or degree career education program that does not
21 articulate into a baccalaureate degree program by agreement of
22 the Articulation Coordinating Committee, as well as courses in
23 associate in arts and associate in science degree programs
24 that articulate into a baccalaureate degree program.

25 Section 17. Section 445.0123, Florida Statutes, is
26 created to read:

27 445.0123 Eligible postsecondary education
28 institutions.--A student is eligible for an award or the
29 renewal of an award from the Careers for Florida's Future
30 Incentive Grant Program if the student meets the requirements
31 for the program as described in ss. 445.012-445.0125 and is

1 enrolled in a postsecondary education institution that meets
2 the description of any one of the following:
3 (1) A public university, community college, or
4 technical center in this state.
5 (2) An independent college or university in this state
6 which is recognized by the United States Department of
7 Education and has operated in this state for at least 3 years.
8 (3) An independent postsecondary education institution
9 in this state which is chartered in Florida and accredited by
10 the Commission on Colleges of the Southern Association of
11 Colleges and Schools.
12 (4) An independent postsecondary education institution
13 in this state which is licensed by the State Board of
14 Independent Colleges and Universities and which:
15 (a) Shows evidence of sound financial condition; and
16 (b) Has operated in this state for at least 3 years
17 without having its approval, accreditation, or license placed
18 on probation.
19 (4) An independent postsecondary education institution
20 in this state which is licensed by the State Board of
21 Nonpublic Career Education and which:
22 (a) Has a program-completion and placement rate of at
23 least the rate required by current state law, the Florida
24 Administrative Code, or the Department of Education for an
25 institution at its level;
26 (b) Shows evidence of sound financial condition; and
27 (c)1. Is accredited at the institutional level by an
28 accrediting agency recognized by the United States Department
29 of Education and has operated in this state for at least 3
30 years during which there has been no complaint for which
31 probable cause has been found; or

1 2. Has operated in this state for 5 years during which
2 there has been no complaint for which probable cause has been
3 found.

4 Section 18. Section 445.0124, Florida Statutes, is
5 created to read:

6 445.0124 Eligible programs.--

7 (1) A student must enroll in a program determined
8 eligible by Workforce Florida, Inc.

9 (2) Eligible lower-division programs are those
10 programs that prepare a student for admission to a degree
11 program that prepares students for employment in targeted
12 career occupations listed in subsection (3). These programs
13 include any associate in science degree program that
14 articulates into a baccalaureate degree program by agreement
15 of the Articulation Coordinating Committee.

16 (3) Eligible upper-division programs are those
17 programs that prepare students for employment in targeted
18 career occupations in one of the following business sectors:
19 information technology/telecommunications, biomedical
20 technology, manufacturing-electronics, and
21 aviation/transportation. Workforce Florida, Inc., must
22 determine eligible programs within these sectors annually in
23 cooperation with the Board of Regents.

24 (4) Eligible career education programs are those
25 programs in the following business sectors: information
26 technology/telecommunications, biomedical technology,
27 manufacturing-electronics, aviation/transportation, and
28 skilled building trades. Workforce Florida, Inc., must
29 determine eligible programs within these sectors annually in
30 cooperation with the State Board of Community Colleges and the
31 Department of Education.

1 Section 19. Section 445.0125, Florida Statutes, is
2 created to read:

3 445.0125 Repayment schedule.--

4 (1) A recipient must repay an incentive grant from the
5 Careers for Florida's Future Incentive Grant Program within 10
6 years after termination of the grant.

7 (a) Repayment must begin:

8 1. One year after completion of the program of
9 studies, unless the recipient is employed in an eligible
10 occupation; or

11 2. One year after the student is no longer enrolled in
12 an eligible institution.

13 (b) Workforce Florida, Inc., shall determine whether a
14 grant recipient is employed in an eligible occupation. For
15 repayment purposes, an occupation determined to be eligible
16 remains eligible for the duration of the repayment period.

17 (c) The State Board of Education shall adopt by rule
18 repayment schedules.

19 (2) Credit for repayment of an incentive grant shall
20 be as follows:

21 (a) To repay an incentive grant for upper-division or
22 lower-division courses that lead to a baccalaureate degree, a
23 student must earn the baccalaureate degree and then maintain
24 employment in an eligible occupation in this state for 1 year
25 for each year in which the grant was received for full-time
26 enrollment. If the student's actual enrollment was part-time,
27 the grant repayment shall be calculated as the length of time
28 required to complete the program based on full-time
29 enrollment.

30 (b) For an incentive grant for a program that
31 generates credit toward an occupational completion point, a

1 certificate, or a career education degree that does not
2 articulate into a baccalaureate degree, a student must
3 complete the program and maintain employment in an eligible
4 occupation in this state for 6 months for every semester of
5 full-time enrollment in the program. If the student's actual
6 enrollment in the program was part-time, the grant repayment
7 shall be calculated as the length of time required to complete
8 the program based on full-time enrollment, based on 6 months
9 for each semester.

10 (3) Any incentive grant recipient who does not remain
11 employed in an eligible occupation in this state must repay
12 the loan plus accrued annual interest at the rate of the
13 3-month United States Treasury Bill, plus 2.3 percent.

14 (4) An incentive grant recipient may receive repayment
15 credit for eligible employment rendered at any time during the
16 scheduled repayment period. However, this repayment credit is
17 applicable only to the current principal and accrued interest
18 balance that remains at the time the repayment credit is
19 earned. An incentive grant recipient may not be reimbursed for
20 previous cash payments of principal and interest.

21 Section 20. Section 445.0128, Florida Statutes, is
22 created to read:

23 445.0128 Workplace education.--

24 (1) Each school board and community college board of
25 trustees may apply to Workforce Florida, Inc., for a workplace
26 education grant. An applicant shall include in the grant
27 application a description of the workplace education program.
28 Workforce Florida, Inc., shall give priority to applications
29 that include:

30 (a) A marketing plan for business firms and industries
31 that employ people with minimum education levels.

1 (b) A program that makes attendance convenient to the
2 workplace by conducting instructional activities at or near
3 the workplace and by providing electronic access to
4 instructional assistance. Additional consideration must be
5 given to a program that provides for transportation within
6 existing resources.

7 (c) A program that will match state funds for a
8 coordinator's salary at 50 percent.

9 (d) A program that will be conducted jointly by one or
10 more school districts and the community college that serves
11 the region.

12 (2) A board may employ a workplace education
13 coordinator to promote, coordinate, organize, and administer
14 the program. The primary responsibilities of the coordinator
15 are to market and deliver programs for employees of business
16 firms or industries in the local education agency's service
17 area. If a coordinator is employed jointly by two or more
18 local education agencies, an agreement must provide for shared
19 supervision and a single fiscal agent to administer the grant.

20 (3) In addition to providing a coordinator, a grant
21 may be used for allocating operational funds for materials,
22 supplies, and part-time clerical assistance.

23 (4) A program must be designed to meet the needs of
24 the employers for continued education and training of
25 incumbent workers and may consist of instruction in adult
26 general education or vocational education, or both. Components
27 of the program must be conducted on site at the workplace or
28 at a site and at times convenient to the employees of the
29 firms that participate in the program.

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1 (5) The grant funds provided by the state must be
2 augmented by local funds and contributions from private
3 sources, including the participating employers.

4 Section 21. Section 445.013, Florida Statutes, is
5 created to read:

6 445.013 Challenge grants in support of welfare-to-work
7 initiatives.--

8 (1) Subject to legislative appropriation, Workforce
9 Florida, Inc., shall establish a "Step-Up Challenge Grant
10 Program" designed to maximize the use of federal
11 welfare-to-work funds that are available to the state. The
12 purpose of this challenge grant program is to ensure that
13 needy Floridians obtain training and education to support
14 retention of employment and achievement of self-sufficiency
15 through career advancement.

16 (2) Workforce Florida, Inc., shall solicit the
17 participation of not-for-profit organizations, for-profit
18 organizations, educational institutions, and units of
19 government in this program. Eligible organizations include,
20 but are not limited to:

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

23 (b) Faith-based organizations;

24 (c) Community-development or community-improvement
25 organizations;

26 (d) College or university alumni organizations or
27 fraternities or sororities;

28 (e) Community-based organizations dedicated to
29 addressing the challenges of inner city, rural, or minority
30 youth;

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1 (f) Chambers of commerce or similar business or civic
2 organizations;

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

5 (h) Municipalities, counties, or other units of
6 government;

7 (i) Private businesses; and

8 (j) Other organizations deemed appropriate by
9 Workforce Florida, Inc.

10 (3) If an eligible organization pledges to sponsor an
11 individual in postemployment education or training approved by
12 Workforce Florida, Inc., by providing the match of nonfederal
13 funds required under the federal welfare-to-work grant
14 program, Workforce Florida, Inc., shall earmark
15 welfare-to-work funds in support of the sponsored individual
16 and the designated training or education project. Workforce
17 Florida, Inc., and the eligible organization shall enter into
18 an agreement governing the disbursement of funds which
19 specifies the services to be provided for the benefit of the
20 eligible participant. Individuals receiving training or
21 education under this program must meet the eligibility
22 criteria of the federal welfare-to-work grant program, and
23 Workforce Florida, Inc., must disperse funds in compliance
24 with regulations or other requirements of the federal
25 welfare-to-work grant program.

26 (4) Workforce Florida, Inc., shall establish
27 guidelines governing the administration of the program
28 provided under this section and shall establish criteria to be
29 used in evaluating funding proposals. One of the evaluation
30 criteria must be a determination that the education or
31 training provided under the grant will enhance the ability of

1 the individual to retain employment and achieve
2 self-sufficiency through career advancement.

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

7 Section 22. Section 445.014, Florida Statutes, is
8 created to read:

9 445.014 Small business workforce service initiative.--

10 (1) Subject to legislative appropriation, Workforce
11 Florida, Inc., shall establish a program to encourage regional
12 workforce development boards to establish one-stop delivery
13 systems that maximize the provision of workforce and
14 human-resource support services to small businesses. Under the
15 program, a regional workforce board may apply, on a
16 competitive basis, for funds to support the provision of such
17 services to small businesses through the region's one-stop
18 delivery system.

19 (2) Eligible uses of funds under this program include,
20 but are not limited to:

21 (a) Identifying common training needs among small
22 businesses;

23 (b) Developing curriculum to address common training
24 needs among small businesses;

25 (c) Facilitating the provision of training services
26 for such small businesses through eligible training providers;

27 (d) Assisting small businesses to identify incentives
28 and complete applications or other paperwork associated with
29 such incentives; and

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1 (e) Establishing a single point of contact for the
2 provision of preemployment and postemployment services to
3 small businesses.

4 (3) Workforce Florida, Inc., shall establish
5 guidelines governing the administration of this program and
6 shall establish criteria to be used in evaluating applications
7 for funding. Such criteria must include, but need not be
8 limited to, a showing that the regional board has in place a
9 detailed plan for establishing a one-stop delivery system
10 designed to meet the workforce needs of small businesses and
11 for leveraging other funding sources in support of such
12 activities.

13 (4) For purposes of this section, the term "small
14 business" means an independently owned and operated business
15 concern that employs 30 or fewer permanent full-time employees
16 and that, together with its affiliates, has a net worth of not
17 more than \$3 million and an average net income, after federal
18 income taxes and excluding any carryover losses, of not more
19 than \$2 million for the preceding 2 years.

20 Section 23. Section 445.015, Florida Statutes, is
21 created to read:

22 445.015 Initiatives supporting economic development
23 for working poor families.--

24 (1) The Legislature finds that the ability of needy
25 persons in this state to achieve economic self-sufficiency
26 depends upon the existence of sufficient employment
27 opportunities with potential for career advancement. The
28 Legislature further finds that the ability of new and
29 expanding businesses to create such employment opportunities
30 depends significantly upon the availability of skilled
31 workers. Recognizing the interrelationship between economic

1 development and workforce development, it is the intent of the
2 Legislature to support innovative economic-development
3 projects that have been identified as having an impact on the
4 employment of needy persons in this state.

5 (2) Subject to legislative appropriation, Workforce
6 Florida, Inc., shall establish a program to provide funding in
7 support of economic-development projects that have a
8 significant potential for the employment of individuals in
9 families that are at risk of welfare dependency because the
10 family's income does not exceed 200 percent of the federal
11 poverty level. Workforce Florida, Inc., shall adopt guidelines
12 for administering this program and shall establish criteria
13 governing the evaluation of funding proposals submitted under
14 this program. Workforce Florida, Inc., shall consult with
15 Enterprise Florida, Inc., in developing such guidelines and
16 criteria, and shall include representatives of Enterprise
17 Florida, Inc., on a team to review funding proposals.

18 (3) To be eligible for funding under this section, a
19 proposal must be submitted jointly by a regional workforce
20 board and a local or regional economic development
21 organization. Funding proposals may be submitted to Workforce
22 Florida, Inc., throughout the fiscal year. Priority shall be
23 given to proposals submitted jointly by two or more regions
24 which are designed to address issues that cross regional
25 boundaries.

26 (4) Each project that receives funding under this
27 section must meet performance standards specified in the
28 project's contract. Failure to fulfill all performance
29 expectations will result in imposition of financial sanctions
30 and in loss of eligibility for receipt of future project
31 funding.

1 Section 24. Pilot grant program for youth
2 internships.--

3 (1) Subject to legislative appropriation, Workforce
4 Florida, Inc., shall establish a pilot matching grant program
5 that is designed to encourage businesses to employ, train, and
6 mentor financially needy youth through internships completed
7 under the direct supervision of the eligible business. Under
8 this program, Workforce Florida, Inc., may award grants to an
9 eligible business for the benefit of a named eligible youth.

10 (2) Grant funds awarded under this program shall be
11 used to supplement the stipend of the eligible youth and must
12 be matched by contributions from the eligible business. The
13 maximum grant amount that may be awarded on behalf of a single
14 eligible youth at one time is \$2,000. Workforce Florida, Inc.,
15 may establish limitations on the total number of internship
16 grants that may be awarded to a single eligible business or
17 that may be awarded on behalf of a single eligible youth.

18 (3) An eligible business under this program includes
19 any sole proprietorship, firm, partnership, corporation, bank,
20 savings association, or other association.

21 (4) An eligible youth under this program includes a
22 student between the ages of 15 and 18 who is currently
23 enrolled at a high school in Florida and who has not been
24 previously employed within the preceding 12 months by the
25 eligible business, or a successor business, applying for
26 matching funds under this program. The youth must be a member
27 of a family that includes a parent with one or more minor
28 children or a caretaker with one or more minor children and
29 that is at risk of welfare dependency because the family's
30 income does not exceed 200 percent of the federal poverty
31 level.

1 (5)(a) As part of an application for funding under
2 this program, an eligible business must submit an internship
3 work plan that describes:

4 1. The work to be performed by the eligible youth;

5 2. The anticipated number of hours per week the
6 eligible youth will work;

7 3. The total hourly stipend to be paid to eligible
8 youth, with a description of the portion of the stipend
9 proposed to be paid by the eligible business and the portion
10 of the stipend proposed to be paid by the state;

11 4. The anticipated term of the internship;

12 5. The training and supervision to be provided by the
13 eligible business;

14 6. The impact of the grant funds on the ability of the
15 eligible business to employ the eligible youth through the
16 internship; and

17 7. The prospects for unsubsidized employment of the
18 youth after the internship period concludes.

19 (b) An application for funding must also identify the
20 eligible youth to be hired under the internship and include
21 information to demonstrate that the eligible youth satisfies
22 the requirements of subsection (4).

23 (6) Workforce Florida, Inc., shall establish
24 guidelines governing the administration of this program which
25 facilitate access to the program by businesses and shall
26 establish criteria to be used in evaluating an application for
27 funding and the internship plan accompanying the application
28 as required under subsection (5). Such criteria must include,
29 but need not be limited to:

30 (a) The nature of the work to be performed by the
31 eligible youth;

1 (b) The potential experience and skills to be acquired
2 by the eligible youth;

3 (c) Whether the eligible business is classified in one
4 of the business sectors identified by Enterprise Florida,
5 Inc., as being strategically important to the economic
6 development efforts of the state or is classified in a
7 business sector identified as being strategically important to
8 the particular regional or local area in which the business is
9 located;

10 (d) The supervision, training, and counseling to be
11 provided to the eligible youth as part of the internship;

12 (e) The demonstrated need of the eligible business and
13 the amount of matching funds to be provided by the eligible
14 business; and

15 (f) The extent to which the internship has potential
16 to result in permanent employment with the eligible business
17 at the completion of the internship or anytime thereafter.

18 (7) Before allocating funds for any grant application
19 under this program, Workforce Florida, Inc., shall execute a
20 simplified grant agreement with the eligible business. Such
21 agreement must include provisions for Workforce Florida, Inc.,
22 to have access to information about the performance of
23 eligible youth upon completion of the internship.

24 (8) Workforce Florida, Inc., shall ensure that any
25 forms or reports associated with this program which a business
26 or individual is required to complete are as concise and
27 simple to complete as practicable.

28 (9) Before the 2002 legislative session, Workforce
29 Florida, Inc., shall prepare a report describing the outcomes
30 of the pilot program authorized under this section. The report
31 must include a recommendation as to whether the Legislature

1 should continue to fund the program and on any changes
2 necessary to enhance the program. The report must be submitted
3 to the Governor, the President of the Senate, and the Speaker
4 of the House of Representatives by January 31, 2002.

5 Section 25. Pilot projects for incumbent workers with
6 disabilities.--There is established in three counties pilot
7 programs of targeted services for incumbent workers with
8 disabilities. These pilot programs are intended to offer
9 specialized services to individuals with disabilities who are
10 employed to assist them in overcoming barriers to advancement
11 into higher paying jobs which are particular to their
12 disability. The specialized services include, but are not
13 limited to, case management, assistive technology devices,
14 consultation with employers, specialized training, limited job
15 coaching, referrals to continued training or other existing
16 services, and assistance with transportation. The provision of
17 these services shall be based on individual need and may range
18 from one-time assistance to intensive on-going supports. The
19 three counties identified for the pilot programs should
20 reflect a diversification of geographic locations and urban
21 and rural communities. Workforce Florida, Inc., shall develop
22 guidelines for the pilot programs, in consultation with the
23 Occupational Access and Opportunity Commission, including
24 delivery of service that allows maximum flexibility in
25 achieving advancement into higher paying jobs for individuals
26 with disabilities who are employed.

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

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

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

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

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

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

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

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

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

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

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

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

23 Section 27. Section 414.15, Florida Statutes, is
24 transferred, renumbered as section 445.017, Florida Statutes,
25 and amended to read:

26 445.017 ~~414.15~~ Diversion.--

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

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

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

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

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

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

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

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

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

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

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

14 Section 28. Section 445.018, Florida Statutes, is
15 created to read:

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

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

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

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

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

31

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

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

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

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

27 Section 29. Section 414.159, Florida Statutes, is
28 transferred, renumbered as section 445.019, Florida Statutes,
29 and amended to read:

30 445.019 ~~414.159~~ Teen parent and pregnancy prevention
31 diversion program; eligibility for services.--The Legislature

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

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

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

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

18 Section 30. Section 445.020, Florida Statutes, is
19 created to read:

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

1 financial determination for receipt of such benefits,
2 payments, or services, the criteria otherwise established in
3 this chapter shall be used.

4 Section 31. Section 414.155, Florida Statutes, is
5 transferred, renumbered as section 445.021, Florida Statutes,
6 and amended to read:

7 445.021 ~~414.155~~ Relocation assistance program.--

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

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

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

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

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

31

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

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

6 4. Is determined, pursuant to criteria or procedures
7 established by the ~~WAGES Program State~~ board of directors of
8 Workforce Florida, Inc., to be a victim of domestic violence
9 who would experience reduced probability of further incidents
10 through relocation; or-

11 5. Must relocate in order to receive education or
12 training that is directly related to the applicant's
13 employment or career advancement.

14 (c) Establishment of a relocation plan that ~~which~~
15 includes such requirements as are necessary to prevent abuse
16 of the benefit and provisions to protect the safety of victims
17 of domestic violence and avoid provisions that place them in
18 anticipated danger. The payment to defray relocation expenses
19 shall be determined based on criteria ~~a rule~~ approved by the
20 ~~WAGES Program State~~ board of directors of Workforce Florida,
21 Inc. ~~and adopted by the department.~~ Participants in the
22 relocation program shall be eligible for diversion or
23 transitional benefits.

24 (d) A determination, pursuant to criteria adopted by
25 the ~~WAGES Program State~~ board of directors of Workforce
26 Florida, Inc., that a Florida community receiving a relocated
27 family has the capacity to provide needed services and
28 employment opportunities.

29 (e) Monitoring the relocation.

30 (3) A family receiving relocation assistance for
31 reasons other than domestic violence must sign an agreement

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

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

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

25 Section 32. Section 414.223, Florida Statutes, is
26 transferred, renumbered as section 445.022, Florida Statutes,
27 and amended to read:

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

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

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

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

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

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

28 Section 33. Section 414.18, Florida Statutes, is
29 transferred, renumbered as section 445.023, Florida Statutes,
30 and amended to read:

31

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

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

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

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

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

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

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

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

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

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

10 Section 34. Section 445.024, Florida Statutes, is
11 created to read:

12 445.024 Work requirements.--

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

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

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

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

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

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

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

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

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

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

31

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

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

31

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

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

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

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

1 job-seeking activities. Job readiness assistance provides
2 support for job-seeking activities, which may include:

3 1. Orientation to the world of work and basic
4 job-seeking and job retention skills.

5 2. Instruction in completing an application for
6 employment and writing a resume.

7 3. Instruction in conducting oneself during a job
8 interview, including appropriate dress.

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

11
12 Job readiness assistance may also include providing a
13 participant with access to an employment resource center that
14 contains job listings, telephones, facsimile machines,
15 typewriters, and word processors. Job search and job readiness
16 activities may be used in conjunction with other program
17 activities, such as work experience, but may not be the
18 primary work activity for longer than the length of time
19 permitted under federal law.

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

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

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

18 2. When possible, a provider of vocational education
19 or training shall use funds provided by funding sources other
20 than the regional workforce board. The regional workforce
21 board may provide additional funds to a vocational education
22 or training provider only if payment is made pursuant to a
23 performance-based contract. Under a performance-based
24 contract, the provider may be partially paid when a
25 participant completes education or training, but the majority
26 of payment shall be made following the participant's
27 employment at a specific wage or job retention for a specific
28 duration. Performance-based payments made under this
29 subparagraph are limited to education or training for targeted
30 occupations identified by the Workforce Estimating Conference
31 under s. 216.136, or other programs identified by Workforce

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

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

15 (i) Education services related to employment for
16 participants 19 years of age or younger.--Education services
17 provided under this paragraph are designed to prepare a
18 participant for employment in an occupation. The 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 welfare-transition program.

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

23 (m) GED preparation and literacy education.--

24 1. If a work-eligible adult recipient of temporary
25 cash assistance does not have a high school diploma or has not
26 received a general equivalency diploma (GED), time spent
27 attending secondary school or a course of study leading to a
28 GED may count toward the recipient's minimum monthly
29 work-participation requirement.

30 2. If literacy is a barrier to employment for a
31 work-eligible adult recipient of temporary cash assistance,

1 time spent in adult education courses related to literacy or
2 in courses in English-language proficiency may count toward
3 the recipient's minimum monthly work-participation
4 requirement.

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

24 (a) A participant in a work activity may also be
25 required to enroll in and attend a course of instruction
26 designed to increase literacy skills to a level necessary for
27 obtaining or retaining employment, provided that the
28 instruction plus the work activity does not require more than
29 40 hours per week.

30 (b) Program funds may be used, as available, to
31 support the efforts of a participant who meets the work

1 activity requirements and who wishes to enroll in or continue
2 enrollment in an adult general education program or a career
3 education program.

4 (3) EXEMPTION FROM WORK ACTIVITY REQUIREMENTS.--The
5 following individuals are exempt from work activity
6 requirements:

7 (a) A minor child under age 16.

8 (b) An individual who receives benefits under the
9 Supplemental Security Income program or the Social Security
10 Disability Insurance program.

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

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

20 (4) PRIORITIZATION OF WORK REQUIREMENTS.--Regional
21 workforce boards shall require participation in work
22 activities to the maximum extent possible, subject to federal
23 and state funding. If funds are projected to be insufficient
24 to allow full-time work activities by all program participants
25 who are required to participate in work activities, regional
26 workforce boards shall screen participants and assign priority
27 based on the following:

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

31

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

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

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

10
11 Regional workforce boards may limit a participant's weekly
12 work requirement to the minimum required to meet federal work
13 activity requirements in lieu of the level defined in
14 subsection (2). Regional workforce boards may develop
15 screening and prioritization procedures based on the
16 allocation of resources, the availability of community
17 resources, or the work activity needs of the service district.

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

22 (a) A contract must be performance-based. Payment
23 shall be tied to performance outcomes that include factors
24 such as, but not limited to, diversion from cash assistance,
25 job entry, job entry at a target wage, job retention, and
26 connection to transition services rather than tied to
27 completion of training or education or any other phase of the
28 program participation process.

29 (b) A contract may include performance-based incentive
30 payments that may vary according to the extent to which the
31 participant is more difficult to place. Contract payments may

1 be weighted proportionally to reflect the extent to which the
2 participant has limitations associated with the long-term
3 receipt of welfare and difficulty in sustaining employment.

4 The factors may include the extent of prior receipt of
5 welfare, lack of employment experience, lack of education,
6 lack of job skills, and other factors determined appropriate
7 by the regional workforce board.

8 (c) Notwithstanding the exemption from the competitive
9 sealed bid requirements provided in s. 287.057(3)(f) for
10 certain contractual services, each contract awarded under this
11 chapter must be awarded on the basis of a competitive sealed
12 bid, except for a contract with a governmental entity as
13 determined by the regional workforce board.

14 (d) Regional workforce boards may contract with
15 commercial, charitable, or religious organizations. A contract
16 must comply with federal requirements with respect to
17 nondiscrimination and other requirements that safeguard the
18 rights of participants. Services may be provided under
19 contract, certificate, voucher, or other form of disbursement.

20 (e) The administrative costs associated with a
21 contract for services provided under this section may not
22 exceed the applicable administrative cost ceiling established
23 in federal law. An agency or entity that is awarded a contract
24 under this section may not charge more than 7 percent of the
25 value of the contract for administration, unless an exception
26 is approved by the regional workforce board. A list of any
27 exceptions approved must be submitted to the board of
28 directors of Workforce Florida, Inc., for review, and the
29 board may rescind approval of the exception.

30
31

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

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

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

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

25 (8) CONTRACTS FOR VOCATIONAL ASSESSMENTS AND WORK
26 EVALUATIONS.--Vocational assessments or work evaluations by
27 the Division of Vocational Rehabilitation pursuant to this
28 section shall be performed under contract with the regional
29 workforce boards.

30
31

1 Section 35. Section 414.20, Florida Statutes, is
2 transferred, renumbered as section 445.025, Florida Statutes,
3 and amended to read:

4 445.025 ~~414.20~~ Other support services.--Support
5 services shall be provided, if resources permit, to assist
6 participants in complying with work activity requirements
7 outlined in s. 445.024 ~~s. 414.065~~. If resources do not permit
8 the provision of needed support services, the regional
9 workforce board ~~department and the local WAGES coalition~~ may
10 prioritize or otherwise limit provision of support services.
11 This section does not constitute an entitlement to support
12 services. Lack of provision of support services may be
13 considered as a factor in determining whether good cause
14 exists for failing to comply with work activity requirements
15 but does not automatically constitute good cause for failing
16 to comply with work activity requirements, and does not affect
17 any applicable time limit on the receipt of temporary cash
18 assistance or the provision of services under ~~this~~ chapter
19 414. Support services shall include, but need not be limited
20 to:

21 (1) TRANSPORTATION.--Transportation expenses may be
22 provided to any participant when the assistance is needed to
23 comply with work activity requirements or employment
24 requirements, including transportation to and from a child
25 care provider. Payment may be made in cash or tokens in
26 advance or through reimbursement paid against receipts or
27 invoices. Transportation services may include, but are not
28 limited to, cooperative arrangements with the following:
29 public transit providers; community transportation
30 coordinators designated under chapter 427; school districts;
31 churches and community centers; donated motor vehicle

1 programs, van pools, and ridesharing programs; small
2 enterprise developments and entrepreneurial programs that
3 encourage ~~WAGES~~ participants to become transportation
4 providers; public and private transportation partnerships; and
5 other innovative strategies to expand transportation options
6 available to program participants.

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

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

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

30
31

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

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

17 Section 36. Section 414.1525, Florida Statutes, is
18 transferred, renumbered as section 445.026, Florida Statutes,
19 and amended to read:

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

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

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

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

31

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

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

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

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

28 Section 37. Section 445.028, Florida Statutes, is
29 created to read:

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

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

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

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

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

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

28 Section 38. Section 414.21, Florida Statutes, is
29 transferred, renumbered as section 445.029, Florida Statutes,
30 and amended to read:

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

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

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

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

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

19 Section 39. Section 414.22, Florida Statutes, is
20 transferred, renumbered as section 445.030, Florida Statutes,
21 and amended to read:

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

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

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

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

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

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

27 Section 40. Section 414.225, Florida Statutes, is
28 transferred, renumbered as section 445.031, Florida Statutes,
29 and amended to read:

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

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

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

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

16 Section 41. Section 445.032, Florida Statutes, is
17 created to read:

18 445.032 Transitional child care.--In order to assist
19 former recipients of temporary cash assistance in maintaining
20 and sustaining employment or educational opportunities, child
21 care services may be provided, pursuant to s. 402.3015(3), for
22 up to 2 years after the family is no longer receiving
23 temporary cash assistance. This does not constitute an
24 entitlement to transitional child care services. If funds are
25 not sufficient to provide services under this section,
26 regional workforce boards may limit or prioritize child care
27 services.

28 Section 42. Section 414.23, Florida Statutes, is
29 transferred, renumbered as section 445.033, Florida Statutes,
30 and amended to read:

31

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

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

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

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

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

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

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

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

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

27 Section 43. Section 445.034, Florida Statutes, is
28 created to read:

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

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

12 Section 44. Section 414.44, Florida Statutes, is
13 transferred, renumbered as section 445.035, Florida Statutes,
14 and amended to read:

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

22 Section 45. Section 414.025, Florida Statutes, is
23 amended to read:

24 414.025 Legislative intent.--

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

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

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

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

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

14 Section 46. Section 414.0252, Florida Statutes, is
15 amended to read:

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

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

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

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

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

31

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

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

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

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

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

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

31

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

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

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

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

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

31

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

4 Section 47. Section 414.045, Florida Statutes, is
5 amended to read:

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

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

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

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

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

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

5 3. Families participating in transition assistance
6 programs.

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

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

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

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

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

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

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

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

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

1 Section 48. Section 414.065, Florida Statutes, is
2 amended to read:

3 414.065 Noncompliance with work requirements.--

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

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

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

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

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

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

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

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

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

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

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

31

1 ~~performs similar work. Work-study activities administered by~~
2 ~~educational institutions are included in this activity.~~

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

20 ~~1. Assess WAGES Program compliance before referral of~~
21 ~~the participant to costly services such as career education;~~

22 ~~2. Maintain work activity status while the participant~~
23 ~~awaits placement into paid employment or training;~~

24 ~~3. Fulfill a clinical practicum or internship~~
25 ~~requirement related to employment; or~~

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

27
28 ~~As used in this paragraph, the terms "community service~~
29 ~~experience," "community work," and "workfare" are synonymous.~~

30 ~~(e) Work experience.--Work experience is an~~
31 ~~appropriate work activity for participants who lack~~

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

31

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

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

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

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

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

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

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

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

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

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

4 2. Second noncompliance: temporary cash assistance
5 and food stamps shall be terminated for the family until the
6 individual demonstrates compliance in the required work
7 activity for a period of 30 days. Upon compliance, temporary
8 cash assistance and food stamps shall be reinstated to the
9 date of compliance.

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

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

21
22 If a participant fully complies with work activity
23 requirements for at least 6 months, the participant shall be
24 reinstated as being in full compliance with program
25 requirements for purpose of sanctions imposed under this
26 section.

27 (2)~~(5)~~ CONTINUATION OF TEMPORARY CASH ASSISTANCE FOR
28 CHILDREN; PROTECTIVE PAYEES.--

29 (a) Upon the second or third occurrence of
30 noncompliance, temporary cash assistance and food stamps for
31 the child or children in a family who are under age 16 may be

1 continued. Any such payments must be made through a protective
2 payee or, in the case of food stamps, through an authorized
3 representative. Under no circumstances shall temporary cash
4 assistance or food stamps be paid to an individual who has
5 failed to comply with program requirements.

6 (b) Protective payees shall be designated by the
7 department and may include:

8 1. A relative or other individual who is interested in
9 or concerned with the welfare of the child or children and
10 agrees in writing to utilize the assistance in the best
11 interest of the child or children.

12 2. A member of the community affiliated with a
13 religious, community, neighborhood, or charitable organization
14 who agrees in writing to utilize the assistance in the best
15 interest of the child or children.

16 3. A volunteer or member of an organization who agrees
17 in writing to fulfill the role of protective payee and to
18 utilize the assistance in the best interest of the child or
19 children.

20 (c) The protective payee designated by the department
21 shall be the authorized representative for purposes of
22 receiving food stamps on behalf of a child or children under
23 age 16. The authorized representative must agree in writing to
24 use the food stamps in the best interest of the child or
25 children.

26 (d) If it is in the best interest of the child or
27 children, as determined by the department, for the staff
28 member of a private agency, a public agency, the department,
29 or any other appropriate organization to serve as a protective
30 payee or authorized representative, such designation may be
31 made, except that a protective payee or authorized

1 representative must not be any individual involved in
2 determining eligibility for temporary cash assistance or food
3 stamps for the family, staff handling any fiscal processes
4 related to issuance of temporary cash assistance or food
5 stamps, or landlords, grocers, or vendors of goods, services,
6 or items dealing directly with the participant.

7 (e) The department may pay incidental expenses or
8 travel expenses for costs directly related to performance of
9 the duties of a protective payee as necessary to implement the
10 provisions of this subsection.

11 (f) If the department is unable to designate a
12 qualified protective payee or authorized representative, a
13 referral shall be made under the provisions of chapter 39 for
14 protective intervention.

15 (3)~~(6)~~ PROPORTIONAL REDUCTION OF TEMPORARY CASH
16 ASSISTANCE RELATED TO PAY AFTER PERFORMANCE.--Notwithstanding
17 the provisions of subsection(1)~~(4)~~, if an individual is
18 receiving temporary cash assistance under a
19 pay-after-performance arrangement and the individual
20 participates, but fails to meet the full participation
21 requirement, then the temporary cash assistance received shall
22 be reduced and shall be proportional to the actual
23 participation. Food stamps may be included in a
24 pay-after-performance arrangement if permitted under federal
25 law.

26 (4)~~(7)~~ EXCEPTIONS TO NONCOMPLIANCE PENALTIES.--Unless
27 otherwise provided, the situations listed in this subsection
28 shall constitute exceptions to the penalties for noncompliance
29 with participation requirements, except that these situations
30 do not constitute exceptions to the applicable time limit for
31 receipt of temporary cash assistance:

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

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

10 2. Unavailability or unsuitability of informal child
11 care by a relative or under other arrangements.

12 3. Unavailability of appropriate and affordable formal
13 child care arrangements.

14 (b) Noncompliance related to domestic violence.--An
15 individual who is determined to be unable to comply with the
16 work requirements because such compliance would make it
17 probable that the individual would be unable to escape
18 domestic violence shall be exempt from work requirements
19 ~~pursuant to s. 414.028(4)(g)~~. However, the individual shall
20 comply with a plan that specifies alternative requirements
21 that prepare the individual for self-sufficiency while
22 providing for the safety of the individual and the
23 individual's dependents. A participant who is determined to
24 be out of compliance with the alternative requirement plan
25 shall be subject to the penalties under subsection (1)(4).
26 An exception granted under this paragraph does not constitute
27 an exception to the time limitations on benefits specified
28 under s. 414.105.

29 (c) Noncompliance related to treatment or remediation
30 of past effects of domestic violence.--An individual who is
31 determined to be unable to comply with the work requirements

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

25 (d) Noncompliance related to medical incapacity.--If
26 an individual cannot participate in assigned work activities
27 due to a medical incapacity, the individual may be excepted
28 from the activity for a specific period, except that the
29 individual shall be required to comply with the course of
30 treatment necessary for the individual to resume
31 participation. A participant may not be excused from work

1 activity requirements unless the participant's medical
2 incapacity is verified by a physician licensed under chapter
3 458 or chapter 459, in accordance with procedures established
4 by rule of the department. An individual for whom there is
5 medical verification of limitation to participate in work
6 activities shall be assigned to work activities consistent
7 with such limitations. Evaluation of an individual's ability
8 to participate in work activities or development of a plan for
9 work activity assignment may include vocational assessment or
10 work evaluation. The department or a regional workforce board
11 ~~local WAGES coalition~~ may require an individual to cooperate
12 in medical or vocational assessment necessary to evaluate the
13 individual's ability to participate in a work activity.

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

25 (f) Other good cause exceptions for
26 noncompliance.--Individuals who are temporarily unable to
27 participate due to circumstances beyond their control may be
28 excepted from the noncompliance penalties. The department may
29 define by rule situations that would constitute good cause.
30 These situations must include caring for a disabled family
31

1 member when the need for the care has been verified and
2 alternate care is not available.

3 (5)~~(8)~~ WORK ACTIVITY REQUIREMENTS FOR NONCUSTODIAL
4 PARENTS.--

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

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

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

19 2. The noncustodial parent would be eligible to
20 participate in work activities ~~the WAGES Program~~ and subject
21 to work activity requirements if the child were living with
22 the parent.

23
24 If a noncustodial parent fails to comply with the case plan,
25 the noncustodial parent may be removed from program
26 participation.

27 ~~(9) PRIORITIZATION OF WORK REQUIREMENTS.--The~~
28 ~~department and local WAGES coalitions shall require~~
29 ~~participation in work activities to the maximum extent~~
30 ~~possible, subject to federal and state funding. If funds are~~
31 ~~projected to be insufficient to allow full-time work~~

1 ~~activities by all program participants who are required to~~
2 ~~participate in work activities, local WAGES coalitions shall~~
3 ~~screen participants and assign priority based on the~~
4 ~~following:~~

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

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

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

13 ~~(d) Priority may be assigned based on the amount of~~
14 ~~time remaining until the participant reaches the applicable~~
15 ~~time limit for program participation or may be based on~~
16 ~~requirements of a case plan.~~

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

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

31

1 ~~(a) All education and training provided under the~~
2 ~~WAGES Program shall be provided through agreements with~~
3 ~~regional workforce development boards.~~

4 ~~(b) A contract must be performance-based. Wherever~~
5 ~~possible, payment shall be tied to performance outcomes that~~
6 ~~include factors such as, but not limited to, job entry, job~~
7 ~~entry at a target wage, and job retention, rather than tied to~~
8 ~~completion of training or education or any other phase of the~~
9 ~~program participation process.~~

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

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

26 ~~(e) The department and the local WAGES coalitions may~~
27 ~~contract with commercial, charitable, or religious~~
28 ~~organizations. A contract must comply with federal~~
29 ~~requirements with respect to nondiscrimination and other~~
30 ~~requirements that safeguard the rights of participants.~~

31

1 ~~Services may be provided under contract, certificate, voucher,~~
2 ~~or other form of disbursement.~~

3 ~~(f) The administrative costs associated with a~~
4 ~~contract for services provided under this section may not~~
5 ~~exceed the applicable administrative cost ceiling established~~
6 ~~in federal law. An agency or entity that is awarded a contract~~
7 ~~under this section may not charge more than 7 percent of the~~
8 ~~value of the contract for administration, unless an exception~~
9 ~~is approved by the local WAGES coalition. A list of any~~
10 ~~exceptions approved must be submitted to the WAGES Program~~
11 ~~State Board of Directors for review, and the board may rescind~~
12 ~~approval of the exception. The WAGES Program State Board of~~
13 ~~Directors may also approve exceptions for any statewide~~
14 ~~contract for services provided under this section.~~

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

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

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

28 ~~(12) PROTECTION FOR CURRENT EMPLOYEES.--In~~
29 ~~establishing and contracting for work experience and community~~
30 ~~service activities, other work experience activities,~~
31 ~~on-the-job training, subsidized employment, and work~~

1 ~~supplementation under the WAGES Program, an employed worker~~
2 ~~may not be displaced, either completely or partially. A WAGES~~
3 ~~participant may not be assigned to an activity or employed in~~
4 ~~a position if the employer has created the vacancy or~~
5 ~~terminated an existing employee without good cause in order to~~
6 ~~fill that position with a WAGES Program participant.~~

7 ~~(13) CONTRACTS FOR VOCATIONAL ASSESSMENTS AND WORK~~
8 ~~EVALUATIONS.--Vocational assessments or work evaluations by~~
9 ~~the Division of Vocational Rehabilitation pursuant to this~~
10 ~~section shall be performed under contract with the local WAGES~~
11 ~~coalitions.~~

12 Section 49. Section 414.085, Florida Statutes, is
13 amended to read:

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

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

27 (2) Income security payments, including payments
28 funded under part B of Title IV of the Social Security Act, as
29 amended; supplemental security income under Title XVI of the
30 Social Security Act, as amended; or other income security

31

1 payments as defined by federal law shall be excluded as income
2 unless required to be included by federal law.

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

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

11 Section 50. Section 414.095, Florida Statutes, is
12 amended to read:

13 414.095 Determining eligibility for temporary cash
14 assistance ~~the WAGES Program~~.--

15 (1) ELIGIBILITY.--An applicant must meet eligibility
16 requirements of this section before receiving services or
17 temporary cash assistance under this chapter, except that an
18 applicant shall be required to engage in work activities in
19 accordance with s. 445.024 ~~s. 414.065~~ and may receive support
20 services or child care assistance in conjunction with such
21 requirement. The department shall make a determination of
22 eligibility based on the criteria listed in this chapter. The
23 department shall monitor continued eligibility for temporary
24 cash assistance through periodic reviews consistent with the
25 food stamp eligibility process. Benefits shall not be denied
26 to an individual solely based on a felony drug conviction,
27 unless the conviction is for trafficking pursuant to s.
28 893.135. To be eligible under this section, an individual
29 convicted of a drug felony must be satisfactorily meeting the
30 requirements of the temporary cash assistance ~~WAGES~~ program,
31 including all substance abuse treatment requirements. Within

1 the limits specified in this chapter, the state opts out of
2 the provision of Pub. L. No. 104-193, s. 115, that eliminates
3 eligibility for temporary cash assistance and food stamps for
4 any individual convicted of a controlled substance felony.

5 (2) ADDITIONAL ELIGIBILITY REQUIREMENTS.--

6 (a) To be eligible for services or temporary cash
7 assistance and Medicaid ~~under the WAGES Program~~:

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

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

11 3. Each member of a family must provide to the
12 department the member's social security number or shall
13 provide proof of application for a social security number. An
14 individual who fails to provide to the department a social
15 security number, or proof of application for a social security
16 number, is not eligible to participate in the program.

17 4. A minor child must reside with a custodial parent
18 or parents or with a relative caretaker who is within the
19 specified degree of blood relationship as defined under this
20 chapter ~~the WAGES Program~~, or in a setting approved by the
21 department.

22 5. Each family must have a minor child and meet the
23 income and resource requirements of the program. All minor
24 children who live in the family, as well as the parents of the
25 minor children, shall be included in the eligibility
26 determination unless specifically excluded.

27 (b) The following members of a family are eligible to
28 participate in the program if all eligibility requirements are
29 met:

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

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

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

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

10 5. A pregnant woman.

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

1 including a tourist, business visitor, foreign student,
2 exchange visitor, temporary worker, or diplomat. In addition,
3 a "nonqualified noncitizen" includes an individual paroled
4 into the United States for less than 1 year. A qualified
5 noncitizen who is otherwise eligible may receive temporary
6 cash assistance to the extent permitted by federal law. The
7 income or resources of a sponsor and the sponsor's spouse
8 shall be included in determining eligibility to the maximum
9 extent permitted by federal law.

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

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

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

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

30 (e) The entire assets of an ineligible noncitizen
31 ~~alien~~ or a disqualified individual who is a mandatory member

1 of a family shall be included in determining the family's
2 eligibility.

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

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

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

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

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

31

1 (c) A family that contains two stepparents, with or
2 without a mutual minor child, does not have the option to
3 exclude a stepparent from the family, and the income and
4 resources from each stepparent must be included in determining
5 eligibility.

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

19 (6) PREGNANT WOMAN WITH NO OTHER CHILD.--Temporary
20 cash assistance for a pregnant woman is not available until
21 the last month of pregnancy. However, if the department
22 determines that a woman is restricted from work activities by
23 orders of a physician, temporary cash assistance shall be
24 available during the last trimester of pregnancy.

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

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

4 (b) Assisting in establishing paternity; and

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

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

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

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

29 (a) The beginning date of eligibility for temporary
30 cash assistance is the date on which the application is
31

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

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

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

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

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

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

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

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

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

31

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

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

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

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

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

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

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

24

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

27

28 THREE-TIER SHELTER PAYMENT STANDARD

29

30

31

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

18

19 (12) DISREGARDS.--

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

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

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

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

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

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

9 (14) METHODS OF PAYMENT OF TEMPORARY CASH

10 ASSISTANCE.--Temporary cash assistance may be paid as follows:

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

13 (b) Payment to an alternative payee.

14 (c) Payment for subsidized employment.

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

17 (15) PROHIBITIONS AND RESTRICTIONS.--

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

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

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

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

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

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

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

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

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

1 include a shelter obligation in accordance with subsection
2 (11).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

30 Section 51. Section 414.105, Florida Statutes, is
31 amended to read:

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

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

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

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

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

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

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

1 receive temporary cash assistance under this subsection, in
2 combination with other periods of temporary cash assistance
3 for longer than a lifetime limit of 48 months.

4 (3) Hardship exemptions to the time limitations of
5 this chapter shall be limited to 20 percent of the average
6 monthly caseload ~~participants in all subsequent years~~, as
7 determined by the department in cooperation with Workforce
8 Florida, Inc. ~~and approved by the WAGES Program State Board of~~
9 ~~Directors~~. Criteria for hardship exemptions include:

10 (a) Diligent participation in activities, combined
11 with inability to obtain employment.

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

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

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

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

1 child may require continuation of temporary cash assistance
2 through a protective payee.

3

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

9 (4)~~(3)~~ In addition to the exemptions listed in
10 subsection(3)~~(2)~~, a victim of domestic violence may be
11 granted a hardship exemption if the effects of such domestic
12 violence delay or otherwise interrupt or adversely affect the
13 individual's participation in the program. ~~Hardship exemptions~~
14 ~~granted under this subsection shall not be subject to the~~
15 ~~percentage limitations in subsection (2).~~

16 (5)~~(4)~~ The department, in cooperation with Workforce
17 Florida, Inc., shall establish a procedure for reviewing and
18 approving hardship exemptions and for reviewing hardship cases
19 at least once every 3 years. Regional workforce boards, and
20 the local WAGES coalitions may assist in making these
21 determinations. The composition of any review panel must
22 generally reflect the racial, gender, and ethnic diversity of
23 the community as a whole. Members of a review panel shall
24 serve without compensation but are entitled to receive
25 reimbursement for per diem and travel expenses as provided in
26 s. 112.016.

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

1 ~~assistance. If an individual fails to comply with program~~
2 ~~requirements during a hardship exemption period, the hardship~~
3 ~~exemption shall be removed.~~

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

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

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

23 (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 (10) An individual who receives benefits under the
28 Supplemental Security Income(SSI)program or the Social
29 Security Disability Insurance(SSDI)program is not subject to
30 time limitations. An individual who has applied for
31 supplemental security income (SSI) or supplemental security

1 disability income (SSDI), 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. Determination shall be considered final once all
5 appeals have been exhausted, benefits have been received, or
6 denial has been accepted without any appeal. While awaiting a
7 final determination, such individual must continue to meet all
8 program requirements assigned to the participant based on
9 medical ability to comply. If a final determination results in
10 the denial of benefits for supplemental security income (SSI)
11 or supplemental security disability income (SSDI), any period
12 during which the recipient received assistance under this
13 chapter shall count against ~~Extensions of time limits shall be~~
14 ~~within~~ the recipient's 48-month lifetime limit. ~~Hardship~~
15 ~~exemptions granted under this subsection shall not be subject~~
16 ~~to the percentage limitations in subsection (2).~~

17 (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 (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 52. 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

1 Section 53. Section 414.158, Florida Statutes, is
2 amended to read:

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

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

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

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

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

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

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

30 (4) The department, in consultation with Healthy
31 Families Florida, may establish additional requirements

1 related to services or one-time payments, and the department
2 is authorized to adopt rules relating to maximum amounts of
3 such one-time payments.

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

7 Section 54. Subsection (1) of section 414.35, Florida
8 Statutes, is amended to read:

9 414.35 Emergency relief.--

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

15 Section 55. Subsection (1) of section 414.36, Florida
16 Statutes, is amended to read:

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

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

27 Section 56. Subsection (10) of section 414.39, Florida
28 Statutes, is amended to read:

29 414.39 Fraud.--

30 (10) The department shall create an error-prone or
31 fraud-prone case profile within its public assistance

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

7 Section 57. Subsection (3) of section 414.41, Florida
8 Statutes, is amended to read:

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

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

17 Section 58. Section 414.55, Florida Statutes, is
18 amended to read:

19 414.55 Implementation of ~~ss.~~
20 ~~414.015-414.55.--Following the effective date of ss.~~
21 ~~414.015-414.55+.~~

22 ~~(1)(a) The Governor may delay implementation of ss.~~
23 ~~414.015-414.55 in order to provide the department, the~~
24 ~~Department of Labor and Employment Security, the Department of~~
25 ~~Revenue, and the Department of Health with the time necessary~~
26 ~~to prepare to implement new programs.~~

27 ~~(b) The Governor may also delay implementation of~~
28 ~~portions of ss. 414.015-414.55 in order to allow savings~~
29 ~~resulting from the enactment of ss. 414.015-414.55 to pay for~~
30 ~~provisions implemented later. If the Governor determines that~~
31 ~~portions of ss. 414.015-414.55 should be delayed, the priority~~

1 ~~in implementing ss. 414.015-414.55 shall be, in order of~~
2 ~~priority:~~

3 ~~1. Provisions that provide savings in the first year~~
4 ~~of implementation.~~

5 ~~2. Provisions necessary to the implementation of work~~
6 ~~activity requirements, time limits, and sanctions.~~

7 ~~3. Provisions related to removing marriage penalties~~
8 ~~and expanding temporary cash assistance to stepparent and~~
9 ~~two-parent families.~~

10 ~~4. Provisions related to the reduction of teen~~
11 ~~pregnancy and out-of-wedlock births.~~

12 ~~5. Other provisions.~~

13 ~~(2) The programs affected by ss. 414.015-414.55 shall~~
14 ~~continue to operate under the provisions of law that would be~~
15 ~~in effect in the absence of ss. 414.015-414.55, until such~~
16 ~~time as the Governor informs the Speaker of the House of~~
17 ~~Representatives and the President of the Senate of his or her~~
18 ~~intention to implement provisions of ss. 414.015-414.55.~~
19 ~~Notice of intent to implement ss. 414.015-414.55 shall be~~
20 ~~given to the Speaker of the House of Representatives and the~~
21 ~~President of the Senate in writing and shall be delivered at~~
22 ~~least 14 consecutive days prior to such action.~~

23 ~~(3) Any changes to a program, activity, or function~~
24 ~~taken pursuant to this section shall be considered a type two~~
25 ~~transfer pursuant to the provisions of s. 20.06(2).~~

26 ~~(4) In implementing ss. 414.015-414.55, The Governor~~
27 ~~shall minimize the liability of the state by opting out of the~~
28 ~~special provision related to community work, as described in~~
29 ~~s. 402(a)(1)(B)(iv) of the Social Security Act, as amended by~~
30 ~~Pub. L. No. 104-193. The department and Workforce Florida,~~
31 ~~Inc., the Department of Labor and Employment Security shall~~

1 implement the community work program in accordance with s.
2 445.024 ~~ss. 414.015-414.55.~~

3 Section 59. Section 414.70, Florida Statutes, is
4 amended to read:

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

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

26 (a) Applicants subject to the requirements of this
27 section include any parent or caretaker relative who is
28 included in the cash assistance group, including individuals
29 who may be exempt from work activity requirements due to the
30 age of the youngest child or who may be excepted from work
31 activity requirements under s. 414.065(4) ~~s. 414.065(7)~~.

1 (b) Applicants not subject to the requirements of this
2 section include applicants for food stamps or Medicaid who are
3 not applying for cash assistance, applicants who, if eligible,
4 would be exempt from the time limitation and work activity
5 requirements due to receipt of social security disability
6 income, and applicants who, if eligible, would be excluded
7 from the assistance group due to receipt of supplemental
8 security income.

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

11 (a) Provide notice of drug screening and the potential
12 for possible drug testing to each applicant at the time of
13 application. The notice must advise the applicant that drug
14 screening and possibly drug testing will be conducted as a
15 condition for receiving temporary assistance ~~or services~~ under
16 this chapter, and shall specify the assistance ~~or services~~
17 that are subject to this requirement. The notice must also
18 advise the applicant that a prospective employer may require
19 the applicant to submit to a preemployment drug test. The
20 applicant shall be advised that the required drug screening
21 and possible drug testing may be avoided if the applicant does
22 not apply for or receive assistance ~~or services~~. The
23 drug-screening and drug-testing program is not applicable in
24 child-only cases.

25 (b) Develop a procedure for drug screening and
26 conducting drug testing of applicants for temporary cash
27 assistance ~~or services under the WAGES Program~~. For two-parent
28 families, both parents must comply with the drug screening and
29 testing requirements of this section.

30 (c) Provide a procedure to advise each person to be
31 tested, before the test is conducted, that he or she may, but

1 is not required to, advise the agent administering the test of
2 any prescription or over-the-counter medication he or she is
3 taking.

4 (d) Require each person to be tested to sign a written
5 acknowledgment that he or she has received and understood the
6 notice and advice provided under paragraphs (a) and (c).

7 (e) Provide a procedure to assure each person being
8 tested a reasonable degree of dignity while producing and
9 submitting a sample for drug testing, consistent with the
10 state's need to ensure the reliability of the sample.

11 (f) Specify circumstances under which a person who
12 fails a drug test has the right to take one or more additional
13 tests.

14 (g) Provide a procedure for appealing the results of a
15 drug test by a person who fails a test and for advising the
16 appellant that he or she may, but is not required to, advise
17 appropriate staff of any prescription or over-the-counter
18 medication he or she has been taking.

19 (h) Notify each person who fails a drug test of the
20 local substance abuse treatment programs that may be available
21 to such person.

22 (3) CHILDREN.--

23 (a) If a parent is deemed ineligible for cash
24 assistance due to refusal to comply with the provisions of
25 this section, his or her dependent child's eligibility for
26 cash assistance is not affected. A parent who is ineligible
27 for cash assistance due to refusal or failure to comply with
28 the provisions of this section shall be subject to the work
29 activity requirements of s. 445.024 ~~s. 414.065~~, and shall be
30 subject to the penalties under s. 414.065(1)~~s. 414.065(4)~~
31 upon failure to comply with such requirements.

1 (b) If a parent is deemed ineligible for cash
2 assistance due to the failure of a drug test, an appropriate
3 protective payee will be established for the benefit of the
4 child.

5 (c) If the parent refuses to cooperate in establishing
6 an appropriate protective payee for the child, the Department
7 of Children and Family Services will appoint one.

8 (4) TREATMENT.--

9 (a) Subject to the availability of funding, the
10 Department of Children and Family Services shall provide a
11 substance abuse treatment program for a person who fails a
12 drug test conducted under this section ~~act~~ and is eligible to
13 receive temporary cash assistance ~~or services~~ under this
14 chapter ~~the WAGES Program~~. The department shall provide for a
15 retest at the end of the treatment period. Failure to pass the
16 retest will result in the termination of temporary cash
17 assistance ~~or services~~ provided under this chapter and of any
18 right to appeal the termination.

19 (b) The Department of Children and Family Services
20 shall develop rules regarding the disclosure of information
21 concerning applicants who enter treatment, including the
22 requirement that applicants sign a consent to release
23 information to the Department of Children and Family Services
24 ~~or the Department of Labor and Employment Security, as~~
25 ~~necessary,~~ as a condition of entering the treatment program.

26 (c) The Department of Children and Family Services may
27 develop rules for assessing the status of persons formerly
28 treated under this section ~~act~~ who reapply for assistance ~~or~~
29 ~~services under the WAGES act~~ as well as the need for drug
30 testing as a part of the reapplication process.

31 (5) EVALUATIONS AND RECOMMENDATIONS.--

1 (a) The Department of Children and Family Services, in
2 conjunction with the regional workforce boards ~~local WAGES~~
3 ~~coalitions~~ in service areas 3 and 8, shall conduct a
4 comprehensive evaluation of the demonstration projects
5 operated under this section ~~act~~. ~~By January 1, 2000, the~~
6 ~~department, in conjunction with the local WAGES coalitions~~
7 ~~involved, shall report to the WAGES Program State Board of~~
8 ~~Directors and to the Legislature on the status of the initial~~
9 ~~implementation of the demonstration projects and shall~~
10 ~~specifically describe the problems encountered and the funds~~
11 ~~expended during the first year of operation.~~

12 (b) By January 1, 2001, the department, in conjunction
13 with the regional workforce boards ~~local WAGES coalitions~~
14 involved, shall provide a comprehensive evaluation ~~to the~~
15 ~~WAGES Program State Board of Directors and to the Legislature,~~
16 which must include:

17 1. The impact of the drug-screening and drug-testing
18 program on employability, job placement, job retention, and
19 salary levels of program participants.

20 2. Recommendations, based in part on a cost and
21 benefit analysis, as to the feasibility of expanding the
22 program to other ~~local WAGES~~ service areas, including specific
23 recommendations for implementing such expansion of the
24 program.

25 (6) CONFLICTS.--In the event of a conflict between the
26 implementation procedures described in this program and
27 federal requirements and regulations, federal requirements and
28 regulations shall control.

29 Section 60. Sections 239.249, 288.9950, 288.9954,
30 288.9957, 288.9958, 288.9959, 414.015, 414.026, 414.0267,

31

1 414.027, 414.028, 414.029, 414.030, 414.055, 414.125, 414.25,
2 and 414.38, Florida Statutes, are repealed.

3 Section 61. Subsection (2) of section 14.2015, Florida
4 Statutes, is amended to read:

5 14.2015 Office of Tourism, Trade, and Economic
6 Development; creation; powers and duties.--

7 (2) The purpose of the Office of Tourism, Trade, and
8 Economic Development is to assist the Governor in working with
9 the Legislature, state agencies, business leaders, and
10 economic development professionals to formulate and implement
11 coherent and consistent policies and strategies designed to
12 provide economic opportunities for all Floridians. To
13 accomplish such purposes, the Office of Tourism, Trade, and
14 Economic Development shall:

15 (a) Contract, notwithstanding the provisions of part I
16 of chapter 287, with the direct-support organization created
17 under s. 288.1229 to guide, stimulate, and promote the sports
18 industry in the state, to promote the participation of
19 Florida's citizens in amateur athletic competition, and to
20 promote Florida as a host for national and international
21 amateur athletic competitions.

22 (b) Monitor the activities of public-private
23 partnerships and state agencies in order to avoid duplication
24 and promote coordinated and consistent implementation of
25 programs in areas including, but not limited to, tourism;
26 international trade and investment; business recruitment,
27 creation, retention, and expansion; workforce development;
28 minority and small business development; and rural community
29 development. As part of its responsibilities under this
30 paragraph, the office shall work with Enterprise Florida,
31 Inc., and Workforce Florida, Inc., to ensure that, to the

1 maximum extent possible, there are direct linkages between the
2 economic development and workforce development goals and
3 strategies of the state.

4 (c) Facilitate the direct involvement of the Governor
5 and the Lieutenant Governor in economic development and
6 workforce development projects designed to create, expand, and
7 retain Florida businesses and to recruit worldwide business,
8 as well as in other job-creating efforts.

9 (d) Assist the Governor, in cooperation with
10 Enterprise Florida, Inc., Workforce Florida, Inc., and the
11 Florida Commission on Tourism, in preparing an annual report
12 to the Legislature on the state of the business climate in
13 Florida and on the state of economic development in Florida
14 which will include the identification of problems and the
15 recommendation of solutions. This report shall be submitted
16 to the President of the Senate, the Speaker of the House of
17 Representatives, the Senate Minority Leader, and the House
18 Minority Leader by January 1 of each year, and it shall be in
19 addition to the Governor's message to the Legislature under
20 the State Constitution and any other economic reports required
21 by law.

22 (e) Plan and conduct at least one meeting per calendar
23 year of leaders in business, government, education, workforce
24 development, and economic development called by the Governor
25 to address the business climate in the state, develop a common
26 vision for the economic future of the state, and identify
27 economic development efforts to fulfill that vision.

28 (f)1. Administer the Florida Enterprise Zone Act under
29 ss. 290.001-290.016, the community contribution tax credit
30 program under ss. 220.183 and 624.5105, the tax refund program
31 for qualified target industry businesses under s. 288.106, the

1 tax-refund program for qualified defense contractors under s.
2 288.1045, contracts for transportation projects under s.
3 288.063, the sports franchise facility program under s.
4 288.1162, the professional golf hall of fame facility program
5 under s. 288.1168, the expedited permitting process under s.
6 403.973, the Rural Community Development Revolving Loan Fund
7 under s. 288.065, the Regional Rural Development Grants
8 Program under s. 288.018, the Certified Capital Company Act
9 under s. 288.99, the Florida State Rural Development Council,
10 the Rural Economic Development Initiative, and other programs
11 that are specifically assigned to the office by law, by the
12 appropriations process, or by the Governor. Notwithstanding
13 any other provisions of law, the office may expend interest
14 earned from the investment of program funds deposited in the
15 Economic Development Trust Fund, the Grants and Donations
16 Trust Fund, the Brownfield Property Ownership Clearance
17 Assistance Revolving Loan Trust Fund, and the Economic
18 Development Transportation Trust Fund to contract for the
19 administration of the programs, or portions of the programs,
20 enumerated in this paragraph or assigned to the office by law,
21 by the appropriations process, or by the Governor. Such
22 expenditures shall be subject to review under chapter 216.

23 2. The office may enter into contracts in connection
24 with the fulfillment of its duties concerning the Florida
25 First Business Bond Pool under chapter 159, tax incentives
26 under chapters 212 and 220, tax incentives under the Certified
27 Capital Company Act in chapter 288, foreign offices under
28 chapter 288, the Enterprise Zone program under chapter 290,
29 the Seaport Employment Training program under chapter 311, the
30 Florida Professional Sports Team License Plates under chapter
31 320, Spaceport Florida under chapter 331, Expedited Permitting

1 under chapter 403, and in carrying out other functions that
2 are specifically assigned to the office by law, by the
3 appropriations process, or by the Governor.

4 (g) Serve as contract administrator for the state with
5 respect to contracts with Enterprise Florida, Inc., Workforce
6 Florida, Inc., the Florida Commission on Tourism, and all
7 direct-support organizations under this act, excluding those
8 relating to tourism. To accomplish the provisions of this act
9 and applicable provisions of chapter 288, and notwithstanding
10 the provisions of part I of chapter 287, the office shall
11 enter into specific contracts with Enterprise Florida, Inc.,
12 Workforce Florida, Inc., the Florida Commission on Tourism,
13 and other appropriate direct-support organizations. Such
14 contracts may be multiyear and shall include specific
15 performance measures for each year.

16 (h) Provide administrative oversight for the Office of
17 the Film Commissioner, created under s. 288.1251, to develop,
18 promote, and provide services to the state's entertainment
19 industry and to administratively house the Florida Film
20 Advisory Council created under s. 288.1252.

21 (i) Prepare and submit as a separate budget entity a
22 unified budget request for tourism, trade, and economic
23 development in accordance with chapter 216 for, and in
24 conjunction with, Enterprise Florida, Inc., and its boards,
25 Workforce Florida, Inc., and its board, the Florida Commission
26 on Tourism and its direct-support organization, the Florida
27 Black Business Investment Board, the Office of the Film
28 Commissioner, and the direct-support organization created to
29 promote the sports industry.

30 (j) Adopt rules, as necessary, to carry out its
31 functions in connection with the administration of the

1 Qualified Target Industry program, the Qualified Defense
2 Contractor program, the Certified Capital Company Act, the
3 Enterprise Zone program, and the Florida First Business Bond
4 pool.

5 Section 62. Effective October 1, 2000, subsections (4)
6 and (5) of section 20.171, Florida Statutes, are amended to
7 read:

8 20.171 Department of Labor and Employment
9 Security.--There is created a Department of Labor and
10 Employment Security. The department shall operate its programs
11 in a decentralized fashion.

12 (4)(a) The Assistant Secretary for Programs and
13 Operations must possess a broad knowledge of the
14 administrative, financial, and technical aspects of the
15 divisions within the department.

16 (b) The assistant secretary is responsible for
17 developing, monitoring, and enforcing policy and managing
18 major technical programs and supervising the Bureau of Appeals
19 of the Division of Unemployment Compensation. The
20 responsibilities and duties of the position include, but are
21 not limited to, the following functional areas:

22 1. Workers' compensation management and policy
23 implementation.

24 ~~2. Jobs and benefits management and policy~~
25 ~~information.~~

26 2.3. Unemployment compensation management and policy
27 implementation.

28 3.4. Blind services management and policy
29 implementation.

30 4.5. Oversight of the five field offices and any local
31 offices.

1 (5) The following divisions are established and shall
2 be headed by division directors who shall be supervised by and
3 shall be responsible to the Assistant Secretary for Programs
4 and Operations:

5 ~~(a) Division of Workforce and Employment~~
6 ~~Opportunities.~~

7 (a)~~(b)~~ Division of Unemployment Compensation.

8 (b)~~(c)~~ Division of Workers' Compensation.

9 (c)~~(d)~~ Division of Blind Services.

10 (d)~~(e)~~ Division of Safety, which is repealed July 1,
11 2000.

12 (e)~~(f)~~ Division of Vocational Rehabilitation.

13 Section 63. Section 20.22, Florida Statutes, is
14 amended to read:

15 20.22 Department of Management Services.--There is
16 created a Department of Management Services.

17 (1) The head of the Department of Management Services
18 is the Secretary of Management Services, who shall be
19 appointed by the Governor, subject to confirmation by the
20 Senate, and shall serve at the pleasure of the Governor.

21 (2) The following divisions and programs within the
22 Department of Management Services are established:

23 (a) Facilities Program.

24 (b) Information Technology Program.

25 (c) Workforce Program.

26 (d)1. Support Program.

27 2. Federal Property Assistance Program.

28 (e) Administration Program.

29 (f) Division of Administrative Hearings.

30 (g) Division of Retirement.

31 (h) Division of State Group Insurance.

- 1 (i) Division of Workforce Administrative Support.
2 (3) The Information Technology Program shall operate
3 and manage the Technology Resource Center.
4 (4) The duties of the Chief Labor Negotiator shall be
5 determined by the Secretary of Management Services, and must
6 include, but need not be limited to, the representation of the
7 Governor as the public employer in collective bargaining
8 negotiations pursuant to the provisions of chapter 447.
9 (5) The Division of Workforce Administrative Support
10 shall ensure that the state appropriately administers federal
11 and state workforce funding by administering policy directives
12 and providing administrative support services pursuant to
13 contract with Workforce Florida, Inc.
14 (a) All policy direction to regional workforce boards
15 shall emanate from the division at the direction of Workforce
16 Florida, Inc.
17 (b) Any policies by a state agency acting as an
18 administrative entity which may materially impact local
19 workforce boards, local governments, or educational
20 institutions must be adopted under chapter 120.
21 (c) The administrative entity will operate under a
22 procedures manual, approved by Workforce Florida, Inc.,
23 addressing: financial services, including cash management,
24 accounting, and auditing; procurement; management information
25 system services; and federal and state compliance monitoring,
26 including quality control.
27 (6) The division shall be the designated
28 administrative agency for receipt of federal
29 workforce-development grants and other federal funds, and
30 shall carry out the duties and responsibilities assigned by
31 the Governor under each federal grant assigned to the

1 division. The division shall be a separate budget entity and
2 shall expend each revenue source as provided by federal and
3 state law and as provided in its contract with Workforce
4 Florida, Inc. The head of the division is the Director of
5 Workforce Administrative Support, who shall be appointed by
6 the Secretary of Management Services from nominees submitted
7 by Workforce Florida, Inc. The division shall be organized as
8 follows:

9 (a) The Office of One-Stop Workforce Services shall
10 administer the state merit system staff who provide services
11 in the one-stop delivery system, pursuant to policies of
12 Workforce Florida, Inc. The office shall be directed by the
13 Deputy Director for One-Stop Workforce Services, who shall be
14 appointed by and serve at the pleasure of the director.

15 (b) The Office of Workforce Investment and
16 Accountability shall be responsible for procurement,
17 contracting, financial management, accounting, audits, and
18 verification. The office shall be directed by the Deputy
19 Director for Workforce Investment and Accountability, who
20 shall be appointed by and serve at the pleasure of the
21 director.

22 (c) The Office of Workforce Information Services shall
23 deliver information on labor markets, employment, occupations,
24 and performance, and shall implement and maintain information
25 systems that are required for the effective operation of the
26 one-stop delivery system, including, but not limited to, those
27 systems described in s. 445.009. The office will be under the
28 direction of the Deputy Director for Workforce Information
29 Services, who shall be appointed by and serve at the pleasure
30 of the director.

31

1 (7) The Division of Workforce Administrative Support
2 shall serve as the designated agency for purposes of each
3 federal workforce development grant assigned to it for
4 administration. The division shall carry out the duties
5 assigned to it by the Governor and Workforce Florida, Inc.,
6 under the terms and conditions of each grant. The division
7 shall have the level of authority and autonomy within the
8 department that is necessary to be the designated recipient of
9 each federal grant assigned to it, and shall disperse such
10 grants pursuant to its contract with Workforce Florida, Inc.
11 The director may, upon delegation from the Governor and
12 pursuant to contract with Workforce Florida, Inc., sign
13 contracts, grants, and other instruments as necessary to
14 execute functions assigned to the division. The assignment of
15 powers and duties to the division does not limit the authority
16 and responsibilities of the Secretary of Management Services
17 as provided in s. 20.05(1)(a). Notwithstanding other
18 provisions of law, the following federal grants and other
19 funds are assigned for administration to the Division of
20 Workforce Administrative Support:

21 (a) Programs authorized under Title I of the Workforce
22 Investment Act of 1998, Pub. L. No. 105-220, except for
23 programs funded directly by the United States Department of
24 Labor under Title I, s. 167.

25 (b) Programs authorized under the Wagner-Peyser Act of
26 1933, as amended, 29 U.S.C. ss. 49 et seq.

27 (c) Welfare-to-work grants administered by the United
28 States Department of Labor under Title IV, s. 403, of the
29 Social Security Act, as amended.
30
31

1 (d) Activities authorized under Title II of the Trade
2 Act of 1974, as amended; 2 U.S.C. ss. 2271 et seq.; and the
3 Trade Adjustment Assistance Program.

4 (e) Activities authorized under chapter 41 of Title 38
5 U.S.C., including job counseling, training, and placement for
6 veterans.

7 (f) Employment and training activities carried out
8 under the Community Services Block Grant Act, 42 U.S.C. ss.
9 9901 et seq.

10 (g) Employment and training activities carried out
11 under funds awarded to this state by the United States
12 Department of Housing and Urban Development.

13 (h) Designated state and local program expenditures
14 under Part A of Title IV of the Social Security Act for
15 welfare transition workforce services associated with the
16 Temporary Assistance for Needy Families Program.

17 (i) Programs authorized under the National and
18 Community Service Act of 1990, 42 U.S.C. ss. 12501 et seq.,
19 and the Service-America programs, the National Service Trust
20 programs, the Civilian Community Corps, the Corporation for
21 National and Community Service, the American Conservation and
22 Youth Service Corps, and the Points of Light Foundation
23 programs, if such programs are awarded to the state.

24 (j) Other programs funded by federal or state
25 appropriations, as determined by the Legislature in the
26 General Appropriations Act or by law.

27 Section 64. Paragraph (b) of subsection (5) of section
28 212.08, Florida Statutes, is amended to read:

29 212.08 Sales, rental, use, consumption, distribution,
30 and storage tax; specified exemptions.--The sale at retail,
31 the rental, the use, the consumption, the distribution, and

1 the storage to be used or consumed in this state of the
2 following are hereby specifically exempt from the tax imposed
3 by this chapter.

4 (5) EXEMPTIONS; ACCOUNT OF USE.--

5 (b) Machinery and equipment used to increase
6 productive output.--

7 1. Industrial machinery and equipment purchased for
8 exclusive use by a new business in spaceport activities as
9 defined by s. 212.02 or for use in new businesses which
10 manufacture, process, compound, or produce for sale items of
11 tangible personal property at fixed locations are exempt from
12 the tax imposed by this chapter upon an affirmative showing by
13 the taxpayer to the satisfaction of the department that such
14 items are used in a new business in this state. Such purchases
15 must be made prior to the date the business first begins its
16 productive operations, and delivery of the purchased item must
17 be made within 12 months of that date.

18 2.a. Industrial machinery and equipment purchased for
19 exclusive use by an expanding facility which is engaged in
20 spaceport activities as defined by s. 212.02 or for use in
21 expanding manufacturing facilities or plant units which
22 manufacture, process, compound, or produce for sale items of
23 tangible personal property at fixed locations in this state
24 are exempt from any amount of tax imposed by this chapter in
25 excess of \$50,000 per calendar year upon an affirmative
26 showing by the taxpayer to the satisfaction of the department
27 that such items are used to increase the productive output of
28 such expanded facility or business by not less than 10
29 percent.

30 b. Notwithstanding any other provision of this
31 section, industrial machinery and equipment purchased for use

1 in expanding printing manufacturing facilities or plant units
2 that manufacture, process, compound, or produce for sale items
3 of tangible personal property at fixed locations in this state
4 are exempt from any amount of tax imposed by this chapter upon
5 an affirmative showing by the taxpayer to the satisfaction of
6 the department that such items are used to increase the
7 productive output of such an expanded business by not less
8 than 10 percent.

9 3.a. To receive an exemption provided by subparagraph
10 1. or subparagraph 2., a qualifying business entity shall
11 apply to the department for a temporary tax exemption permit.
12 The application shall state that a new business exemption or
13 expanded business exemption is being sought. Upon a tentative
14 affirmative determination by the department pursuant to
15 subparagraph 1. or subparagraph 2., the department shall issue
16 such permit.

17 b. The applicant shall be required to maintain all
18 necessary books and records to support the exemption. Upon
19 completion of purchases of qualified machinery and equipment
20 pursuant to subparagraph 1. or subparagraph 2., the temporary
21 tax permit shall be delivered to the department or returned to
22 the department by certified or registered mail.

23 c. If, in a subsequent audit conducted by the
24 department, it is determined that the machinery and equipment
25 purchased as exempt under subparagraph 1. or subparagraph 2.
26 did not meet the criteria mandated by this paragraph or if
27 commencement of production did not occur, the amount of taxes
28 exempted at the time of purchase shall immediately be due and
29 payable to the department by the business entity, together
30 with the appropriate interest and penalty, computed from the
31 date of purchase, in the manner prescribed by this chapter.

1 d. In the event a qualifying business entity fails to
2 apply for a temporary exemption permit or if the tentative
3 determination by the department required to obtain a temporary
4 exemption permit is negative, a qualifying business entity
5 shall receive the exemption provided in subparagraph 1. or
6 subparagraph 2. through a refund of previously paid taxes. No
7 refund may be made for such taxes unless the criteria mandated
8 by subparagraph 1. or subparagraph 2. have been met and
9 commencement of production has occurred.

10 4. The department shall promulgate rules governing
11 applications for, issuance of, and the form of temporary tax
12 exemption permits; provisions for recapture of taxes; and the
13 manner and form of refund applications and may establish
14 guidelines as to the requisites for an affirmative showing of
15 increased productive output, commencement of production, and
16 qualification for exemption.

17 5. The exemptions provided in subparagraphs 1. and 2.
18 do not apply to machinery or equipment purchased or used by
19 electric utility companies, communications companies, oil or
20 gas exploration or production operations, publishing firms
21 that do not export at least 50 percent of their finished
22 product out of the state, any firm subject to regulation by
23 the Division of Hotels and Restaurants of the Department of
24 Business and Professional Regulation, or any firm which does
25 not manufacture, process, compound, or produce for sale items
26 of tangible personal property or which does not use such
27 machinery and equipment in spaceport activities as required by
28 this paragraph. The exemptions provided in subparagraphs 1.
29 and 2. shall apply to machinery and equipment purchased for
30 use in phosphate or other solid minerals severance, mining, or
31 processing operations only by way of a prospective credit

1 against taxes due under chapter 211 for taxes paid under this
2 chapter on such machinery and equipment.

3 6. For the purposes of the exemptions provided in
4 subparagraphs 1. and 2., these terms have the following
5 meanings:

6 a. "Industrial machinery and equipment" means "section
7 38 property" as defined in s. 48(a)(1)(A) and (B)(i) of the
8 Internal Revenue Code, provided "industrial machinery and
9 equipment" shall be construed by regulations adopted by the
10 Department of Revenue to mean tangible property used as an
11 integral part of spaceport activities or of the manufacturing,
12 processing, compounding, or producing for sale of items of
13 tangible personal property. Such term includes parts and
14 accessories only to the extent that the exemption thereof is
15 consistent with the provisions of this paragraph.

16 b. "Productive output" means the number of units
17 actually produced by a single plant or operation in a single
18 continuous 12-month period, irrespective of sales. Increases
19 in productive output shall be measured by the output for 12
20 continuous months immediately following the completion of
21 installation of such machinery or equipment over the output
22 for the 12 continuous months immediately preceding such
23 installation. However, if a different 12-month continuous
24 period of time would more accurately reflect the increase in
25 productive output of machinery and equipment purchased to
26 facilitate an expansion, the increase in productive output may
27 be measured during that 12-month continuous period of time if
28 such time period is mutually agreed upon by the Department of
29 Revenue and the expanding business prior to the commencement
30 of production; provided, however, in no case may such time
31 period begin later than 2 years following the completion of

1 installation of the new machinery and equipment. The units
2 used to measure productive output shall be physically
3 comparable between the two periods, irrespective of sales.

4 ~~7. Notwithstanding any other provision in this~~
5 ~~paragraph to the contrary, in order to receive the exemption~~
6 ~~provided in this paragraph a taxpayer must register with the~~
7 ~~WAGES Program Business Registry established by the local WAGES~~
8 ~~coalition for the area in which the taxpayer is located. Such~~
9 ~~registration establishes a commitment on the part of the~~
10 ~~taxpayer to hire WAGES program participants to the maximum~~
11 ~~extent possible consistent with the nature of their business.~~

12 Section 65. Subsections (1) and (3) of section
13 212.096, Florida Statutes, are amended to read:

14 212.096 Sales, rental, storage, use tax; enterprise
15 zone jobs credit against sales tax.--

16 (1) For the purposes of the credit provided in this
17 section:

18 (a) "Eligible business" means any sole proprietorship,
19 firm, partnership, corporation, bank, savings association,
20 estate, trust, business trust, receiver, syndicate, or other
21 group or combination, or successor business, located in an
22 enterprise zone. An eligible business does not include any
23 business which has claimed the credit permitted under s.
24 220.181 for any new business employee first beginning
25 employment with the business after July 1, 1995.

26 (b) "Month" means either a calendar month or the time
27 period from any day of any month to the corresponding day of
28 the next succeeding month or, if there is no corresponding day
29 in the next succeeding month, the last day of the succeeding
30 month.

31

1 (c) "New employee" means a person residing in an
2 enterprise zone, a qualified Job Training Partnership Act
3 classroom training participant, or a welfare-transition ~~WAGES~~
4 program participant who begins employment with an eligible
5 business after July 1, 1995, and who has not been previously
6 employed within the preceding 12 months by the eligible
7 business, or a successor eligible business, claiming the
8 credit allowed by this section.

9
10 A person shall be deemed to be employed if the person performs
11 duties in connection with the operations of the business on a
12 regular, full-time basis, provided the person is performing
13 such duties for an average of at least 36 hours per week each
14 month, or a part-time basis, provided the person is performing
15 such duties for an average of at least 20 hours per week each
16 month throughout the year. The person must be performing such
17 duties at a business site located in the enterprise zone.

18 (3) In order to claim this credit, an eligible
19 business must file under oath with the governing body or
20 enterprise zone development agency having jurisdiction over
21 the enterprise zone where the business is located, as
22 applicable, a statement which includes:

23 (a) For each new employee for whom this credit is
24 claimed, the employee's name and place of residence, including
25 the identifying number assigned pursuant to s. 290.0065 to the
26 enterprise zone in which the employee resides if the new
27 employee is a person residing in an enterprise zone, and, if
28 applicable, documentation that the employee is a qualified Job
29 Training Partnership Act classroom training participant or a
30 welfare-transition ~~WAGES~~ program participant.

31

1 (b) If applicable, the name and address of each
2 permanent employee of the business, including, for each
3 employee who is a resident of an enterprise zone, the
4 identifying number assigned pursuant to s. 290.0065 to the
5 enterprise zone in which the employee resides.

6 (c) The name and address of the eligible business.

7 (d) The starting salary or hourly wages paid to the
8 new employee.

9 (e) The identifying number assigned pursuant to s.
10 290.0065 to the enterprise zone in which the business is
11 located.

12 (f) Whether the business is a small business as
13 defined by s. 288.703(1).

14 (g) Within 10 working days after receipt of an
15 application, the governing body or enterprise zone development
16 agency shall review the application to determine if it
17 contains all the information required pursuant to this
18 subsection and meets the criteria set out in this section. The
19 governing body or agency shall certify all applications that
20 contain the information required pursuant to this subsection
21 and meet the criteria set out in this section as eligible to
22 receive a credit. If applicable, the governing body or agency
23 shall also certify if 20 percent of the employees of the
24 business are residents of an enterprise zone, excluding
25 temporary and part-time employees. The certification shall be
26 in writing, and a copy of the certification shall be
27 transmitted to the executive director of the Department of
28 Revenue. The business shall be responsible for forwarding a
29 certified application to the department within the time
30 specified in paragraph (h).

31

1 (h) All applications for a credit pursuant to this
2 section must be submitted to the department within 4 months
3 after the new employee is hired.

4 Section 66. Subsection (5) of section 212.097, Florida
5 Statutes, is amended to read:

6 212.097 Urban High-Crime Area Job Tax Credit
7 Program.--

8 (5) For any new eligible business receiving a credit
9 pursuant to subsection (3), an additional \$500 credit shall be
10 provided for any qualified employee who is a
11 welfare-transition WAGES program participant ~~pursuant to~~
12 ~~chapter 414~~. For any existing eligible business receiving a
13 credit pursuant to subsection (4), an additional \$500 credit
14 shall be provided for any qualified employee who is a
15 welfare-transition WAGES program participant ~~pursuant to~~
16 ~~chapter 414~~. Such employee must be employed on the application
17 date and have been employed less than 1 year. This credit
18 shall be in addition to other credits pursuant to this section
19 regardless of the tier-level of the high-crime area.
20 Appropriate documentation concerning the eligibility of an
21 employee for this credit must be submitted as determined by
22 the department.

23 Section 67. Subsection (5) of section 212.098, Florida
24 Statutes, is amended to read:

25 212.098 Rural Job Tax Credit Program.--

26 (5) For any new eligible business receiving a credit
27 pursuant to subsection (3), an additional \$500 credit shall be
28 provided for any qualified employee who is a
29 welfare-transition WAGES program participant ~~pursuant to~~
30 ~~chapter 414~~. For any existing eligible business receiving a
31 credit pursuant to subsection (4), an additional \$500 credit

1 shall be provided for any qualified employee who is a
2 welfare-transition ~~WAGES~~ program participant ~~pursuant to~~
3 ~~chapter 414~~. Such employee must be employed on the application
4 date and have been employed less than 1 year. This credit
5 shall be in addition to other credits pursuant to this section
6 regardless of the tier-level of the county. Appropriate
7 documentation concerning the eligibility of an employee for
8 this credit must be submitted as determined by the department.

9 Section 68. Subsection (10) of section 216.136,
10 Florida Statutes, is amended to read:

11 216.136 Consensus estimating conferences; duties and
12 principals.--

13 (10) WORKFORCE ESTIMATING ~~OCCUPATIONAL FORECASTING~~
14 CONFERENCE.--

15 (a) Duties.--

16 1. The Workforce Estimating ~~Occupational Forecasting~~
17 Conference shall develop such official information on the
18 workforce development system planning process as it relates to
19 the personnel needs of current, new, and emerging industries
20 as the conference determines is needed by the state planning
21 and budgeting system. Such information must include at least:
22 short-term and long-term forecasts of employment demand for
23 high-skills/high-wage jobs by occupation and industry;
24 relative wage forecasts among those occupations; and estimates
25 of the supply of trained and qualified individuals available
26 for employment in those occupations.

27 2. The Workforce Estimating Conference shall review
28 data concerning the local and regional demands for short-term
29 and long-term employment in high-skills/high-wage jobs, as
30 well as other jobs, which data is generated through surveys
31 conducted as part of the state's Internet-based job-matching

1 and labor-market information system authorized under s.
2 445.011. The conference shall consider such data in developing
3 its forecasts for statewide employment demand, including
4 reviewing the local and regional data for common trends and
5 conditions among localities or regions which may warrant
6 inclusion of a particular occupation on the statewide
7 occupational forecasting list developed by the conference.
8 Based upon its review of such survey data, the conference
9 shall also make recommendations semiannually to Workforce
10 Florida, Inc., on additions or deletions to lists of locally
11 targeted occupations approved by Workforce Florida, Inc.

12 (b) Principals.--The Commissioner of Education, the
13 president of Workforce Florida, Inc., the Executive Office of
14 the Governor, the director of the Office of Tourism, Trade,
15 and Economic Development, ~~the Secretary of Labor,~~ and the
16 coordinator of the Office of Economic and Demographic
17 Research, or their designees, are the principals of the
18 Workforce Estimating ~~Occupational Forecasting~~ Conference. The
19 Commissioner of Education, or the commissioner's designee,
20 shall preside over the sessions of the conference. In
21 fulfilling the responsibilities of the conference, the
22 principals shall seek the participation and advice of
23 nonprincipals who have expertise in workforce development,
24 economic development, and education matters at the state,
25 regional, and local levels, including, but not limited to, the
26 Executive Director of the State Board of Community Colleges;
27 the Chancellor of the State University System; a
28 representative of the Independent Colleges and Universities of
29 Florida, Inc.; a representative of the Florida Association of
30 Postsecondary Schools and Colleges; and the president of
31 Enterprise Florida, Inc., or their designees. The principals

1 shall convene at least two sessions of the conference each
2 fiscal year.

3 Section 69. Subsections (1) and (2) of section
4 220.181, Florida Statutes, are amended to read:

5 220.181 Enterprise zone jobs credit.--

6 (1)(a) Beginning July 1, 1995, there shall be allowed
7 a credit against the tax imposed by this chapter to any
8 business located in an enterprise zone which employs one or
9 more new employees. The credit shall be computed as follows:

10 1. Ten percent of the actual monthly wages paid in
11 this state to each new employee whose wages do not exceed
12 \$1,500 a month. If no less than 20 percent of the employees of
13 the business are residents of an enterprise zone, excluding
14 temporary and part-time employees, the credit shall be
15 computed as 15 percent of the actual monthly wages paid in
16 this state to each new employee, for a period of up to 12
17 consecutive months;

18 2. Five percent of the first \$1,500 of actual monthly
19 wages paid in this state for each new employee whose wages
20 exceed \$1,500 a month; or

21 3. Fifteen percent of the first \$1,500 of actual
22 monthly wages paid in this state for each new employee who is
23 a welfare-transition ~~WAGES~~ program participant ~~pursuant to~~
24 ~~chapter 414.~~

25 (b) This credit applies only with respect to wages
26 subject to unemployment tax and does not apply for any new
27 employee who is employed for any period less than 3 full
28 months.

29 (c) If this credit is not fully used in any one year,
30 the unused amount may be carried forward for a period not to
31 exceed 5 years. The carryover credit may be used in a

1 subsequent year when the tax imposed by this chapter for such
2 year exceeds the credit for such year after applying the other
3 credits and unused credit carryovers in the order provided in
4 s. 220.02(10).

5 (2) When filing for an enterprise zone jobs credit, a
6 business must file under oath with the governing body or
7 enterprise zone development agency having jurisdiction over
8 the enterprise zone where the business is located, as
9 applicable, a statement which includes:

10 (a) For each new employee for whom this credit is
11 claimed, the employee's name and place of residence during the
12 taxable year, including the identifying number assigned
13 pursuant to s. 290.0065 to the enterprise zone in which the
14 new employee resides if the new employee is a person residing
15 in an enterprise zone, and, if applicable, documentation that
16 the employee is a qualified Job Training Partnership Act
17 classroom training participant or a welfare-transition ~~WAGES~~
18 program participant.

19 (b) If applicable, the name and address of each
20 permanent employee of the business, including, for each
21 employee who is a resident of an enterprise zone, the
22 identifying number assigned pursuant to s. 290.0065 to the
23 enterprise zone in which the employee resides.

24 (c) The name and address of the business.

25 (d) The identifying number assigned pursuant to s.
26 290.0065 to the enterprise zone in which the eligible business
27 is located.

28 (e) The salary or hourly wages paid to each new
29 employee claimed.

30 (f) Whether the business is a small business as
31 defined by s. 288.703(1).

1 Section 70. Subsection (2) and paragraph (k) of
2 subsection (3) of section 230.2305, Florida Statutes, are
3 amended to read:

4 230.2305 Prekindergarten early intervention program.--

5 (2) ELIGIBILITY.--There is hereby created the
6 prekindergarten early intervention program for children who
7 are 3 and 4 years of age. A prekindergarten early
8 intervention program shall be administered by a district
9 school board and shall receive state funds pursuant to
10 subsection (6). Each public school district shall make
11 reasonable efforts to accommodate the needs of children for
12 extended day and extended year services without compromising
13 the quality of the 6-hour, 180-day program. The school
14 district shall report on such efforts. School district
15 participation in the prekindergarten early intervention
16 program shall be at the discretion of each school district.

17 (a) At least 75 percent of the children projected to
18 be served by the district program shall be economically
19 disadvantaged 4-year-old children of working parents,
20 including migrant children or children whose parents
21 participate in the welfare-transition ~~WAGES~~ program. Other
22 children projected to be served by the district program may
23 include any of the following up to a maximum of 25 percent of
24 the total number of children served:

25 1. Three-year-old and four-year-old children who are
26 referred to the school system who may not be economically
27 disadvantaged but who are abused, prenatally exposed to
28 alcohol or harmful drugs, or from foster homes, or who are
29 marginal in terms of Exceptional Student Education placement.

30 2. Three-year-old children and four-year-old children
31 who may not be economically disadvantaged but who are eligible

1 students with disabilities and served in an exceptional
2 student education program with required special services,
3 aids, or equipment and who are reported for partial funding in
4 the K-12 Florida Education Finance Program. These students
5 may be funded from prekindergarten early intervention program
6 funds the portion of the time not funded by the K-12 Florida
7 Education Finance Program for the actual instructional time or
8 one full-time equivalent student membership, whichever is the
9 lesser. These students with disabilities shall be counted
10 toward the 25-percent student limit based on full-time
11 equivalent student membership funded part-time by
12 prekindergarten early intervention program funds. Also,
13 3-year-old or 4-year-old eligible students with disabilities
14 who are reported for funding in the K-12 Florida Education
15 Finance Program in an exceptional student education program as
16 provided in s. 236.081(1)(c) may be mainstreamed in the
17 prekindergarten early intervention program if such programming
18 is reflected in the student's individual educational plan; if
19 required special services, aids, or equipment are provided;
20 and if there is no operational cost to prekindergarten early
21 intervention program funds. Exceptional education students
22 who are reported for maximum K-12 Florida Education Finance
23 Program funding and who are not reported for early
24 intervention funding shall not count against the 75-percent or
25 25-percent student limit as stated in this paragraph.

26 3. Economically disadvantaged 3-year-old children.

27 4. Economically disadvantaged children, children with
28 disabilities, and children at risk of future school failure,
29 from birth to age four, who are served at home through home
30 visitor programs and intensive parent education programs such
31 as the Florida First Start Program.

1 5. Children who meet federal and state requirements
2 for eligibility for the migrant preschool program but who do
3 not meet the criteria of "economically disadvantaged" as
4 defined in paragraph (b), who shall not pay a fee.

5 6. After the groups listed in subparagraphs 1., 2.,
6 3., and 4. have been served, 3-year-old and 4-year-old
7 children who are not economically disadvantaged and for whom a
8 fee is paid for the children's participation.

9 (b) An "economically disadvantaged" child shall be
10 defined as a child eligible to participate in the free lunch
11 program. Notwithstanding any change in a family's economic
12 status or in the federal eligibility requirements for free
13 lunch, a child who meets the eligibility requirements upon
14 initial registration for the program shall be considered
15 eligible until the child reaches kindergarten age. In order
16 to assist the school district in establishing the priority in
17 which children shall be served, and to increase the efficiency
18 in the provision of child care services in each district, the
19 district shall enter into a written collaborative agreement
20 with other publicly funded early education and child care
21 programs within the district. Such agreement shall be
22 facilitated by the interagency coordinating council and shall
23 set forth, among other provisions, the measures to be
24 undertaken to ensure the programs' achievement and compliance
25 with the performance standards established in subsection (3)
26 and for maximizing the public resources available to each
27 program. In addition, the central agency for state-subsidized
28 child care or the local service district of the Department of
29 Children and Family Services shall provide the school district
30 with an updated list of 3-year-old and 4-year-old children

31

1 residing in the school district who are on the waiting list
2 for state-subsidized child care.

3 (3) STANDARDS.--

4 (k) The school district must coordinate with the
5 central agency for state-subsidized child care or the local
6 service district of the Department of Children and Family
7 Services to verify family participation in the
8 welfare-transition ~~WAGES~~ program, thus ensuring accurate
9 reporting and full utilization of federal funds available
10 through the Family Support Act, and for the agency's or
11 service district's sharing of the waiting list for
12 state-subsidized child care under paragraph (a).

13 Section 71. Subsections (4) and (5) of section 232.17,
14 Florida Statutes, are amended to read:

15 232.17 Enforcement of school attendance.--The
16 Legislature finds that poor academic performance is associated
17 with nonattendance and that schools must take an active role
18 in enforcing attendance as a means of improving the
19 performance of many students. It is the policy of the state
20 that the superintendent of each school district be responsible
21 for enforcing school attendance of all children and youth
22 subject to the compulsory school age in the school district.
23 The responsibility includes recommending to the school board
24 policies and procedures to ensure that schools respond in a
25 timely manner to every unexcused absence, or absence for which
26 the reason is unknown, of students enrolled in the schools.
27 School board policies must require each parent or guardian of
28 a student to justify each absence of the student, and that
29 justification will be evaluated based on adopted school board
30 policies that define excused and unexcused absences. The
31 policies must provide that schools track excused and unexcused

1 absences and contact the home in the case of an unexcused
2 absence from school, or an absence from school for which the
3 reason is unknown, to prevent the development of patterns of
4 nonattendance. The Legislature finds that early intervention
5 in school attendance matters is the most effective way of
6 producing good attendance habits that will lead to improved
7 student learning and achievement. Each public school shall
8 implement the following steps to enforce regular school
9 attendance:

10 (4) REPORT TO THE DEPARTMENT OF LABOR AND EMPLOYMENT
11 SECURITY DIVISION OF JOBS AND BENEFITS.--A designated school
12 representative shall report to ~~the Division of Jobs and~~
13 ~~Benefits~~ of the Department of Labor and Employment Security or
14 to any person acting in similar capacity who may be designated
15 by law to receive such notices, all violations of the Child
16 Labor Law that may come to his or her knowledge.

17 (5) RIGHT TO INSPECT.--A designated school
18 representative shall have the same right of access to, and
19 inspection of, establishments where minors may be employed or
20 detained as is given by law to the Department of Labor and
21 Employment Security Division of Jobs and Benefits only for the
22 purpose of ascertaining whether children of compulsory school
23 age are actually employed there and are actually working there
24 regularly. The designated school representative shall, if he
25 or she finds unsatisfactory working conditions or violations
26 of the Child Labor Law, report his or her findings to the
27 Department of Labor and Employment Security ~~Division of Jobs~~
28 ~~and Benefits~~ or its agents.

29 Section 72. Paragraph (g) of subsection (1) of section
30 234.01, Florida Statutes, is amended to read:

31 234.01 Purpose; transportation; when provided.--

1 (1) School boards, after considering recommendations
2 of the superintendent:

3 (g) May provide transportation for welfare-transition
4 ~~WAGES~~ program participants as defined in s. 414.0252.

5 Section 73. Paragraph (b) of subsection (1) of section
6 234.211, Florida Statutes, is amended to read:

7 234.211 Use of school buses for public purposes.--

8 (1)

9 (b) Each school district may enter into agreements
10 with regional workforce boards ~~local WAGES coalitions~~ for the
11 provision of transportation services to ~~WAGES program~~
12 participants in the welfare-transition program as defined in
13 ~~s. 414.0252~~. Agreements must provide for reimbursement in full
14 or in part for the proportionate share of fixed and operating
15 costs incurred by the school district attributable to the use
16 of buses in accordance with the agreement.

17 Section 74. Subsection (15) of section 239.105,
18 Florida Statutes, is amended to read:

19 239.105 Definitions.--As used in this chapter, the
20 term:

21 (15) "Degree vocational education program" means a
22 course of study that leads to an associate in applied science
23 degree or an associate in science degree. A degree vocational
24 education program may contain within it one or more
25 occupational completion points and may lead to certificates or
26 diplomas within the course of study. The term is
27 interchangeable with the term "degree career education
28 program." For licensure purposes, the term "associate in
29 science degree" is interchangeable with "associate in applied
30 science degree."

31

1 Section 75. Paragraph (c) of subsection (4) and
2 subsections (7) and (9) of section 239.115, Florida Statutes,
3 are amended to read:

4 239.115 Funds for operation of adult general education
5 and vocational education programs.--

6 (4) The Florida Workforce Development Education Fund
7 is created to provide performance-based funding for all
8 workforce development programs, whether the programs are
9 offered by a school district or a community college. Funding
10 for all workforce development education programs must be from
11 the Workforce Development Education Fund and must be based on
12 cost categories, performance output measures, and performance
13 outcome measures. This subsection takes effect July 1, 1999.

14 (c) The performance outcome measures for programs
15 funded through the Workforce Development Education Fund are
16 associated with placement and retention of students after
17 reaching a completion point or completing a program of study.
18 These measures include placement or retention in employment
19 that is related to the program of study; placement into or
20 retention in employment in an occupation on the Workforce
21 Estimating Occupational Forecasting Conference list of
22 high-wage, high-skill occupations with sufficient openings;
23 and placement and retention of participants ~~WAGES clients~~ or
24 former participants in the welfare-transition program ~~WAGES~~
25 ~~clients~~ in employment. Continuing postsecondary education at a
26 level that will further enhance employment is a performance
27 outcome for adult general education programs. Placement and
28 retention must be reported pursuant to ss. 229.8075 and
29 239.233.

30 (7)(a) Beginning in fiscal year 1999-2000, a school
31 district or a community college that provides workforce

1 development education funded through the Workforce Development
2 Education Fund shall receive funds in accordance with
3 distributions for base and performance funding established by
4 the Legislature in the General Appropriations Act, pursuant to
5 the following conditions:

6 1.(a) Base funding shall not exceed 85 percent of the
7 current fiscal year total Workforce Development Education Fund
8 allocation, which shall be distributed by the Legislature in
9 the General Appropriations Act based on a maximum of 85
10 percent of the institution's prior year total allocation from
11 base and performance funds.

12 2.(b) Performance funding shall be at least 15 percent
13 of the current fiscal year total Workforce Development
14 Education Fund allocation, which shall be distributed by the
15 Legislature in the General Appropriations Act based on the
16 previous fiscal year's achievement of output and outcomes in
17 accordance with formulas adopted pursuant to subsection (9).
18 Performance funding must incorporate payments for at least
19 three levels of placements that reflect wages and workforce
20 demand. Payments for completions must not exceed 60 percent of
21 the payments for placement. For fiscal year 1999-2000, school
22 districts and community colleges shall be awarded funds
23 pursuant to this paragraph based on performance output data
24 generated for fiscal year 1998-1999 and performance outcome
25 data available in that year.

26 3.(c) If a local educational agency achieves a level
27 of performance sufficient to generate a full allocation as
28 authorized by the workforce development funding formula, the
29 agency may earn performance incentive funds as appropriated
30 for that purpose in a General Appropriations Act. If
31 performance incentive funds are funded and awarded, these

1 funds must be added to the local educational agency's prior
2 year total allocation from the Workforce Development Education
3 Fund and shall be used to calculate the following year's base
4 funding.

5 (b) A response fund is established to assist school
6 districts and community colleges in responding to the needs of
7 new and expanding businesses and thereby strengthening the
8 state's workforce and economy. The response fund shall be
9 funded in the General Appropriations Act or it shall be
10 constituted by up to 5 percent of each community college's and
11 school district's annual total allocation from the Workforce
12 Development Education Fund. A school district or community
13 college may expend funds from the response fund without regard
14 to performance criteria set forth in subparagraph (a)2. The
15 district or community college shall use its response fund to
16 provide customized training for businesses which satisfies the
17 requirements of s. 288.047. Balances remaining in the response
18 fund at the end of the fiscal year shall not revert to the
19 general fund, but shall be carried over for 1 additional year
20 and used for the purpose of serving incumbent worker training
21 needs of area businesses with fewer than 100 employees.
22 Priority shall be given to businesses that must increase or
23 upgrade their use of technology to remain competitive.

24 (9) The Department of Education, the State Board of
25 Community Colleges, and Workforce Florida, Inc.,~~the Jobs and~~
26 ~~Education Partnership~~ shall provide the Legislature with
27 recommended formulas, criteria, timeframes, and mechanisms for
28 distributing performance funds. The commissioner shall
29 consolidate the recommendations and develop a consensus
30 proposal for funding. The Legislature shall adopt a formula
31 and distribute the performance funds to the Division of

1 Community Colleges and the Division of Workforce Development
2 through the General Appropriations Act. These recommendations
3 shall be based on formulas that would discourage
4 low-performing or low-demand programs and encourage through
5 performance-funding awards:

6 (a) Programs that prepare people to enter high-wage
7 occupations identified by the Workforce Estimating
8 ~~Occupational Forecasting~~ Conference created by s. 216.136 and
9 other programs as approved by the Jobs and Education
10 Partnership. At a minimum, performance incentives shall be
11 calculated for adults who reach completion points or complete
12 programs that lead to specified high-wage employment and to
13 their placement in that employment.

14 (b) Programs that successfully prepare adults who are
15 eligible for public assistance, economically disadvantaged,
16 disabled, not proficient in English, or dislocated workers for
17 high-wage occupations. At a minimum, performance incentives
18 shall be calculated at an enhanced value for the completion of
19 adults identified in this paragraph and job placement of such
20 adults upon completion. In addition, adjustments may be made
21 in payments for job placements for areas of high unemployment.

22 (c) Programs that are specifically designed to be
23 consistent with the workforce needs of private enterprise and
24 regional economic-development strategies, as defined in
25 guidelines set by Workforce Florida, Inc. Workforce Florida,
26 Inc., shall develop guidelines to identify such needs and
27 strategies based on localized research of private employers
28 and economic-development practitioners.

29 (d)~~(c)~~ Programs identified by Workforce Florida, Inc.,
30 ~~the Jobs and Education Partnership~~ as increasing the
31 effectiveness and cost efficiency of education.

1 Section 76. Paragraph (d) of subsection (4) of section
2 239.117, Florida Statutes, is amended to read:

3 239.117 Workforce development postsecondary student
4 fees.--

5 (4) The following students are exempt from the payment
6 of registration, matriculation, and laboratory fees:

7 (d) A student enrolled in an employment and training
8 program under the welfare-transition ~~WAGES~~ program. The
9 regional workforce board ~~local WAGES coalition~~ shall pay the
10 community college or school district for costs incurred for
11 welfare-transition program participants ~~WAGES clients~~.

12 Section 77. Paragraph (c) of subsection (2) of section
13 239.229, Florida Statutes, is amended to read:

14 239.229 Vocational standards.--

15 (2)

16 (c) Department of Education accountability for career
17 education includes, but is not limited to:

18 1. The provision of timely, accurate technical
19 assistance to school districts and community colleges.

20 2. The provision of timely, accurate information to
21 the State Board for Career Education, the Legislature, and the
22 public.

23 3. The development of policies, rules, and procedures
24 that facilitate institutional attainment of the accountability
25 standards and coordinate the efforts of all divisions within
26 the department.

27 4. The development of program standards and
28 industry-driven benchmarks for vocational, adult, and
29 community education programs, which must be updated every 3
30 years. The standards must include technical, academic, and
31 workplace skills; viability of distance learning for

1 instruction; and work/learn cycles that are responsive to
2 business and industry.

3 5. Overseeing school district and community college
4 compliance with the provisions of this chapter.

5 6. Ensuring that the educational outcomes for the
6 technical component of workforce development programs and
7 secondary vocational job-preparatory programs are uniform and
8 designed to provide a graduate of high quality who is capable
9 of entering the workforce on an equally competitive basis
10 regardless of the institution of choice.

11 Section 78. Paragraph (a) of subsection (3) and
12 paragraph (e) of subsection (4) of section 239.301, Florida
13 Statutes, are amended to read:

14 239.301 Adult general education.--

15 (3)(a) Each school board or community college board of
16 trustees shall negotiate with the regional workforce board
17 ~~local personnel of the Department of Children and Family~~
18 ~~Services~~ for basic and functional literacy skills assessments
19 for participants in the welfare-transition employment and
20 training programs ~~under the WAGES Program~~. Such assessments
21 shall be conducted at a site mutually acceptable to the school
22 board or community college board of trustees and the regional
23 workforce board ~~Department of Children and Family Services~~.

24 (4)

25 (e) A district school board or a community college
26 board of trustees may negotiate a contract with the regional
27 workforce board ~~local WAGES coalition~~ for specialized services
28 for participants in the welfare-transition program ~~WAGES~~
29 ~~clients~~, beyond what is routinely provided for the general
30 public, to be funded by the regional workforce board ~~WAGES~~
31 ~~coalition pursuant to s. 414.065.~~

1 Section 79. Subsection (3) of section 239.514, Florida
2 Statutes, is amended to read:

3 239.514 Workforce Development Capitalization Incentive
4 Grant Program.--The Legislature recognizes that the need for
5 school districts and community colleges to be able to respond
6 to emerging local or statewide economic development needs is
7 critical to the workforce development system. The Workforce
8 Development Capitalization Incentive Grant Program is created
9 to provide grants to school districts and community colleges
10 on a competitive basis to fund some or all of the costs
11 associated with the creation or expansion of workforce
12 development programs that serve specific employment workforce
13 needs.

14 (3) The commission shall give highest priority to
15 programs that train people to enter high-skill, high-wage
16 occupations identified by the Workforce Estimating
17 ~~occupational forecasting~~ Conference and other programs
18 approved by the Jobs and Education Partnership; programs that
19 train people to enter occupations under the welfare-transition
20 ~~program on the WAGES list~~; or programs that train for the
21 workforce adults who are eligible for public assistance,
22 economically disadvantaged, disabled, not proficient in
23 English, or dislocated workers. The commission shall consider
24 the statewide geographic dispersion of grant funds in ranking
25 the applications and shall give priority to applications from
26 education agencies that are making maximum use of their
27 workforce development funding by offering high-performing,
28 high-demand programs.

29 Section 80. Paragraph (b) of subsection (5) of section
30 240.209, Florida Statutes, is amended to read:

31 240.209 Board of Regents; powers and duties.--

1 (5) The Board of Regents is responsible for:

2 (b) Coordinating with the Postsecondary Education
3 Planning Commission the programs, including doctoral programs,
4 to be reviewed every 5 years or whenever the board determines
5 that the effectiveness or efficiency of a program is
6 jeopardized. The board shall define the indicators of quality
7 and the criteria for program review for every program. Such
8 indicators shall include need, student demand, industry-driven
9 competencies for advanced technology and related programs, and
10 resources available to support continuation. The results of
11 the program reviews shall be tied to the university budget
12 requests.

13 Section 81. Section 240.312, Florida Statutes, is
14 amended to read:

15 240.312 Community colleges; program review.--Program
16 reviews for the community college system shall be coordinated
17 with the Postsecondary Education Planning Commission every
18 year. Every major program shall be reviewed every 5 years or
19 whenever the effectiveness or efficiency of a program is
20 jeopardized, except that certificate career education programs
21 and programs leading to an associate in science degree shall
22 be reviewed every 3 years. Indicators of quality and criteria
23 for the program reviews shall be defined. The results of
24 these program reviews shall be tied to the budget request for
25 the community college system.

26 Section 82. Subsection (3) of section 240.35, Florida
27 Statutes, is amended to read:

28 240.35 Student fees.--Unless otherwise provided, the
29 provisions of this section apply only to fees charged for
30 college credit instruction leading to an associate in arts
31 degree, an associate in applied science degree, or an

1 associate in science degree and noncollege credit
2 college-preparatory courses defined in s. 239.105.

3 (3) Students enrolled in dual enrollment and early
4 admission programs under s. 240.116 and students enrolled in
5 employment and training programs under the welfare-transition
6 ~~WAGES~~ program are exempt from the payment of registration,
7 matriculation, and laboratory fees; however, such students may
8 not be included within calculations of fee-waived enrollments.
9 The regional workforce board ~~local WAGES coalition~~ shall pay
10 the community college for costs incurred by that ~~WAGES~~
11 participant related to that person's classes or program. Other
12 fee-exempt instruction provided under this subsection
13 generates an additional one-fourth full-time equivalent
14 enrollment.

15 Section 83. Paragraph (a) of subsection (1) of section
16 240.40207, Florida Statutes, is amended to read:

17 240.40207 Florida Gold Seal Vocational Scholars
18 award.--The Florida Gold Seal Vocational Scholars award is
19 created within the Florida Bright Futures Scholarship Program
20 to recognize and reward academic achievement and vocational
21 preparation by high school students who wish to continue their
22 education.

23 (1) A student is eligible for a Florida Gold Seal
24 Vocational Scholars award if the student meets the general
25 eligibility requirements for the Florida Bright Futures
26 Scholarship Program and the student:

27 (a) Completes the secondary school portion of a
28 sequential program of studies that requires at least three
29 secondary school vocational credits taken over at least 2
30 academic years, and is continued in a planned, related
31 postsecondary education program. If the student's school does

1 not offer such a two-plus-two or tech-prep program, the
2 student must complete a job-preparatory career education
3 program selected by the Workforce Estimating Occupational
4 ~~Forecasting~~ Conference or the Workforce Florida, Inc.,
5 ~~Development Board of Enterprise Florida~~ for its ability to
6 provide high-wage employment in an occupation with high
7 potential for employment opportunities. On-the-job training
8 may not be substituted for any of the three required
9 vocational credits.

10 Section 84. Section 240.40685, Florida Statutes, is
11 amended to read:

12 240.40685 Certified Education Paraprofessional Welfare
13 Transition Program.--

14 (1) There is created the Certified Education
15 Paraprofessional Welfare Transition Program to provide
16 education and employment for recipients of public assistance
17 who are certified to work in schools that, because of the high
18 proportion of economically disadvantaged children enrolled,
19 are at risk of poor performance on traditional measures of
20 achievement. The program is designed to enable such schools
21 to increase the number of adults working with the school
22 children. However, the increase in personnel working at
23 certain schools is intended to supplement and not to supplant
24 the school staff and should not affect current school board
25 employment and staffing policies, including those contained in
26 collective bargaining agreements. The program is intended to
27 be supported by local, state, and federal program funds for
28 which the participants may be eligible. Further, the program
29 is designed to provide its participants not only with
30 entry-level employment but also with a marketable credential,
31 a career option, and encouragement to advance.

1 (2) The Commissioner of Education, the Executive
2 Director of the State Board of Community Colleges, the
3 secretary of the Department of Children and Family Services,
4 and the Secretary of Labor and Employment Security have joint
5 responsibility for planning and conducting the program.

6 (3) The agencies responsible may make recommendations
7 to the State Board of Education and the Legislature if they
8 find that implementation or operation of the program would
9 benefit from the adoption or waiver of state or federal
10 policy, rule, or law, including recommendations regarding
11 program budgeting.

12 (4) The agencies shall complete an implementation plan
13 that addresses at least the following recommended components
14 of the program:

15 (a) A method of selecting participants. The method
16 must not duplicate services provided by those assigned to
17 screen participants of the welfare-transition ~~WAGES~~ program,
18 but must assure that screening personnel are trained to
19 identify recipients of public assistance whose personal
20 aptitudes and motivation make them most likely to succeed in
21 the program and advance in a career related to the school
22 community.

23 (b) A budget for use of incentive funding to provide
24 motivation to participants to succeed and excel. The budget
25 for incentive funding includes:

26 1. Funds allocated by the Legislature directly for the
27 program.

28 2. Funds that may be made available from the federal
29 Job Training Partnership Act based on client eligibility or
30 requested waivers to make the clients eligible.

31

1 3. Funds made available by implementation strategies
2 that would make maximum use of work supplementation funds
3 authorized by federal law.

4 4. Funds authorized by strategies to lengthen
5 participants' eligibility for federal programs such as
6 Medicaid, subsidized child care, and transportation.

7
8 Incentives may include a stipend during periods of college
9 classroom training, a bonus and recognition for a high
10 grade-point average, child care and prekindergarten services
11 for children of participants, and services to increase a
12 participant's ability to advance to higher levels of
13 employment. Nonfinancial incentives should include providing a
14 mentor or tutor, and service incentives should continue and
15 increase for any participant who plans to complete the
16 baccalaureate degree and become a certified teacher. Services
17 may be provided in accordance with family choice by community
18 colleges and school district technical centers, through family
19 service centers and full-service schools, or under contract
20 with providers through central agencies.

21 (5) The agencies shall select Department of Children
22 and Family Services districts to participate in the program. A
23 district that wishes to participate must demonstrate that a
24 district school board, a community college board of trustees,
25 an economic services program administrator, and a regional
26 workforce board ~~private industry council~~ are willing to
27 coordinate to provide the educational program, support
28 services, employment opportunities, and incentives required to
29 fulfill the intent of this section.

30 (6)(a) A community college or school district
31 technical center is eligible to participate if it provides a

1 technical certificate program in Child Development Early
2 Intervention as approved by Workforce Florida, Inc.,~~the Jobs~~
3 ~~and Education Partnership~~ and it is participating in the
4 Performance Based Incentive Funding program authorized in s.
5 239.249. Priority programs provide an option and incentives
6 to articulate with an associate in science degree program or a
7 baccalaureate degree program.

8 (b) A participating educational agency may earn funds
9 appropriated for performance-based incentive funding for
10 successful outcomes of enrollment and placement of recipients
11 of public assistance who are in the program. In addition, an
12 educational agency is eligible for an incentive award
13 determined by Workforce Florida, Inc.,~~the Jobs and Education~~
14 ~~Partnership~~ for each recipient of public assistance who
15 successfully completes a program leading to the award of a
16 General Education Development credential.

17 (c) Historically black colleges or universities that
18 have established programs that serve participants in the
19 welfare-transition of the WAGES program are eligible to
20 participate in the Performance Based Incentive Funding Program
21 and may earn an incentive award determined by Workforce
22 Florida, Inc.,~~the Jobs and Education Partnership~~ for
23 successful placement of program completers in jobs as
24 education paraprofessionals in at-risk schools.

25 (7)(a) A participating school district shall identify
26 at-risk schools in which the program participants will work
27 during the practicum part of their education. For purposes of
28 this act, an at-risk school is a school with grades K-3 in
29 which 50 percent or more of the students enrolled at the
30 school are eligible for free lunches or reduced-price lunches.

31

1 Priority schools are schools whose service zones include the
2 participants' own communities.

3 (b) A participating school district may use funds
4 appropriated by the Legislature from Job Training Partnership
5 Act service delivery area allotments to provide at least 6
6 months of on-the-job training to participants in the Certified
7 Education Paraprofessional Welfare Transition Program.
8 Participating school districts may also use funds provided by
9 grant diversion of funds from the welfare-transition ~~WAGES~~
10 program for the participants during the practicum portion of
11 their training to earn the certificate required for their
12 employment.

13 (8) The agencies shall give priority for funding to
14 those programs that provide maximum security for the
15 long-range employment and career opportunities of the program
16 participants. Security is enhanced if employment is provided
17 through a governmental or nongovernmental agency other than
18 the school board, or if the plans assure in another way that
19 the participants will supplement, rather than supplant, the
20 workforce available to the school board. It is the intent of
21 the Legislature that, when a program participant succeeds in
22 becoming a certified education paraprofessional after working
23 successfully in a school during the practicum or on-the-job
24 training supported by the program, the participant shall have
25 the opportunity to continue in full-time employment at the
26 school that provided the training or at another school in the
27 district.

28 Section 85. Subsection (2) of section 240.61, Florida
29 Statutes, is amended to read:

30 240.61 College reach-out program.--
31

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 86. 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

1 Section 87. Section 288.046, Florida Statutes, is
2 amended to read:

3 288.046 Quick-response training; legislative
4 intent.--The Legislature recognizes the importance of
5 providing a skilled workforce for attracting new industries
6 and retaining and expanding existing businesses and industries
7 in this state. It is the intent of the Legislature that a
8 program exist to meet the short-term, immediate,
9 workforce-skill needs of such businesses and industries. It
10 is further the intent of the Legislature that funds provided
11 for the purposes of s. 288.047 be expended on businesses and
12 industries that support the state's economic development
13 goals, particularly high value-added businesses ~~in Florida's~~
14 ~~Targeted Industrial Clusters~~ or businesses that locate in and
15 provide jobs in the state's distressed urban and rural areas,
16 and that instruction funded pursuant to s. 288.047 lead to
17 permanent, quality employment opportunities.

18 Section 88. Section 288.047, Florida Statutes, is
19 amended to read:

20 288.047 Quick-response training for economic
21 development.--

22 (1) The Quick-Response Training Program is created to
23 meet the workforce-skill needs of existing, new, and expanding
24 industries. The program shall be administered by Workforce
25 ~~Enterprise~~ Florida, Inc., in conjunction with Enterprise
26 Florida, Inc., and the Department of Education. Workforce
27 ~~Enterprise~~ Florida, Inc., shall adopt guidelines for the
28 administration of this program. Workforce ~~Enterprise~~ Florida,
29 Inc., shall provide technical services and shall identify
30 businesses that seek services through the program. ~~The~~

31

1 ~~Department of Education shall provide services related to the~~
2 ~~development and implementation of instructional programs.~~

3 ~~(2)(a) A Quick-Response Advisory Committee, composed~~
4 ~~of the director of the Division of Workforce Development of~~
5 ~~the Department of Education; the director of the Division of~~
6 ~~Community Colleges of the Department of Education; and the~~
7 ~~director of the Division of Jobs and Benefits of the~~
8 ~~Department of Labor and Employment Security, or their~~
9 ~~respective designees, and four private sector members, shall~~
10 ~~review training funded through this program and shall provide~~
11 ~~policy advice to Enterprise Florida, Inc., in the~~
12 ~~implementation of this program. The committee shall elect a~~
13 ~~chair from among its members. Members of the committee may~~
14 ~~receive reimbursement for per diem and travel expenses as~~
15 ~~provided in s. 112.061.~~

16 ~~(b) The four private sector members appointed to the~~
17 ~~Quick-Response Advisory Committee must be selected from a~~
18 ~~slate of nominees submitted by the board of directors of~~
19 ~~Enterprise Florida, Inc. The president of Enterprise Florida,~~
20 ~~Inc., shall appoint private sector members from this slate for~~
21 ~~terms of 4 years, except that in making the initial~~
22 ~~appointments, the president shall appoint members for~~
23 ~~staggered terms, one for 1 year, 2 years, 3 years, and 4~~
24 ~~years, respectively. To the maximum extent possible, the~~
25 ~~president shall select private sector members who are~~
26 ~~representative of diverse industries and regions of the state.~~
27 ~~The importance of minority representation must be considered~~
28 ~~when making appointments for each private sector position.~~
29 ~~Private sector members may be removed for cause. Absence from~~
30 ~~three consecutive meetings results in the automatic removal of~~
31 ~~a private sector member.~~

1 ~~(c) The Quick-Response Advisory Committee shall meet~~
2 ~~at the call of its chair, at the request of a majority of the~~
3 ~~membership, at the request of Enterprise Florida, Inc., or at~~
4 ~~times prescribed by its rules. The committee shall serve to~~
5 ~~advise Enterprise Florida, Inc., regarding the administration~~
6 ~~of the Quick-Response Training Program.~~

7 (2)(3) Workforce ~~Enterprise~~ Florida, Inc., shall
8 ensure that instruction funded pursuant to this section is not
9 available through the local community college or ~~school~~
10 ~~district, or private industry council~~ and that the instruction
11 promotes economic development by providing specialized
12 training entry-level skills to new workers or retraining for
13 supplemental skills to current employees to meet changing
14 skill requirements caused by new technology or new product
15 lines and to prevent potential layoffs whose job descriptions
16 are changing. Such funds may not be expended ~~to subsidize the~~
17 ~~ongoing staff development program of any business or industry~~
18 ~~or to provide training for instruction related to retail~~
19 ~~businesses~~ or to reimburse businesses for trainee wages. Funds
20 made available pursuant to this section may not be expended in
21 connection with the relocation of a business from one
22 community to another community in this state unless Workforce
23 ~~Enterprise~~ Florida, Inc., determines that without such
24 relocation the business will move outside this state or
25 determines that the business has a compelling economic
26 rationale for the relocation which creates additional jobs.

27 (3)(4) Requests for funding through the Quick-Response
28 Training Program may be produced through inquiries from a
29 specific business or industry, inquiries from a school
30 district director of career education or community college
31 occupational dean on behalf of a business or industry, or

1 through official state or local economic development efforts.
2 In allocating funds for the purposes of the program, Workforce
3 ~~Enterprise~~ Florida, Inc., shall establish criteria for
4 approval of requests for funding and shall select the entity
5 that provides the most efficient, cost-effective instruction
6 meeting such criteria. Program funds may be allocated to any
7 area technical center, community college, or state university.
8 Program funds may be allocated to private postsecondary
9 institutions only upon a review that includes, but is not
10 limited to, accreditation and licensure documentation and
11 prior approval by Workforce Florida, Inc. ~~a majority of the~~
12 ~~advisory committee.~~ Instruction funded through the program
13 must terminate when participants demonstrate competence at the
14 level specified in the request; however, the grant term
15 ~~instruction~~ may not exceed 24 ~~18~~ months. Costs and
16 expenditures for the Quick-Response Training Program must be
17 documented and separated from those incurred by the training
18 provider.

19 (4)~~(5)~~ For the first 6 months of each fiscal year,
20 Workforce ~~Enterprise~~ Florida, Inc., shall set aside 30 percent
21 of the amount appropriated for the Quick-Response Training
22 Program by the Legislature to fund instructional programs for
23 businesses located in an enterprise zone or brownfield area ~~to~~
24 ~~instruct residents of an enterprise zone.~~ Any unencumbered
25 funds remaining undisbursed from this set-aside at the end of
26 the 6-month period may be used to provide funding for any
27 program qualifying for funding pursuant to this section.

28 (5)~~(6)~~ Prior to the allocation of funds for any
29 request pursuant to this section, Workforce ~~Enterprise~~
30 Florida, Inc., shall prepare a grant agreement between the
31 business or industry requesting funds, the educational

1 institution receiving funding through the program, and
2 Workforce Enterprise Florida, Inc. Such agreement must
3 include, but is not limited to:

4 ~~(a) An identification of the facility in which the~~
5 ~~instruction will be conducted and the respective~~
6 ~~responsibilities of the parties for paying costs associated~~
7 ~~with facility use.~~

8 ~~(b) An identification of the equipment necessary to~~
9 ~~conduct the program, the respective responsibilities of the~~
10 ~~parties for paying costs associated with equipment purchase,~~
11 ~~maintenance, and repair, as well as an identification of which~~
12 ~~party owns the equipment upon completion of the instruction.~~

13 (a)(c) An identification of the personnel necessary to
14 conduct the instructional program, the qualifications of such
15 personnel, and the respective responsibilities of the parties
16 for paying costs associated with the employment of such
17 personnel.

18 (b)(d) An identification of the estimated length of
19 the instructional program. ~~Such program may not exceed 12~~
20 ~~months of full-time instruction or 18 months of total~~
21 ~~instruction.~~

22 (c) An identification of all direct, training-related
23 costs, including tuition and fees, curriculum development,
24 books and classroom materials, and overhead or indirect costs,
25 not to exceed 5 percent of the grant amount.

26 (d)(e) An identification of special program
27 requirements that are not addressed otherwise in the
28 agreement.

29 (e)(f) Permission to access information specific to
30 the wages and performance of participants upon the completion
31 of instruction for evaluation purposes. Information which, if

1 released, would disclose the identity of the person to whom
2 the information pertains or disclose the identity of the
3 person's employer is confidential and exempt from the
4 provisions of s. 119.07(1). The agreement must specify that
5 any evaluations published subsequent to the instruction may
6 not identify the employer or any individual participant.

7 (6)(7) For the purposes of this section, Workforce
8 ~~Enterprise~~ Florida, Inc., may accept grants of money,
9 materials, services, or property of any kind from any agency,
10 corporation, or individual.

11 ~~(8) Enterprise Florida, Inc., may procure equipment as~~
12 ~~necessary to meet the purposes of this section. Title to and~~
13 ~~control of such equipment is vested in the Department of~~
14 ~~Education. Upon the conclusion of instruction, the Department~~
15 ~~of Education may transfer title to the district school board,~~
16 ~~community college district board of trustees, or Board of~~
17 ~~Regents on behalf of a specific state university, where the~~
18 ~~equipment is physically located. The department may also~~
19 ~~lease such equipment to the district school board, community~~
20 ~~college district board of trustees, or Board of Regents for a~~
21 ~~maximum of 1 year. Such lease may provide for automatic~~
22 ~~renewal. Either party to a lease has the right to cancel the~~
23 ~~lease upon a 60-day notice in writing. Any equipment for which~~
24 ~~no title transfer or lease exists must be returned to a~~
25 ~~warehouse reserve and be available for use by an instructional~~
26 ~~program in any area of the state.~~

27 (7)(9) In providing instruction pursuant to this
28 section, materials that relate to methods of manufacture or
29 production, potential trade secrets, business transactions, or
30 proprietary information received, produced, ascertained, or
31 discovered by employees of the respective departments,

1 district school boards, community college district boards of
2 trustees, or other personnel employed for the purposes of this
3 section is confidential and exempt from the provisions of s.
4 119.07(1). The state may seek copyright protection for all
5 instructional materials and ancillary written documents
6 developed wholly or partially with state funds as a result of
7 instruction provided pursuant to this section, except for
8 materials that are confidential and exempt from the provisions
9 of s. 119.07(1).

10 (8)~~(10)~~ There is created a Quick-Response Training
11 Program for ~~Work and Gain Economic Self-sufficiency (WAGES)~~
12 participants in the welfare-transition program. Workforce
13 ~~Enterprise Florida, Inc., may, at the discretion of the State~~
14 ~~WAGES Emergency Response Team,~~ award quick-response training
15 grants and develop applicable guidelines for the training of
16 participants in the welfare-transition ~~WAGES~~ program. In
17 addition to a local economic development organization, grants
18 must be endorsed by the applicable ~~local WAGES coalition and~~
19 regional workforce ~~development~~ board.

20 (a) Training funded pursuant to this subsection may
21 not exceed 12 months, and may be provided by the local
22 community college, school district, regional workforce
23 ~~development~~ board, or the business employing the participant,
24 including on-the-job training. Training will provide
25 entry-level skills to new workers, including those employed in
26 retail, who are participants in the welfare-transition ~~WAGES~~
27 program.

28 (b) ~~WAGES~~ Participants trained pursuant to this
29 subsection must be employed at a wage not less than \$6~~\$6.00~~
30 per hour.

31

1 (c) Funds made available pursuant to this subsection
2 may be expended in connection with the relocation of a
3 business from one community to another community if approved
4 by Workforce Florida, Inc.~~the State WAGES Emergency Response~~
5 ~~Team.~~

6 (9) Notwithstanding any other provision of law,
7 eligible matching contributions received under the
8 Quick-Response Training Program under this section may be
9 counted toward the private-sector support of Enterprise
10 Florida, Inc., under s. 288.90151(5)(d).

11 (10) Workforce Florida, Inc., and Enterprise Florida,
12 Inc., shall ensure maximum coordination and cooperation in
13 administering this section, in such a manner that any division
14 of responsibility between the two organizations which relates
15 to marketing or administering the Quick-Response Training
16 Program is not apparent to a business that inquires about or
17 applies for funding under this section. The organizations
18 shall provide such a business with a single point of contact
19 for information and assistance.

20 Section 89. Subsection (7) of section 288.0656,
21 Florida Statutes, is amended to read:

22 288.0656 Rural Economic Development Initiative.--

23 (7) REDI may recommend to the Governor up to three
24 rural areas of critical economic concern. A rural area of
25 critical economic concern must be a rural community, or a
26 region composed of such, that has been adversely affected by
27 an extraordinary economic event or a natural disaster or that
28 presents a unique economic development opportunity of regional
29 impact that will create more than 1,000 jobs over a 5-year
30 period. The Governor may by executive order designate up to
31 three rural areas of critical economic concern which will

1 establish these areas as priority assignments for REDI as well
2 as to allow the Governor, acting through REDI, to waive
3 criteria, requirements, or similar provisions of any economic
4 development incentive. Such incentives shall include, but not
5 be limited to: the Qualified Target Industry Tax Refund
6 Program under s. 288.106, the Quick Response Training Program
7 under s. 288.047, the ~~WAGES~~ Quick Response Training Program
8 for participants in the welfare-transition program under s.
9 288.047(8)~~s. 288.047(10)~~, transportation projects under s.
10 288.063, the brownfield redevelopment bonus refund under s.
11 288.107, and the rural job tax credit program under ss.
12 212.098 and 220.1895. Designation as a rural area of critical
13 economic concern under this subsection shall be contingent
14 upon the execution of a memorandum of agreement among the
15 Office of Tourism, Trade, and Economic Development; the
16 governing body of the county; and the governing bodies of any
17 municipalities to be included within a rural area of critical
18 economic concern. Such agreement shall specify the terms and
19 conditions of the designation, including, but not limited to,
20 the duties and responsibilities of the county and any
21 participating municipalities to take actions designed to
22 facilitate the retention and expansion of existing businesses
23 in the area, as well as the recruitment of new businesses to
24 the area.

25 Section 90. Paragraph (f) of subsection (3) of section
26 288.901, Florida Statutes, is amended to read:

27 288.901 Enterprise Florida, Inc.; creation;
28 membership; organization; meetings; disclosure.--

29 (3) Enterprise Florida, Inc., shall be governed by a
30 board of directors. The board of directors shall consist of
31 the following members:

1 (f) The chairperson of the board of directors of ~~the~~
2 Workforce Florida, Inc.~~Development Board.~~

3 Section 91. Paragraph (i) of subsection (1) of section
4 288.904, Florida Statutes, is amended to read:

5 288.904 Powers of the board of directors of Enterprise
6 Florida, Inc.--

7 (1) The board of directors of Enterprise Florida,
8 Inc., shall have the power to:

9 (i) Use the state seal, notwithstanding the provisions
10 of s. 15.03, when appropriate, to establish that Enterprise
11 Florida, Inc., is the principal economic, ~~workforce,~~ and trade
12 development organization for the state, and for other standard
13 corporate identity applications. Use of the state seal is not
14 to replace use of a corporate seal as provided in this
15 section.

16 Section 92. Subsections (1) and (3) of section
17 288.905, Florida Statutes, are amended to read:

18 288.905 Duties of the board of directors of Enterprise
19 Florida, Inc.--

20 (1) In the performance of its functions and duties,
21 the board of directors may establish, implement, and manage
22 policies, strategies, and programs for Enterprise Florida,
23 Inc., and its boards. These policies, strategies, and programs
24 shall promote business formation, expansion, recruitment, and
25 retention through aggressive marketing and international
26 development and export assistance; ~~and workforce development,~~
27 which together lead to more and better jobs with higher wages
28 for all geographic regions and communities of the state,
29 including rural areas and urban core areas, and for all
30 residents, including minorities. In developing such policies,
31 strategies, and programs, the board of directors shall solicit

1 advice from and consider the recommendations of its boards,
2 any advisory committees or similar groups created by
3 Enterprise Florida, Inc., and local and regional partners.

4 (3)(a) The strategic plan required under this section
5 shall include, but is not limited to, strategies for the
6 promotion of business formation, expansion, recruitment, and
7 retention through aggressive marketing, international
8 development, and export assistance, and ~~workforce development~~
9 ~~programs~~ which lead to more and better jobs and higher wages
10 for all geographic regions and disadvantaged communities and
11 populations of the state, including rural areas, minority
12 businesses, and urban core areas. Further, the strategic plan
13 shall give consideration to the economic diversity of the
14 state and its regions and their associated industrial clusters
15 and develop realistic policies and programs to further their
16 development.

17 (b)1. The strategic plan required under this section
18 shall include specific provisions for the stimulation of
19 economic development and job creation in rural areas and
20 midsize cities and counties of the state.

21 2. Enterprise Florida, Inc., shall involve local
22 governments, local and regional economic development
23 organizations, and other local, state, and federal economic,
24 international, and workforce development entities, both public
25 and private, in developing and carrying out policies,
26 strategies, and programs, seeking to partner and collaborate
27 to produce enhanced public benefit at a lesser cost.

28 3. Enterprise Florida, Inc., shall involve rural,
29 urban, small-business, and minority-business development
30 agencies and organizations, both public and private, in
31

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 93. 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
10 welfare-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 94. 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

1 any port listed in s. 311.09(1), to be used for funding
2 projects as follows:

3 (a) For any seaport intermodal access projects that
4 are identified in the 1997-1998 Tentative Work Program of the
5 Department of Transportation, up to the amounts needed to
6 offset the funding requirements of this section; ~~and~~

7 (b) For seaport intermodal access projects as
8 described in s. 341.053(5) that are identified in the 5-year
9 Florida Seaport Mission Plan as provided in s. 311.09(3).
10 Funding for such projects shall be on a matching basis as
11 mutually determined by the Florida Seaport Transportation and
12 Economic Development Council and the Department of
13 Transportation, provided a minimum of 25 percent of total
14 project funds shall come from any port funds, local funds,
15 private funds, or specifically earmarked federal funds; ~~or~~

16 (c) On a 50-50 matching basis for projects as
17 described in s. 311.07(3)(b); or

18 (d) For seaport intermodal access projects that
19 involve the dredging or deepening of channels, turning basins,
20 or harbors; or the rehabilitation of wharves, docks, or
21 similar structures. Funding for such projects shall require a
22 25 percent match of the funds received pursuant to this
23 subsection. Matching funds shall come from any port funds,
24 federal funds, local funds, or private funds.

25
26 Such revenues may be assigned, pledged, or set aside as a
27 trust for the payment of principal or interest on bonds, tax
28 anticipation certificates, or any other form of indebtedness
29 issued by an individual port or appropriate local government
30 having jurisdiction thereof, or collectively by interlocal
31 agreement among any of the ports, or used to purchase credit

1 support to permit such borrowings. However, such debt shall
2 not constitute a general obligation of the state. This state
3 does hereby covenant with holders of such revenue bonds or
4 other instruments of indebtedness issued hereunder that it
5 will not repeal or impair or amend this subsection in any
6 manner which will materially and adversely affect the rights
7 of holders so long as bonds authorized by this subsection are
8 outstanding. Any revenues that are not pledged to the
9 repayment of bonds as authorized by this section may be
10 utilized for purposes authorized under the Florida Seaport
11 Transportation and Economic Development Program. This revenue
12 source is in addition to any amounts provided for and
13 appropriated in accordance with s. 311.07 and subsection (3).
14 The Florida Seaport Transportation and Economic Development
15 Council shall approve distribution of funds to ports for
16 projects that have been approved pursuant to s. 311.09(5)-(9),
17 or for seaport intermodal access projects identified in the
18 5-year Florida Seaport Mission Plan as provided in s.
19 311.09(3) and mutually agreed upon by the FSTED Council and
20 the Department of Transportation. All contracts for actual
21 construction of projects authorized by this subsection must
22 include a provision encouraging employment of ~~WAGES~~
23 participants in the welfare-transition program. The goal for
24 employment of ~~WAGES~~ participants in the welfare-transition
25 program is 25 percent of all new employees employed
26 specifically for the project, unless the Department of
27 Transportation and the Florida Seaport Transportation and
28 Economic Development Council demonstrates ~~can demonstrate to~~
29 ~~the satisfaction of the Secretary of Labor and Employment~~
30 ~~Security~~ that such a requirement would severely hamper the
31 successful completion of the project. In such an instance,

1 Workforce Florida, Inc., ~~the Secretary of Labor and Employment~~
2 ~~Security~~ shall establish an appropriate percentage of
3 employees that must be ~~WAGES~~ participants in the
4 welfare-transition program. The council and the Department of
5 Transportation are authorized to perform such acts as are
6 required to facilitate and implement the provisions of this
7 subsection. To better enable the ports to cooperate to their
8 mutual advantage, the governing body of each port may exercise
9 powers provided to municipalities or counties in s.
10 163.01(7)(d) subject to the provisions of chapter 311 and
11 special acts, if any, pertaining to a port. The use of funds
12 provided pursuant to this subsection is limited to eligible
13 projects listed in this subsection. The provisions of s.
14 311.07(4) do not apply to any funds received pursuant to this
15 subsection.

16 Section 95. Paragraph (c) of subsection (9) of section
17 322.34, Florida Statutes, is amended to read:

18 322.34 Driving while license suspended, revoked,
19 canceled, or disqualified.--

20 (9)

21 (c) Notwithstanding s. 932.703(1)(c) or s. 932.7055,
22 when the seizing agency obtains a final judgment granting
23 forfeiture of the motor vehicle under this section, 30 percent
24 of the net proceeds from the sale of the motor vehicle shall
25 be retained by the seizing law enforcement agency and 70
26 percent shall be deposited in the General Revenue Fund for use
27 by regional workforce boards ~~local WAGES coalitions~~ in
28 providing transportation services for participants of the
29 welfare-transition ~~WAGES~~ program. In a forfeiture proceeding
30 under this section, the court may consider the extent that the
31

1 family of the owner has other public or private means of
2 transportation.

3 Section 96. Subsection (1) of section 341.052, Florida
4 Statutes, is amended to read:

5 341.052 Public transit block grant program;
6 administration; eligible projects; limitation.--

7 (1) There is created a public transit block grant
8 program which shall be administered by the department. Block
9 grant funds shall only be provided to "Section 9" providers
10 and "Section 18" providers designated by the United States
11 Department of Transportation and community transportation
12 coordinators as defined in chapter 427. Eligible providers
13 must establish public transportation development plans
14 consistent, to the maximum extent feasible, with approved
15 local government comprehensive plans of the units of local
16 government in which the provider is located. In developing
17 public transportation development plans, eligible providers
18 must solicit comments from regional workforce boards ~~local~~
19 ~~WAGES coalitions~~ established under chapter 445 ~~414~~. The
20 development plans must address how the public transit provider
21 will work with the appropriate regional workforce board ~~local~~
22 ~~WAGES coalition~~ to provide services to ~~WAGES~~ participants in
23 the welfare-transition program. Eligible providers must ~~review~~
24 ~~program and financial plans established under s. 414.028 and~~
25 provide information to the regional workforce board ~~local~~
26 ~~WAGES coalition~~ serving the county in which the provider is
27 located regarding the availability of transportation services
28 to assist ~~WAGES~~ program participants.

29 Section 97. Subsections (1) and (8) of section
30 402.3015, Florida Statutes, are amended, and subsection (10)
31 is added to that section, to read:

1 402.3015 Subsidized child care program; purpose; fees;
2 contracts.--

3 (1) The purpose of the subsidized child care program
4 is to provide quality child care to enhance the development,
5 including language, cognitive, motor, social, and self-help
6 skills of children who are at risk of abuse or neglect and
7 children of low-income families, and to promote financial
8 self-sufficiency and life skills for the families of these
9 children, unless prohibited by federal law. Priority for
10 participation in the subsidized child care program shall be
11 accorded to children under 13 years of age who are:

12 (a) Determined to be at risk of abuse, neglect, or
13 exploitation and who are currently clients of the department's
14 Children and Families Program Office;

15 (b) Children at risk of welfare dependency, including
16 children of participants in the welfare-transition ~~WAGES~~
17 program, children of migrant farmworkers, children of teen
18 parents, and children from other families at risk of welfare
19 dependency due to a family income of less than 100 percent of
20 the federal poverty level;

21 (c) Children of working families whose family income
22 is equal to or greater than 100 percent, but does not exceed
23 150 percent, of the federal poverty level; ~~and~~

24 (d) Children of working families enrolled in the Child
25 Care Executive Partnership Program whose family income does
26 not exceed 200 percent of the federal poverty level; and-

27 (e) Children of working families who participate in
28 the diversion program to strengthen Florida's families under
29 s. 445.018.

30 (8) The community child care coordinating agencies
31 shall assist participants in the welfare-transition ~~WAGES~~

1 program and former participants of the program who are
2 eligible for subsidized child care in developing cooperative
3 child care arrangements whereby participants support and
4 assist one another in meeting child care needs at minimal cost
5 to the individual participant.

6 (10) A family that is eligible to participate in the
7 subsidized child care program shall be considered a needy
8 family for purposes of the program funded through the federal
9 Temporary Assistance for Needy Families (TANF) block grant, to
10 the extent permitted by the appropriation of funds.

11 Section 98. Paragraph (g) of subsection (1) of section
12 402.33, Florida Statutes, is amended to read:

13 402.33 Department authority to charge fees for
14 services provided.--

15 (1) As used in this section, the term:

16 (g) "State and federal aid" means cash assistance or
17 cash equivalent benefits based on an individual's proof of
18 financial need, including, but not limited to, temporary cash
19 ~~assistance under the WAGES Program~~ and food stamps.

20 Section 99. Paragraph (a) of subsection (3) of section
21 402.40, Florida Statutes, is amended to read:

22 402.40 Child welfare training academies established;
23 Child Welfare Standards and Training Council created;
24 responsibilities of council; Child Welfare Training Trust Fund
25 created.--

26 (3) CHILD WELFARE STANDARDS AND TRAINING COUNCIL.--

27 (a) There is created within the Department of Children
28 and Family Services the Child Welfare Training Council,
29 hereinafter referred to as the council. The 21-member council
30 shall consist of the Commissioner of Education or his or her
31 designee; a member of the judiciary who has experience in the

1 area of dependency and has served at least 3 years in the
2 Juvenile Division of the circuit court, to be appointed by the
3 Chief Justice of the Supreme Court; and 19 members to be
4 appointed by the Secretary of Children and Family Services as
5 follows:

6 1. Nine members shall be dependency program staff:
7 a. An intake supervisor or counselor, a protective
8 services supervisor or counselor, a foster care supervisor or
9 counselor, and an adoption and related services supervisor or
10 counselor. Each such member shall have at least 5 years'
11 experience working with children and families, at least two
12 members shall each have a master's degree in social work, and
13 any member not having a master's degree in social work shall
14 have at least a bachelor's degree in social work, child
15 development, behavioral psychology, or any other discipline
16 directly related to providing care or counseling for families.

17 b. A representative from a licensed, residential
18 child-caring agency contracted with by the state; a
19 representative from a runaway shelter or similar program
20 primarily serving adolescents, which shelter or program must
21 be contracted with by the state; and a representative from a
22 licensed child-placing agency contracted with by the state.
23 At least two of these members shall each have a master's
24 degree in social work, and any member not having a master's
25 degree in social work shall have a degree as cited in
26 sub-subparagraph a. All three members shall have at least 5
27 years' experience working with children and families.

28 c. A family foster home parent and an emergency
29 shelter home parent, both of whom shall have been providing
30 such care for at least 5 years and shall have participated in
31

1 training for foster parents or shelter parents on an ongoing
2 basis.

3 2. One member shall be a supervisor or counselor from
4 the temporary cash assistance ~~WAGES~~ program.

5 3. Two members shall be educators from the state's
6 university and community college programs of social work,
7 child development, psychology, sociology, or other field of
8 study pertinent to the training of dependency program staff.

9 4. One member shall be a pediatrician with expertise
10 in the area of child abuse and neglect.

11 5. One member shall be a psychiatrist or licensed
12 clinical psychologist with extensive experience in counseling
13 children and families.

14 6. One member shall be an attorney with extensive
15 experience in the practice of family law.

16 7. One member shall be a guardian ad litem or a child
17 welfare attorney, either of whom shall have extensive
18 experience in the representation of children.

19 8. One member shall be a state attorney with
20 experience and expertise in the area of dependency and family
21 law.

22 9. One member shall be a representative from a local
23 law enforcement unit specializing in child abuse and neglect.

24 10. One member shall be a lay citizen who is a member
25 of a child advocacy organization.

26

27 The initial members of the council shall be appointed within
28 30 days of the effective date of this section. Of the initial
29 appointments, the member appointed by the Chief Justice of the
30 Supreme Court, three members appointed pursuant to
31 subparagraph 1., one member appointed pursuant to subparagraph

1 3., and the members specified in subparagraphs 4. and 5. shall
2 be appointed to terms of 3 years each; three members appointed
3 pursuant to subparagraph 1., one of the members appointed
4 pursuant to subparagraph 3., and the members specified in
5 subparagraphs 2., 6., and 7. shall be appointed for terms of 2
6 years each; and three members appointed pursuant to
7 subparagraph 1., and the members specified in subparagraphs
8 8., 9., and 10. shall be appointed to terms of 1 year each.
9 Thereafter, all appointed members shall serve terms of 3 years
10 each. No person shall serve more than two consecutive terms.

11 Section 100. Subsection (4) of section 402.45, Florida
12 Statutes, is amended to read:

13 402.45 Community resource mother or father program.--

14 (4) A community resource mother or father shall be an
15 individual who by residence and resources is able to identify
16 with the target population, and meets the following minimum
17 criteria:

18 (a) Is at least 25 years of age.

19 (b) Is a mother or father.

20 (c) Is a recipient of temporary cash assistance ~~under~~
21 ~~the WAGES Program~~ or a person with an income below the federal
22 poverty level, or has an income equivalent to community
23 clients.

24 Section 101. Subsection (3) of section 403.973,
25 Florida Statutes, is amended to read:

26 403.973 Expedited permitting; comprehensive plan
27 amendments.--

28 (3)(a) The Governor, through the office, shall direct
29 the creation of regional permit action teams, for the purpose
30 of expediting review of permit applications and local
31 comprehensive plan amendments submitted by:

- 1 1. Businesses creating at least 100 jobs, or
2 2. Businesses creating at least 50 jobs if the project
3 is located in an enterprise zone, or in a county having a
4 population of less than 75,000 or in a county having a
5 population of less than 100,000 which is contiguous to a
6 county having a population of less than 75,000, as determined
7 by the most recent decennial census, residing in incorporated
8 and unincorporated areas of the county, or

9 (b) On a case-by-case basis and at the request of a
10 county or municipal government, the office may certify as
11 eligible for expedited review a project not meeting the
12 minimum job creation thresholds but creating a minimum of 10
13 jobs. The recommendation from the governing body of the county
14 or municipality in which the project may be located is
15 required in order for the office to certify that any project
16 is eligible for expedited review under this paragraph. When
17 considering projects that do not meet the minimum job creation
18 thresholds but that are recommended by the governing body in
19 which the project may be located, the office shall consider
20 economic impact factors that include, but are not limited to:

- 21 1. The proposed wage and skill levels relative to
22 those existing in the area in which the project may be
23 located;
24 2. The project's potential to diversify and strengthen
25 the area's economy;
26 3. The amount of capital investment; and
27 4. The number of jobs that will be made available for
28 persons served by the welfare-transition ~~WAGES~~ program.

29 (c) At the request of a county or municipal
30 government, the office or a Quick Permitting County may
31 certify projects located in counties where the ratio of new

1 | jobs per participant in the welfare-transition program ~~WAGES~~
2 | ~~client~~, as determined by ~~the~~ Workforce Florida, Inc.
3 | ~~Development Board of Enterprise Florida~~, is less than one or
4 | otherwise critical, as eligible for the expedited permitting
5 | process. Such projects must meet the numerical job creation
6 | criteria of this subsection, but the jobs created by the
7 | project do not have to be high-wage jobs that diversify the
8 | state's economy.

9 | Section 102. Subsection (7) of section 409.2554,
10 | Florida Statutes, is amended to read:

11 | 409.2554 Definitions.--As used in ss.
12 | 409.2551-409.2598, the term:

13 | (7) "Public assistance" means food stamps, money
14 | assistance paid on the basis of Title IV-E and Title XIX of
15 | the Social Security Act, or temporary cash assistance ~~paid~~
16 | ~~under the WAGES Program~~.

17 | Section 103. Subsection (1) of section 409.259,
18 | Florida Statutes, is amended to read:

19 | 409.259 Partial payment of filing fees.--

20 | (1) Notwithstanding s. 28.241, each clerk of the
21 | circuit court shall only be reimbursed at the prevailing rate
22 | of federal financial participation on the amount of \$40 for
23 | each civil action, suit, or proceeding for support instituted
24 | in the circuit court in which the parent is not receiving
25 | temporary cash assistance ~~under the WAGES Program~~. The
26 | prevailing rate of the state match shall be paid by the local
27 | government in the form of a certified public expenditure. The
28 | clerk of the circuit court shall bill the department monthly.
29 | The clerk of the circuit court and the department shall
30 | maintain a monthly log of the number of civil actions, suits,
31 | or proceedings filed in which the parent does not receive

1 temporary assistance. These monthly logs will be used to
2 determine the number of \$40 filings the clerk of court may
3 submit for reimbursement at the prevailing rate of federal
4 financial participation.

5 Section 104. Paragraph (c) of subsection (1) of
6 section 409.903, Florida Statutes, is amended to read:

7 409.903 Mandatory payments for eligible persons.--The
8 agency shall make payments for medical assistance and related
9 services on behalf of the following persons who the agency
10 determines to be eligible, subject to the income, assets, and
11 categorical eligibility tests set forth in federal and state
12 law. Payment on behalf of these Medicaid eligible persons is
13 subject to the availability of moneys and any limitations
14 established by the General Appropriations Act or chapter 216.

15 (1) Low-income families with children are eligible for
16 Medicaid provided they meet the following requirements:

17 (c) The family's countable income and resources do not
18 exceed the applicable Aid to Families with Dependent Children
19 (AFDC) income and resource standards under the AFDC state plan
20 in effect in July 1996, except as amended in the Medicaid
21 state plan to conform as closely as possible to the
22 requirements of the welfare-transition ~~WAGES~~ program ~~as~~
23 ~~created in s. 414.015~~, to the extent permitted by federal law.

24 Section 105. Section 409.942, Florida Statutes, is
25 amended to read:

26 409.942 Electronic benefit transfer program.--

27 (1) The Department of Children and Family Services
28 shall establish an electronic benefit transfer program for the
29 dissemination of food stamp benefits and temporary assistance
30 payments, including refugee cash assistance payments, asylum
31 applicant payments, and child support disregard payments. If

1 the Federal Government does not enact legislation or
2 regulations providing for dissemination of supplemental
3 security income by electronic benefit transfer, the state may
4 include supplemental security income in the electronic benefit
5 transfer program.

6 (2) The department shall, in accordance with
7 applicable federal laws and regulations, develop minimum
8 program requirements and other policy initiatives for the
9 electronic benefit transfer program ~~and shall have at least~~
10 ~~one operational pilot program in place by July 1, 1996.~~

11 (3) The department shall enter into public-private
12 contracts for all provisions of electronic transfer of public
13 assistance benefits, including, but not limited to, the
14 necessary electronic equipment and technical support for the
15 electronic benefit transfer pilot program.

16 (4) Workforce Florida, Inc., shall establish an
17 electronic benefit transfer program for the use and management
18 of education, training, childcare, transportation, and other
19 program benefits under its direction. The workforce electronic
20 benefit transfer program shall fulfill all federal and state
21 requirements for Individual Training Accounts, Retention
22 Incentive Training Accounts, Individual Development Accounts,
23 and Individual Services Accounts. The workforce electronic
24 benefit transfer program shall be designed to enable an
25 individual who receives an electronic benefit transfer card
26 under subsection (1) to use that card for purposes of benefits
27 provided under the workforce development system as well. The
28 Department of Children and Family Services shall assist
29 Workforce Florida, Inc., in developing an electronic benefit
30 transfer program for the workforce development system that is
31 fully compatible with the department's electronic benefit

1 transfer program. Workforce Florida, Inc., shall reimburse the
2 department for all costs incurred in providing such assistance
3 and shall pay all costs for the development of the workforce
4 electronic benefit transfer program through the Division of
5 Workforce Administrative Support of the Department of
6 Management Services.

7 Section 106. Paragraph (b) of subsection (4) and
8 paragraph (a) of subsection (6) of section 411.01, Florida
9 Statutes, are amended to read:

10 411.01 Florida Partnership for School Readiness;
11 school readiness coalitions.--

12 (4) FLORIDA PARTNERSHIP FOR SCHOOL READINESS.--

13 (b)1. The Florida Partnership for School Readiness
14 shall include the Lieutenant Governor or his or her designee,
15 the Commissioner of Education, the Secretary of Children and
16 Family Services, the Secretary of Health, the chair of the
17 Child Care Executive Partnership Board, and the chairperson of
18 the ~~WAGES Program State~~ board of directors of Workforce
19 Florida, Inc.

20 2. The partnership shall also include 10 members of
21 the public who shall be business, community, and civic leaders
22 in the state who are not elected to public office. These
23 members and their families must not be providers in the early
24 education and child care industry. The members must be
25 geographically and demographically representative of the
26 state. Each member shall be appointed by the Governor. Eight
27 of the members shall be appointed from a list of 10 nominees,
28 of which five must be submitted by the President of the Senate
29 and five must be submitted by the Speaker of the House of
30 Representatives. Members shall be appointed to 4-year terms of
31 office. However, of the initial appointees, two shall be

1 appointed to 1-year terms, two shall be appointed to 2-year
2 terms, three shall be appointed to 3-year terms, and three
3 shall be appointed to 4-year terms. The members of the
4 partnership shall elect a chairperson annually from the
5 nongovernmental members of the partnership. Any vacancy on the
6 partnership shall be filled in the same manner as the original
7 appointment.

8
9 To ensure that the system for measuring school readiness is
10 comprehensive and appropriate statewide, as the system is
11 developed and implemented, the partnership must consult with
12 representatives of district school systems, providers of
13 public and private child care, health care providers, large
14 and small employers, experts in education for children with
15 disabilities, and experts in child development.

16 (6) PROGRAM ELIGIBILITY.--The school readiness program
17 shall be established for children under the age of
18 kindergarten eligibility. Priority for participation in the
19 school readiness program shall be given to children who meet
20 one or more of the following criteria:

21 (a) Children under the age of kindergarten eligibility
22 who are:

23 1. Children determined to be at risk of abuse,
24 neglect, or exploitation and who are currently clients of the
25 Children and Family Services Program Office of the Department
26 of Children and Family Services.

27 2. Children at risk of welfare dependency, including
28 economically disadvantaged children, children of participants
29 in the welfare-transition ~~WAGES~~ program, children of migrant
30 farmworkers, and children of teen parents.

31

1 3. Children of working families whose family income
2 does not exceed 150 percent of the federal poverty level.

3
4 An "economically disadvantaged" child means a child whose
5 family income is below 150 percent of the federal poverty
6 level. Notwithstanding any change in a family's economic
7 status, but subject to additional family contributions in
8 accordance with the sliding fee scale, a child who meets the
9 eligibility requirements upon initial registration for the
10 program shall be considered eligible until the child reaches
11 kindergarten age.

12 Section 107. Paragraph (a) of subsection (3) of
13 section 411.232, Florida Statutes, is amended to read:

14 411.232 Children's Early Investment Program.--

15 (3) ESSENTIAL ELEMENTS.--

16 (a) Initially, the program shall be directed to
17 geographic areas where at-risk young children and their
18 families are in greatest need because of an unfavorable
19 combination of economic, social, environmental, and health
20 factors, including, without limitation, extensive poverty,
21 high crime rate, great incidence of low birthweight babies,
22 high incidence of alcohol and drug abuse, and high rates of
23 teenage pregnancy. The selection of a geographic site shall
24 also consider the incidence of young children within these
25 at-risk geographic areas who are cocaine babies, children of
26 single mothers who receive temporary cash assistance
27 ~~participate in the WAGES Program~~, children of teenage parents,
28 low birthweight babies, and very young foster children. To
29 receive funding under this section, an agency, board, council,
30 or provider must demonstrate:

31

1 1. Its capacity to administer and coordinate the
2 programs and services in a comprehensive manner and provide a
3 flexible range of services;

4 2. Its capacity to identify and serve those children
5 least able to access existing programs and case management
6 services;

7 3. Its capacity to administer and coordinate the
8 programs and services in an intensive and continuous manner;

9 4. The proximity of its facilities to young children,
10 parents, and other family members to be served by the program,
11 or its ability to provide offsite services;

12 5. Its ability to use existing federal, state, and
13 local governmental programs and services in implementing the
14 investment program;

15 6. Its ability to coordinate activities and services
16 with existing public and private, state and local agencies and
17 programs such as those responsible for health, education,
18 social support, mental health, child care, respite care,
19 housing, transportation, alcohol and drug abuse treatment and
20 prevention, income assistance, employment training and
21 placement, nutrition, and other relevant services, all the
22 foregoing intended to assist children and families at risk;

23 7. How its plan will involve project participants and
24 community representatives in the planning and operation of the
25 investment program;

26 8. Its ability to participate in the evaluation
27 component required in this section; and

28 9. Its consistency with the strategic plan pursuant to
29 s. 411.221.

30 Section 108. Paragraph (a) of subsection (3) of
31 section 411.242, Florida Statutes, is amended to read:

1 411.242 Florida Education Now and Babies Later (ENABL)
2 program.--
3 (3) ESSENTIAL ELEMENTS.--
4 (a) The ENABL program should be directed to geographic
5 areas in the state where the childhood birth rate is higher
6 than the state average and where the children and their
7 families are in greatest need because of an unfavorable
8 combination of economic, social, environmental, and health
9 factors, including, without limitation, extensive poverty,
10 high crime rate, great incidence of low birthweight babies,
11 high incidence of alcohol and drug abuse, and high rates of
12 childhood pregnancy. The selection of a geographic site shall
13 also consider the incidence of young children within these
14 at-risk geographic areas who are cocaine babies, children of
15 single mothers who receive temporary cash assistance
16 ~~participate in the WAGES Program~~, children of teenage parents,
17 low birthweight babies, and very young foster children. To
18 receive funding under this section, a community-based local
19 contractor must demonstrate:
20 1. Its capacity to administer and coordinate the ENABL
21 pregnancy prevention public education program and services for
22 children and their families in a comprehensive manner and to
23 provide a flexible range of age-appropriate educational
24 services.
25 2. Its capacity to identify and serve those children
26 least able to access existing pregnancy prevention public
27 education programs.
28 3. Its capacity to administer and coordinate the ENABL
29 programs and services in an intensive and continuous manner.
30 4. The proximity of its program to young children,
31 parents, and other family members to be served by the ENABL

1 program, or its ability to provide offsite educational
2 services.

3 5. Its ability to incorporate existing federal, state,
4 and local governmental educational programs and services in
5 implementing the ENABL program.

6 6. Its ability to coordinate its activities and
7 educational services with existing public and private state
8 and local agencies and programs, such as those responsible for
9 health, education, social support, mental health, child care,
10 respite care, housing, transportation, alcohol and drug abuse
11 treatment and prevention, income assistance, employment
12 training and placement, nutrition, and other relevant
13 services, all of the foregoing intended to assist children and
14 families at risk.

15 7. How its plan will involve project participants and
16 community representatives in the planning and operation of the
17 ENABL program.

18 8. Its ability to participate in the evaluation
19 component required in this section.

20 9. Its consistency with the strategic plan pursuant to
21 s. 411.221.

22 10. Its capacity to match state funding for the ENABL
23 program at the rate of \$1 in cash or in matching services for
24 each dollar funded by the state.

25 Section 109. Subsection (6) of section 413.82, Florida
26 Statutes, is amended to read:

27 413.82 Definitions.--As used in ss. 413.81-413.93, the
28 term:

29 (6) "Region" means a service area for a regional
30 workforce ~~development~~ board established by ~~the~~ Workforce
31 Florida Inc. Development Board.

1 Section 110. Paragraph (d) of subsection (1) of
2 section 421.10, Florida Statutes, is amended to read:

3 421.10 Rentals and tenant selection.--

4 (1) In the operation or management of housing projects
5 an authority shall at all times observe the following duties
6 with respect to rentals and tenants selection:

7 (d) The Department of Children and Family Services,
8 pursuant to 45 C.F.R. s. 233.20(a)(3)(vii)(c), may not
9 consider as income for recipients of temporary cash assistance
10 ~~any participants in the WAGES Program~~ assistance received by
11 recipients from other agencies or organizations such as public
12 housing authorities.

13 Section 111. Subsection (27) of section 427.013,
14 Florida Statutes, is amended to read:

15 427.013 The Commission for the Transportation
16 Disadvantaged; purpose and responsibilities.--The purpose of
17 the commission is to accomplish the coordination of
18 transportation services provided to the transportation
19 disadvantaged. The goal of this coordination shall be to
20 assure the cost-effective provision of transportation by
21 qualified community transportation coordinators or
22 transportation operators for the transportation disadvantaged
23 without any bias or presumption in favor of multioperator
24 systems or not-for-profit transportation operators over single
25 operator systems or for-profit transportation operators. In
26 carrying out this purpose, the commission shall:

27 (27) Ensure that local community transportation
28 coordinators work cooperatively with regional workforce boards
29 ~~local WAGES coalitions~~ established in chapter 445 ~~414~~ to
30 provide assistance in the development of innovative
31

1 transportation services for ~~WAGES~~ participants in the
2 welfare-transition program.

3 Section 112. Subsection (9) of section 427.0155,
4 Florida Statutes, is amended to read:

5 427.0155 Community transportation coordinators; powers
6 and duties.--Community transportation coordinators shall have
7 the following powers and duties:

8 (9) Work cooperatively with regional workforce boards
9 ~~local WAGES coalitions~~ established in chapter 445 ~~414~~ to
10 provide assistance in the development of innovative
11 transportation services for ~~WAGES~~ participants in the
12 welfare-transition program.

13 Section 113. Subsection (7) of section 427.0157,
14 Florida Statutes, is amended to read:

15 427.0157 Coordinating boards; powers and duties.--The
16 purpose of each coordinating board is to develop local service
17 needs and to provide information, advice, and direction to the
18 community transportation coordinators on the coordination of
19 services to be provided to the transportation disadvantaged.
20 The commission shall, by rule, establish the membership of
21 coordinating boards. The members of each board shall be
22 appointed by the metropolitan planning organization or
23 designated official planning agency. The appointing authority
24 shall provide each board with sufficient staff support and
25 resources to enable the board to fulfill its responsibilities
26 under this section. Each board shall meet at least quarterly
27 and shall:

28 (7) Work cooperatively with regional workforce boards
29 ~~local WAGES coalitions~~ established in chapter 445 ~~414~~ to
30 provide assistance in the development of innovative
31

1 transportation services for ~~WAGES~~ participants in the
2 welfare-transition program.

3 Section 114. Paragraph (b) of subsection (1) of
4 section 443.091, Florida Statutes, is amended to read:

5 443.091 Benefit eligibility conditions.--

6 (1) An unemployed individual shall be eligible to
7 receive benefits with respect to any week only if the division
8 finds that:

9 (b) She or he has registered for work at, and
10 thereafter continued to report at, the division, which shall
11 be responsible for notification of the Division of Workforce
12 Administrative Support of the Department of Management
13 Services ~~Jobs and Benefits~~ in accordance with such rules as
14 the division may prescribe; except that the division may, by
15 rule not inconsistent with the purposes of this law, waive or
16 alter either or both of the requirements of this subsection as
17 to individuals attached to regular jobs; but no such rule
18 shall conflict with s. 443.111(1).

19 Section 115. Subsection (8) of section 443.151,
20 Florida Statutes, is amended to read:

21 443.151 Procedure concerning claims.--

22 (8) BILINGUAL REQUIREMENTS.--

23 (a) Based on the estimated total number of households
24 in a county which speak the same non-English language, a
25 single-language minority, the division shall provide printed
26 bilingual instructional and educational materials in the
27 appropriate language in those counties in which 5 percent or
28 more of the households in the county are classified as a
29 single-language minority.

30 (b) The division shall ensure that one-stop career
31 centers ~~jobs and benefits offices~~ and appeals bureaus in

1 counties subject to the requirements of paragraph (c)
2 prominently post notices in the appropriate languages that
3 translators are available in those centers ~~offices~~ and
4 bureaus.

5 (c) Single-language minority refers to households
6 which speak the same non-English language and which do not
7 contain an adult fluent in English. The division shall develop
8 estimates of the percentages of single-language minority
9 households for each county by using data made available by the
10 United States Bureau of the Census.

11 Section 116. Section 443.181, Florida Statutes, is
12 amended to read:

13 443.181 State Employment Service.--

14 (1) A state public employment service is ~~hereby~~
15 established through in the Division of Workforce
16 Administrative Support of the Department of Management
17 Services, under policy direction from Workforce, Florida, Inc.
18 ~~Jobs and Benefits.~~The division shall establish and maintain
19 free public employment offices in such number and in such
20 places as may be necessary for the proper administration of
21 this chapter and for the purposes of performing such duties as
22 are within the purview of the Act of Congress entitled "An Act
23 to provide for the establishment of a national employment
24 system and for cooperation with the states in the promotion of
25 such system and for other purposes," approved June 6, 1933 (48
26 Stat. 113; 29 U.S.C. s. 49(c)), as amended. Notwithstanding
27 any provisions in this section to the contrary, the one-stop
28 delivery system shall be the primary method for delivering
29 services under this section, consistent with Pub. L. No.
30 105-220 and chapter 445.It shall be the duty of the division
31 to cooperate with any official or agency of the United States

1 having power or duties under the provisions of the Act of
2 Congress, as amended, and to do and perform all things
3 necessary to secure to this state the benefits of said Act of
4 Congress, as amended, in the promotion and maintenance of a
5 system of public employment offices. The provisions of the
6 said Act of Congress, as amended, are hereby accepted by this
7 state, in conformity with s. 4 of that act, and this state
8 will observe and comply with the requirements thereof. The
9 Division of Workforce Administrative Support ~~Jobs and Benefits~~
10 of the Department of Management Services ~~Labor and Employment~~
11 ~~Security~~ is hereby designated and constituted the agency of
12 this state for the purpose of that act. The division is
13 authorized and directed to appoint sufficient employees to
14 carry out the purposes of this section. The division may
15 cooperate with or enter into agreements with the Railroad
16 Retirement Board with respect to the establishment,
17 maintenance, and use of free employment service facilities.

18 (2) FINANCING.--All moneys received by this state
19 under the said Act of Congress, as amended, shall be paid into
20 the Employment Security Administration Trust Fund, and such
21 moneys are hereby made available to the division to be
22 expended as provided by this chapter and by said Act of
23 Congress. For the purpose of establishing and maintaining
24 free public employment offices, the division is authorized to
25 enter into agreements with the Railroad Retirement Board or
26 any other agency of the United States charged with the
27 administration of an unemployment compensation law, with any
28 political subdivision of this state, or with any private,
29 nonprofit organization, and as a part of any such agreement
30 the division may accept moneys, services, or quarters as a
31

1 contribution to the Employment Security Administration Trust
2 Fund.

3 (3) References to "the division" in this section mean
4 the Division of Workforce Administrative Support ~~Jobs and~~
5 ~~Benefits~~.

6 Section 117. Subsections (2) and (5) of section
7 443.211, Florida Statutes, are amended to read:

8 443.211 Employment Security Administration Trust Fund;
9 appropriation; reimbursement.--

10 (2) SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST
11 FUND.--There is created in the State Treasury a special fund,
12 to be known as the "Special Employment Security Administration
13 Trust Fund," into which shall be deposited or transferred all
14 interest on contributions, penalties, and fines or fees
15 collected under this chapter. Interest on contributions,
16 penalties, and fines or fees deposited during any calendar
17 quarter in the clearing account in the Unemployment
18 Compensation Trust Fund shall, as soon as practicable after
19 the close of such calendar quarter and upon certification of
20 the division, be transferred to the Special Employment
21 Security Administration Trust Fund. However, there shall be
22 withheld from any such transfer the amount certified by the
23 division to be required under this chapter to pay refunds of
24 interest on contributions, penalties, and fines or fees
25 collected and erroneously deposited into the clearing account
26 in the Unemployment Compensation Trust Fund. Such amounts of
27 interest and penalties so certified for transfer shall be
28 deemed to have been erroneously deposited in the clearing
29 account, and the transfer thereof to the Special Employment
30 Security Administration Trust Fund shall be deemed to be a
31 refund of such erroneous deposits. All moneys in this fund

1 shall be deposited, administered, and disbursed in the same
2 manner and under the same conditions and requirements as are
3 provided by law for other special funds in the State Treasury.
4 These moneys shall not be expended or be available for
5 expenditure in any manner which would permit their
6 substitution for, or permit a corresponding reduction in,
7 federal funds which would, in the absence of these moneys, be
8 available to finance expenditures for the administration of
9 the Unemployment Compensation Law. But nothing in this
10 section shall prevent these moneys from being used as a
11 revolving fund to cover expenditures, necessary and proper
12 under the law, for which federal funds have been duly
13 requested but not yet received, subject to the charging of
14 such expenditures against such funds when received. The
15 moneys in this fund, with the approval of the Executive Office
16 of the Governor, shall be used by the Division of Unemployment
17 Compensation and the Division of Workforce Administrative
18 Support of the Department of Management Services ~~Jobs and~~
19 ~~Benefits~~ for the payment of costs of administration which are
20 found not to have been properly and validly chargeable against
21 funds obtained from federal sources. All moneys in the Special
22 Employment Security Administration Trust Fund shall be
23 continuously available to the division for expenditure in
24 accordance with the provisions of this chapter and shall not
25 lapse at any time. All payments from the Special Employment
26 Security Administration Trust Fund shall be approved by the
27 division or by a duly authorized agent thereof and shall be
28 made by the Treasurer upon warrants issued by the Comptroller.
29 The moneys in this fund are hereby specifically made available
30 to replace, as contemplated by subsection (3), expenditures
31 from the Employment Security Administration Trust Fund,

1 established by subsection (1), which have been found by the
2 Bureau of Employment Security, or other authorized federal
3 agency or authority, because of any action or contingency, to
4 have been lost or improperly expended. The Treasurer shall be
5 liable on her or his official bond for the faithful
6 performance of her or his duties in connection with the
7 Special Employment Security Administration Trust Fund.

8 (5) In connection with its duties under s. 443.181,
9 the Division of Workforce Administrative Support of the
10 Department of Management Services ~~Jobs and Benefits~~ shall have
11 several authority and responsibility for deposit, requisition,
12 expenditure, approval of payment, reimbursement, and reporting
13 in regard to the trust funds established by this section.

14 Section 118. Subsection (3) of section 443.221,
15 Florida Statutes, is amended to read:

16 443.221 Reciprocal arrangements.--

17 (3) The administration of this chapter and of other
18 state and federal unemployment compensation and public
19 employment service laws will be promoted by cooperation
20 between this state and such other states and the appropriate
21 federal agencies and therefore the division is authorized to
22 enter into reciprocal arrangements with appropriate and duly
23 authorized agencies of other states or the Federal Government
24 or both in exchanging services, determining and enforcing
25 payment obligations, and making available facilities and
26 information. The Division of Unemployment Compensation and
27 Division of Workforce Administrative Support ~~Jobs and Benefits~~
28 are each, therefore, authorized to make such investigations,
29 secure and transmit such information, make available such
30 services and facilities, and exercise such of the other powers
31 provided herein with respect to the administration of this

1 chapter as each deems necessary or appropriate to facilitate
2 the administration of any such unemployment compensation or
3 public employment service law and, in like manner, to accept
4 and utilize information, services, and facilities made
5 available to this state by the agency charged with the
6 administration of any such other unemployment compensation or
7 public employment service law.

8 Section 119. Subsection (6) of section 443.231,
9 Florida Statutes, is amended to read:

10 443.231 Florida Training Investment Program.--The
11 Florida Training Investment Program is designed to extend
12 additional benefit eligibility to dislocated workers
13 throughout Florida who have lost their jobs, have limited
14 marketable skills, and enroll in vocational training intended
15 to lead to employment in a recognized occupation for which
16 there is labor market demand. Pursuant thereto:

17 (6) PROCEDURE.--

18 (a) Any dislocated worker may apply to receive
19 benefits under this section while enrolled in an approved
20 course of training pursuant to this section.

21 (b) Upon approval of an application the division shall
22 notify both the applicant and the training institution by mail
23 of the applicant's status under this section and shall request
24 the training institution to promptly notify the regular claims
25 reporting office in writing if the participant's attendance or
26 progress should become unsatisfactory.

27 (c) The division is required to notify applicants of
28 the determination of eligibility by mail at the claimant's
29 last known address. In addition to the initial approval or
30 denial of the applicant, the division shall make any further
31

1 determinations pursuant to s. 443.151(3) and rules 38B-3.016
2 and 38B-3.017, Florida Administrative Code.

3 (d) A determination or redetermination will become
4 final unless the claimant files, by mail or in person at the
5 local one-stop career center ~~jobs and benefits office~~, an
6 appeal of a determination or redetermination within 20
7 calendar days after the mailing of the Notice of Determination
8 or Redetermination to the claimant's last known address, or if
9 such notice is not mailed, within 20 calendar days after the
10 date of delivery of such notice. Appeals by mail shall be
11 considered filed when postmarked by the United States Postal
12 Service.

13 Section 120. Subsections (2) and (3) of section
14 446.011, Florida Statutes, are amended to read:

15 446.011 Legislative intent regarding apprenticeship
16 training.--

17 (2) It is the intent of the Legislature that the
18 Division of Workforce Administrative Support ~~Jobs and Benefits~~
19 of the Department of Management Services ~~Labor and Employment~~
20 ~~Security~~ have responsibility for the development of the
21 apprenticeship and preapprenticeship uniform minimum standards
22 for the apprenticeable trades, under the direction of
23 Workforce Florida, Inc., and that the Division of Workforce
24 Development of the Department of Education have responsibility
25 for assisting district school boards and community college
26 district boards of trustees in developing preapprenticeship
27 programs, in compliance with the standards established by the
28 Division of Workforce Administrative Support ~~Jobs and~~
29 ~~Benefits~~.

30 (3) It is the further intent of ss. 446.011-446.092
31 ~~this act~~ that the Division of Workforce Administrative Support

1 ~~Jobs and Benefits~~ ensure quality training through the adoption
2 and enforcement of uniform minimum standards and that the
3 ~~Bureau of Apprenticeship of the division of Jobs and Benefits~~
4 promote, register, monitor, and service apprenticeship and
5 training programs and ensure that such programs adhere to the
6 standards.

7 Section 121. Workforce Florida, Inc., shall submit a
8 report to the Legislature by January 1, 2001, regarding joint
9 programs, nonjoint programs, and other programs that provide
10 formalized on-the-job training for skilled trades. The report
11 must include recommendations for improving the efficiency of
12 the programs, decreasing the cost of the programs, improving
13 or retaining current practices regarding admission
14 requirements, reducing the duration of the programs, and
15 increasing the number of persons who successfully complete the
16 programs.

17 Section 122. Subsections (1), (5), (12), and (13) of
18 section 446.021, Florida Statutes, are amended to read:

19 446.021 Definitions of terms used in ss.
20 446.011-446.092.--As used in ss. 446.011-446.092, the
21 following words and terms shall have the following meanings
22 unless the context clearly indicates otherwise:

23 (1) "Preapprentice" means any person 16 years of age
24 or over engaged in any course of instruction in the public
25 school system or elsewhere, which course is registered as a
26 preapprenticeship program with the Division of Workforce
27 Administrative Support ~~Jobs and Benefits~~ of the Department of
28 Management Services ~~Labor and Employment Security~~.

29 (5) "Preapprenticeship program" means an organized
30 course of instruction in the public school system or
31 elsewhere, which course is designed to prepare a person 16

1 years of age or older to become an apprentice and which course
2 is approved by and registered with ~~the Bureau of~~
3 ~~Apprenticeship of the Division of~~ Workforce Administrative
4 Support Jobs and Benefits and sponsored by a registered
5 apprenticeship program.

6 (12) "Division" means the Division of Workforce
7 Administrative Support Jobs and Benefits of the Department of
8 Management Services Labor and Employment Security.

9 (13) "Director" means the director of the Division of
10 Workforce Administrative Support Jobs and Benefits.

11 Section 123. Section 446.032, Florida Statutes, is
12 amended to read:

13 446.032 General duties of division with respect to
14 apprenticeship training.--The Division of Workforce
15 Administrative Support Jobs and Benefits shall:

16 (1) Establish uniform minimum standards and policies
17 governing apprentice programs and agreements, under the
18 direction of Workforce Florida, Inc. Such standards and
19 policies shall govern the terms and conditions of the
20 apprentice's employment and training, including the quality
21 training of the apprentice with respect to, but not limited
22 to, such matters as ratios of apprentices to journeymen,
23 safety, related instruction, and on-the-job training; but such
24 standards and policies shall not include rules, standards, or
25 guidelines that require the use of apprentices and job
26 trainees on state, county, or municipal contracts. The
27 division may adopt rules as necessary to carry out such
28 standards and policies.

29 (2) Establish ~~by rule~~ procedures to be used ~~utilized~~
30 by the State Apprenticeship Advisory Council ~~in accordance~~
31 ~~with the provisions of s. 446.045.~~

1 ~~(3) Establish a Bureau of Apprenticeship pursuant to~~
2 ~~the instructions of the Secretary of Labor and Employment~~
3 ~~Security.~~

4 Section 124. Section 446.041, Florida Statutes, is
5 amended to read:

6 446.041 Apprenticeship program, duties of
7 division.--The Division of Workforce Administrative Support
8 ~~Jobs and Benefits~~ shall, under the direction of Workforce
9 Florida, Inc.:

10 (1) Administer the provisions of ss. 446.011-446.092.

11 (2) Administer the standards established by the
12 division.

13 (3) Register in accordance with this chapter any
14 apprenticeship or preapprenticeship program, regardless of
15 affiliation, which meets standards established by the
16 division.

17 (4) Investigate complaints concerning the failure of
18 any registered program to meet the standards established by
19 the division.

20 (5) Cancel the registration of any program that ~~which~~
21 fails to comply with the standards and policies of the
22 division or that ~~which~~ unreasonably fails or refuses to
23 cooperate with the division in monitoring and enforcing
24 compliance with such standards.

25 (6) Develop and encourage apprenticeship programs.

26 (7) Cooperate with and assist local apprenticeship
27 sponsors in the development of their apprenticeship standards
28 and training requirements.

29 (8) Cooperate with and assist the Division of
30 Workforce Development of the Department of Education and
31

1 appropriate education institutions in the development of
2 viable apprenticeship and preapprenticeship programs.

3 (9) Encourage registered apprenticeship programs to
4 grant consideration and credit to individuals completing
5 registered preapprenticeship programs.

6 (10) Monitor registered apprenticeship programs to
7 ensure that they are being operated in compliance with all
8 applicable standards.

9 (11) Supervise all apprenticeship programs that ~~which~~
10 are registered with the division.

11 (12) Ensure that minority and gender diversity are
12 considered in administering this program.

13 ~~(13)(12)~~ Adopt rules as required to implement ss.
14 ~~446.011-446.092 the provisions of this act.~~

15 Section 125. Section 446.045, Florida Statutes, is
16 amended to read:

17 446.045 State Apprenticeship Advisory Council.--

18 (1) For the purposes of this section, the term:

19 (a) "Joint employee organization" means an
20 apprenticeship sponsor who participates in a collective
21 bargaining agreement and represents employees.

22 (b) "Nonjoint employer organization" means an
23 apprenticeship sponsor who does not participate in a
24 collective bargaining agreement and who represents management.

25 (2)(a) There is created a State Apprenticeship
26 Advisory Council to be composed of 13 members, which shall be
27 advisory to the Division of Workforce Administrative Support
28 and Workforce Florida, Inc. ~~Jobs and Benefits of the~~
29 ~~Department of Labor and Employment Security.~~ The purpose of
30 the advisory council is to advise the division and the council
31 on matters relating to apprenticeship. The advisory council

1 may not establish policy, adopt rules, or consider whether
2 particular apprenticeship programs should be approved by the
3 division ~~or bureau~~. ~~Only those matters contained in the~~
4 ~~notice of meeting provided by the division shall be considered~~
5 ~~by the council at council meetings.~~

6 (b) The president of Workforce Florida, Inc.,~~division~~
7 ~~director or the division director's designee~~ shall be ex
8 officio chair of the State Apprenticeship Advisory Council,
9 but may not vote. The director of the Division of Workforce
10 Development ~~administrator of industrial education~~ of the
11 Department of Education and the state director of the Bureau
12 of Apprenticeship and Training of the United States Department
13 of Labor shall be appointed nonvoting members of the council.
14 The president of Workforce Florida, Inc.,~~Governor~~ shall
15 appoint two three-member committees for the purpose of
16 nominating candidates for appointment to the council. One
17 nominating committee shall be composed of joint employee
18 organization representatives, and the other nominating
19 committee shall be composed of nonjoint employer organization
20 representatives. The joint employee organization nominating
21 committee shall submit to the president ~~Governor~~ the names of
22 three persons for each vacancy occurring among the joint
23 employee organization members on the council, and the nonjoint
24 employer organization nominating committee likewise shall
25 submit to the president ~~Governor~~ the names of three persons
26 for each vacancy occurring among the nonjoint employer
27 organization members on the council. The president ~~Governor~~
28 shall appoint to the council five members representing joint
29 employee organizations and five members representing nonjoint
30 employer organizations from the candidates nominated for each
31 position by the respective nominating committees. Each member

1 shall represent industries which have registered
2 apprenticeship programs or in which a need for apprenticeship
3 programs has been demonstrated. Initially, the president
4 ~~Governor~~ shall appoint four members for terms of 4 years, two
5 members for terms of 3 years, two members for terms of 2
6 years, and two members for terms of 1 year. Thereafter,
7 members shall be appointed for 4-year terms. A vacancy shall
8 be filled for the remainder of the unexpired term.

9 (c) The council shall meet at the call of the chair or
10 at the request of a majority of its membership, but at least
11 twice a year. A majority of the voting members shall
12 constitute a quorum, and the affirmative vote of a majority of
13 a quorum is necessary to take action.

14 (d) The president ~~Governor~~ may remove any member for
15 cause.

16 (e) The council shall maintain minutes of each
17 meeting. The division shall keep on file the minutes of each
18 meeting and shall make such minutes available to any
19 interested person.

20 (f) Members of the council shall serve without
21 compensation, but shall be entitled to receive reimbursement
22 for per diem and travel expenses as provided in s. 112.061.

23 Section 126. Subsection (3) of section 446.052,
24 Florida Statutes, is amended to read:

25 446.052 Preapprenticeship program.--

26 (3) The Division of Workforce Development, the
27 district school boards, the community college district boards
28 of trustees, and the Division of Workforce Administrative
29 Support of the Department of Management Services ~~Jobs and~~
30 ~~Benefits~~ shall work together with existing registered
31 apprenticeship programs so that individuals completing such

1 preapprenticeship programs may be able to receive credit
2 towards completing a registered apprenticeship program.

3 Section 127. Section 446.061, Florida Statutes, is
4 amended to read:

5 446.061 Expenditures.--The Division of Workforce
6 Administrative Support of the Department of Management
7 Services ~~Jobs and Benefits~~ shall make necessary expenditures
8 from the appropriation provided by law for personal services,
9 travel, printing, equipment, office space, and supplies as
10 provided by law.

11 Section 128. Subsection (1) of section 446.071,
12 Florida Statutes, is amended to read:

13 446.071 Apprenticeship sponsors.--

14 (1) One or more local apprenticeship sponsors shall be
15 approved in any trade or group of trades by the Division of
16 Workforce Administrative Support of the Department of
17 Management Services ~~Jobs and Benefits~~, upon a determination of
18 need, provided the apprenticeship sponsor meets all of the
19 standards established by the division. "Need" refers to the
20 need of state residents for apprenticeship training. In the
21 absence of proof to the contrary, it shall be presumed that
22 there is need for apprenticeship and preapprenticeship
23 training in each county in this state.

24 Section 129. Section 446.075, Florida Statutes, is
25 amended to read:

26 446.075 Federal and state cooperation.--The Division
27 of Workforce Administrative Support of the Department of
28 Management Services ~~Jobs and Benefits of the Department of~~
29 ~~Labor and Employment Security~~ is authorized to make and enter
30 into contracts with the United States Department of Labor, and
31 may to assume ~~such~~ other functions and duties as are necessary

1 for the division to serve as registration agent for federal
2 apprenticeship registration purposes, except that the division
3 ~~may shall~~ not enforce any federal apprenticeship requirement
4 unless the division first adopts such requirement as a rule.
5 All rules adopted ~~promulgated~~ and administrative hearings
6 afforded by the division under ~~because of~~ this section must
7 ~~shall~~ be in accordance with the requirements of chapter 120.

8 Section 130. Section 446.40, Florida Statutes, is
9 amended to read:

10 446.40 Rural Workforce ~~Manpower~~ Services Act; short
11 title.--Sections 446.40-446.44 may shall be cited as the
12 "Rural Workforce ~~Manpower~~ Services Act."

13 Section 131. Section 446.41, Florida Statutes, is
14 amended to read:

15 446.41 Legislative intent with respect to rural
16 workforce ~~manpower~~ training and development; establishment of
17 Rural Workforce ~~Manpower~~ Services Program.--In order that the
18 state may achieve its full economic and social potential,
19 consideration must be given to rural workforce ~~manpower~~
20 training and development to enable its rural citizens as well
21 as urban citizens to develop their maximum capacities and
22 participate productively in our society. It is, therefore,
23 the policy of the state to make available those services
24 needed to assist individuals and communities in rural areas to
25 improve their quality of life. It is with a great sense of
26 urgency that a Rural Workforce ~~Manpower~~ Services Program is
27 established within the Division of Workforce Administrative
28 Support ~~Jobs and Benefits~~ of the Department of Management
29 Services, under the direction of Workforce Florida, Inc.,
30 ~~Labor and Employment Security~~ to provide equal access to all

31

1 manpower training programs available to rural as well as urban
2 areas.

3 Section 132. Section 446.42, Florida Statutes, is
4 amended to read:

5 446.42 General purpose of Rural Workforce ~~Manpower~~
6 Services Program.--A trained labor force is an essential
7 ingredient for industrial as well as agricultural growth.
8 Therefore, it shall be the general responsibility of the Rural
9 Workforce ~~Manpower~~ Services Program to provide rural business
10 and potential rural businesses with the employment and
11 workforce ~~manpower~~ training services and resources necessary
12 to train and retain Florida's rural workforce.

13 Section 133. Section 446.43, Florida Statutes, is
14 amended to read:

15 446.43 Scope and coverage of Rural Workforce ~~Manpower~~
16 Services Program.--The scope of the area to be covered by the
17 Rural Workforce ~~Manpower~~ Services Program will include all
18 counties of the state not classified as standard metropolitan
19 statistical areas (SMSA) by the United States Department of
20 Labor Manpower Administration. Florida's designated SMSA labor
21 areas include: Broward, Dade, Duval, Escambia, Hillsborough,
22 Pinellas, Leon, Orange, and Palm Beach Counties.

23 Section 134. Section 446.44, Florida Statutes, is
24 amended to read:

25 446.44 Duties of Rural Workforce ~~Manpower~~ Services
26 Program.--It shall be the direct responsibility of the Rural
27 Workforce ~~Manpower~~ Services Program to promote and deliver ~~all~~
28 employment and workforce ~~manpower~~ services and resources to
29 the rural undeveloped and underdeveloped counties of the state
30 in an effort to:

31

1 (1) Slow down out-migration of untrained rural
2 residents to the state's overcrowded large metropolitan
3 centers.

4 (2) Assist Enterprise Florida, Inc., ~~the department's~~
5 ~~Economic Development Division~~ in attracting light,
6 pollution-free industry to the rural counties.

7 (3) Improve the economic status of the impoverished
8 rural residents.

9 (4) Provide present and new industry with the
10 workforce ~~manpower~~ training resources necessary for them to
11 train the untrained rural workforce toward gainful employment.

12 (5) Develop rural workforce ~~manpower~~ programs that
13 ~~which~~ will be evaluated, planned, and implemented through
14 communications and planning with appropriate:

15 (a) Departments of state and federal governments.

16 (b) Units of Enterprise Florida, Inc. ~~Divisions,~~
17 ~~bureaus, or sections of the Department of Commerce.~~

18 (c) Agencies and organizations of the public and
19 private sectors at the state, regional, and local levels.

20 Section 135. Section 446.50, Florida Statutes, is
21 amended to read:

22 446.50 Displaced homemakers; multiservice programs;
23 report to the Legislature; Displaced Homemaker Trust Fund
24 created.--

25 (1) INTENT.--It is the intent of the Legislature to
26 require the Division of Workforce Administrative Support
27 ~~Community Colleges~~ of the Department of Management Services,
28 under the direction of Workforce Florida, Inc., ~~Education~~ to
29 enter into contracts with, and make grants to, public and
30 nonprofit private entities for purposes of establishing
31 multipurpose service programs to provide necessary training,

1 counseling, and services for displaced homemakers so that they
2 may enjoy the independence and economic security vital to a
3 productive life.

4 (2) DEFINITIONS.--For the purposes of this section
5 act:

6 (a) "Displaced homemaker" means an individual who:

7 1. Is 35 years of age or older;

8 2. Has worked in the home, providing unpaid household
9 services for family members;

10 3. Is not adequately employed, as defined by rule of
11 the division;

12 4. Has had, or would have, difficulty in securing
13 adequate employment; and

14 5. Has been dependent on the income of another family
15 member but is no longer supported by such income, or has been
16 dependent on federal assistance.

17 (b) "Division" means the Division of Workforce
18 Administrative Support ~~Community Colleges~~ of the Department of
19 Management Services ~~Education~~.

20 (3) DIVISION POWERS AND DUTIES.--

21 (a) The division, under the direction of Workforce
22 Florida, Inc., shall establish, or contract for the
23 establishment of, programs for displaced homemakers which
24 shall include:

25 1. Job counseling, by professionals and peers,
26 specifically designed for a person entering the job market
27 after a number of years as a homemaker.

28 2. Job training and placement services, including:

29 a. Training programs for available jobs in the public
30 and private sectors, taking into account the skills and job
31

1 | experiences of a homemaker and developed by working with
2 | public and private employers.

3 | b. Assistance in locating available employment for
4 | displaced homemakers, some of whom could be employed in
5 | existing job training and placement programs.

6 | c. Utilization of the services of the state employment
7 | service, which shall cooperate with the division in locating
8 | employment opportunities.

9 | 3. Financial management services providing information
10 | and assistance with respect to insurance, including, but not
11 | limited to, life, health, home, and automobile insurance, and
12 | taxes, estate and probate problems, mortgages, loans, and
13 | other related financial matters.

14 | 4. Educational services, including high school
15 | equivalency degree and such other courses as the division
16 | determines would be of interest and benefit to displaced
17 | homemakers.

18 | 5. Outreach and information services with respect to
19 | federal and state employment, education, health, and
20 | unemployment assistance programs which the division determines
21 | would be of interest and benefit to displaced homemakers.

22 | (b)1. The division shall enter into contracts with,
23 | and make grants to, public and nonprofit private entities for
24 | purposes of establishing multipurpose service programs for
25 | displaced homemakers under this section ~~act~~. Such grants and
26 | contracts shall be awarded pursuant to chapter 287 and based
27 | on criteria established in the state plan developed pursuant
28 | to this section. The division shall designate catchment areas
29 | which together shall comprise the entire state, and, to the
30 | extent possible from revenues in the Displaced Homemaker Trust
31 | Fund, the division shall contract with, and make grants to,

1 entities which will serve entire catchment areas so that
2 displaced homemaker service programs are available statewide.
3 These catchment areas shall be coterminous with the state's
4 workforce development regions.The division may give priority
5 to existing displaced homemaker programs when evaluating bid
6 responses to the division's request for proposals.

7 2. In order to receive funds under this section, and
8 unless specifically prohibited by law from doing so, an entity
9 that provides displaced homemaker service programs must, ~~by~~
10 ~~the 1991-1992 fiscal year,~~ receive at least 25 percent of its
11 funding from one or more local, municipal, or county sources
12 or nonprofit private sources. In-kind contributions may be
13 evaluated by the division and counted as part of the required
14 local funding.

15 3. The division shall require an entity that receives
16 funds under this section to maintain appropriate data to be
17 compiled in an annual report to the division. Such data shall
18 include, but shall not be limited to, the number of clients
19 served, the units of services provided, designated
20 client-specific information including intake and outcome
21 information specific to each client, costs associated with
22 specific services and program administration, total program
23 revenues by source and other appropriate financial data, and
24 client followup information at specified intervals after the
25 placement of a displaced homemaker in a job.

26 (c) The division shall consult and cooperate with the
27 Commissioner of Education, the United States Commissioner of
28 the Social Security Administration, and such other persons in
29 the executive branch of the state government as the division
30 considers appropriate to facilitate the coordination of
31

1 multipurpose service programs established under this section
2 ~~act~~ with existing programs of a similar nature.

3 (d) Supervisory, technical, and administrative
4 positions relating to programs established under this section
5 ~~act~~ shall, to the maximum extent practicable, be filled by
6 displaced homemakers.

7 (e) The division shall adopt rules establishing
8 minimum standards necessary for entities that provide
9 displaced homemaker service programs to receive funds from the
10 division and any other rules necessary to administer this
11 section.

12 (4) STATE PLAN.--

13 (a) Workforce Florida, Inc., ~~The division~~ shall
14 develop a 3-year state plan for the displaced homemaker
15 program which shall be updated annually. The plan must
16 address, at a minimum, the need for programs specifically
17 designed to serve displaced homemakers, any necessary service
18 components for such programs in addition to those enumerated
19 in this section, goals of the displaced homemaker program with
20 an analysis of the extent to which those goals are being met,
21 and recommendations for ways to address any unmet program
22 goals. Any request for funds for program expansion must be
23 based on the state plan.

24 (b) Each annual update must address any changes in the
25 components of the 3-year state plan and a report which must
26 include, but need not be limited to, the following:

- 27 1. The scope of the incidence of displaced homemakers;
- 28 2. A compilation and report, by program, of data
29 submitted to the division pursuant to subparagraph 3. by
30 funded displaced homemaker service programs;

31

1 3. An identification and description of the programs
2 in the state that receive funding from the division, including
3 funding information; and

4 4. An assessment of the effectiveness of each
5 displaced homemaker service program based on outcome criteria
6 established by rule of the division.

7 (c) The 3-year state plan must be submitted to the
8 President of the Senate, the Speaker of the House of
9 Representatives, and the Governor on or before January 1, 2001
10 ~~1999~~, and annual updates of the plan must be submitted by
11 January 1 of each subsequent year.

12 (5) DISPLACED HOME MAKER TRUST FUND.--

13 (a) There is established within the State Treasury a
14 Displaced Homemaker Trust Fund to be used by the division for
15 its administration of the displaced homemaker program and to
16 fund displaced homemaker service programs according to
17 criteria established under this section.

18 (b) The trust fund shall receive funds generated from
19 an additional fee on marriage license applications and
20 dissolution of marriage filings as specified in ss. 741.01(3)
21 and 28.101, respectively, and may receive funds from any other
22 public or private source.

23 (c) Funds that are not expended by the division at the
24 end of the budget cycle or through a supplemental budget
25 approved by the division shall revert to the trust fund.

26 Section 136. Subsection (3) of section 447.02, Florida
27 Statutes, is amended to read:

28 447.02 Definitions.--The following terms, when used in
29 this chapter, shall have the meanings ascribed to them in this
30 section:

31

1 (3) The term "department" ~~"division"~~ means the
2 ~~Division of Jobs and Benefits~~ of the Department of Labor and
3 Employment Security.

4 Section 137. Subsections (2), (3), and (4) of section
5 447.04, Florida Statutes, are amended to read:

6 447.04 Business agents; licenses, permits.--

7 (2)(a) Every person desiring to act as a business
8 agent in this state shall, before doing so, obtain a license
9 or permit by filing an application under oath therefor with
10 ~~the Division of Jobs and Benefits of the department of Labor~~
11 ~~and Employment Security~~, accompanied by a fee of \$25 and a
12 full set of fingerprints of the applicant taken by a law
13 enforcement agency qualified to take fingerprints. There
14 shall accompany the application a statement signed by the
15 president and the secretary of the labor organization for
16 which he or she proposes to act as agent, showing his or her
17 authority to do so. The department ~~division~~ shall hold such
18 application on file for a period of 30 days, during which time
19 any person may file objections to the issuing of such license
20 or permit.

21 (b) The department ~~division~~ may also conduct an
22 independent investigation of the applicant; and, if objections
23 are filed, it may hold, or cause to be held, a hearing in
24 accordance with the requirements of chapter 120. The
25 objectors and the applicant shall be permitted to attend such
26 hearing and present evidence.

27 (3) After the expiration of the 30-day period,
28 regardless of whether or not any objections have been filed,
29 the department ~~division~~ shall review the application, together
30 with all information that it may have, including, but not
31 limited to, any objections that may have been filed to such

1 application, any information that may have been obtained
2 pursuant to an independent investigation, and the results of
3 any hearing on the application. If the department division,
4 from a review of the information, finds that the applicant is
5 qualified, pursuant to the terms of this chapter, it shall
6 issue such license or permit; and such license or permit shall
7 run for the calendar year for which issued, unless sooner
8 surrendered, suspended, or revoked.

9 (4) Licenses and permits shall expire at midnight,
10 December 31, but may be renewed by the department division on
11 a form prescribed by it; however, if any such license or
12 permit has been surrendered, suspended, or revoked during the
13 year, then such applicant must go through the same formalities
14 as a new applicant.

15 Section 138. Section 447.041, Florida Statutes, is
16 amended to read:

17 447.041 Hearings.--

18 (1) Any person or labor organization denied a license,
19 permit, or registration shall be afforded the opportunity for
20 a hearing by the department division in accordance with the
21 requirements of chapter 120.

22 (2) The department division may, pursuant to the
23 requirements of chapter 120, suspend or revoke the license or
24 permit of any business agent or the registration of any labor
25 organization for the violation of any provision of this
26 chapter.

27 Section 139. Section 447.045, Florida Statutes, is
28 amended to read:

29 447.045 Information confidential.--Neither the
30 department division nor any investigator or employee of the
31 department division shall divulge in any manner the

1 information obtained pursuant to the processing of applicant
2 fingerprint cards, and such information is confidential and
3 exempt from the provisions of s. 119.07(1).

4 Section 140. Section 447.06, Florida Statutes, is
5 amended to read:

6 447.06 Registration of labor organizations required.--

7 (1) Every labor organization operating in the state
8 shall make a report under oath, in writing, to ~~the Division of~~
9 ~~Jobs and Benefits of the department of Labor and Employment~~
10 ~~Security~~ annually, on or before December 31. Such report shall
11 be filed by the secretary or business agent of such labor
12 organization, shall be in such form as the department
13 prescribes ~~division may prescribe~~, and shall show the
14 following facts:

15 (a) The name of the labor organization;

16 (b) The location of its office; and

17 (c) The name and address of the president, secretary,
18 treasurer, and business agent.

19 (2) At the time of filing such report, it shall be the
20 duty of every such labor organization to pay the department
21 ~~division~~ an annual fee therefor in the sum of \$1.

22 Section 141. Section 447.12, Florida Statutes, is
23 amended to read:

24 447.12 Fees for registration.--All fees collected by
25 ~~the Division of Jobs and Benefits of the department under this~~
26 ~~part of Labor and Employment Security hereunder~~ shall be paid
27 to the Treasurer and credited to the General Revenue Fund.

28 Section 142. Section 447.16, Florida Statutes, is
29 amended to read:

30 447.16 Applicability of chapter ~~when effective~~--Any
31 labor business agent licensed on July 1, 1965, may renew such

1 license each year on forms provided by ~~the Division of Jobs~~
2 ~~and Benefits~~ of the department of Labor and Employment
3 Security without submitting fingerprints so long as such
4 license or permit has not expired or has not been surrendered,
5 suspended, or revoked. The fingerprinting requirements of
6 this act shall become effective for a new applicant for a
7 labor business agent license immediately upon this act
8 becoming a law.

9 Section 143. Subsection (4) of section 447.305,
10 Florida Statutes, is amended to read:

11 447.305 Registration of employee organization.--

12 (4) Notification of registrations and renewals of
13 registration shall be furnished at regular intervals by the
14 commission to ~~the Division of Jobs and Benefits~~ of the
15 Department of Labor and Employment Security.

16 Section 144. Subsection (4) of section 450.012,
17 Florida Statutes, is amended to read:

18 450.012 Definitions.--For the purpose of this chapter,
19 the word, phrase, or term:

20 (4) "Department" ~~"Division"~~ means ~~the Division of Jobs~~
21 ~~and Benefits~~ of the Department of Labor and Employment
22 Security.

23 Section 145. Subsection (3) of section 450.061,
24 Florida Statutes, is amended to read:

25 450.061 Hazardous occupations prohibited;
26 exemptions.--

27 (3) No minor under 18 years of age, whether such
28 person's disabilities of nonage have been removed by marriage
29 or otherwise, shall be employed or permitted or suffered to
30 work in any place of employment or at any occupation hazardous
31 or injurious to the life, health, safety, or welfare of such

1 minor, as such places of employment or occupations may be
2 determined and declared by ~~the Division of Jobs and Benefits~~
3 ~~of the department of Labor and Employment Security~~ to be
4 hazardous and injurious to the life, health, safety, or
5 welfare of such minor.

6 Section 146. Paragraph (c) of subsection (5) of
7 section 450.081, Florida Statutes, is amended to read:

8 450.081 Hours of work in certain occupations.--

9 (5) The provisions of subsections (1) through (4)
10 shall not apply to:

11 (c) Minors enrolled in a public educational
12 institution who qualify on a hardship basis such as economic
13 necessity or family emergency. Such determination shall be
14 made by the school superintendent or his or her designee, and
15 a waiver of hours shall be issued to the minor and the
16 employer. The form and contents thereof shall be prescribed by
17 the department ~~division~~.

18 Section 147. Section 450.095, Florida Statutes, is
19 amended to read:

20 450.095 Waivers.--In extenuating circumstances when it
21 clearly appears to be in the best interest of the child, the
22 department ~~division~~ may grant a waiver of the restrictions
23 imposed by the Child Labor Law on the employment of a child.
24 Such waivers shall be granted upon a case-by-case basis and
25 shall be based upon such factors as the department ~~division~~,
26 by rule, establishes as determinative of whether such waiver
27 is in the best interest of a child.

28 Section 148. Subsections (1), (2), and (5) of section
29 450.121, Florida Statutes, are amended to read:

30 450.121 Enforcement of Child Labor Law.--

31

1 (1) The department ~~Division of Jobs and Benefits~~ shall
2 administer this chapter. It shall employ such help as is
3 necessary to effectuate the purposes of this chapter. Other
4 agencies of the state may cooperate with the department
5 ~~division~~ in the administration and enforcement of this part.
6 To accomplish this joint, cooperative effort, the department
7 ~~division~~ may enter into intergovernmental agreements with
8 other agencies of the state whereby the other agencies may
9 assist the department ~~division~~ in the administration and
10 enforcement of this part. Any action taken by an agency
11 pursuant to an intergovernmental agreement entered into
12 pursuant to this section shall be considered to have been
13 taken by the department ~~division~~.

14 (2) It is the duty of the department ~~division~~ and its
15 agents and all sheriffs or other law enforcement officers of
16 the state or of any municipality of the state to enforce the
17 provisions of this law, to make complaints against persons
18 violating its provisions, and to prosecute violations of the
19 same. The department ~~division~~ and its agents have authority to
20 enter and inspect at any time any place or establishment
21 covered by this law and to have access to age certificates
22 kept on file by the employer and such other records as may aid
23 in the enforcement of this law. A designated school
24 representative acting in accordance with s. 232.17 shall
25 report to the department ~~division~~ all violations of the Child
26 Labor Law that may come to his or her knowledge.

27 (5) The department ~~division~~ may adopt rules:

28 (a) Defining words, phrases, or terms used in the
29 child labor rule or in this part, as long as the word, phrase,
30 or term is not a word, phrase, or term defined in s. 450.012.

31

1 (b) Prescribing additional documents that may be used
2 to prove the age of a minor and the procedure to be followed
3 before a person who claims his or her disability of nonage has
4 been removed by a court of competent jurisdiction may be
5 employed.

6 (c) Requiring certain safety equipment and a safe
7 workplace environment for employees who are minors.

8 (d) Prescribing the deadlines applicable to a response
9 to a request for records under subsection (2).

10 (e) Providing an official address from which child
11 labor forms, rules, laws, and posters may be requested and
12 prescribing the forms to be used in connection with this part.

13 Section 149. Subsections (1), (2), (3), (4), and (5)
14 of section 450.132, Florida Statutes, are amended to read:

15 450.132 Employment of children by the entertainment
16 industry; rules; procedures.--

17 (1) Children within the protection of our child labor
18 statutes may, notwithstanding such statutes, be employed by
19 the entertainment industry in the production of motion
20 pictures, legitimate plays, television shows, still
21 photography, recording, publicity, musical and live
22 performances, circuses, and rodeos, in any work not determined
23 by the department ~~Division of Jobs and Benefits~~ to be
24 hazardous, or detrimental to their health, morals, education,
25 or welfare.

26 (2) The department ~~Division of Jobs and Benefits~~
27 shall, as soon as convenient, and after such investigation as
28 to the department ~~division~~ may seem necessary or advisable,
29 determine what work in connection with the entertainment
30 industry is not hazardous or detrimental to the health,
31 morals, education, or welfare of minors within the purview and

1 protection of our child labor laws. When so adopted, such
2 rules shall have the force and effect of law in this state.

3 (3) Entertainment industry employers or agents wishing
4 to qualify for the employment of minors in work not hazardous
5 or detrimental to their health, morals, or education shall
6 make application to the department ~~division~~ for a permit
7 qualifying them to employ minors in the entertainment
8 industry. The form and contents thereof shall be prescribed by
9 the department ~~division~~.

10 (4) Any duly qualified entertainment industry employer
11 may employ any minor. However, if any entertainment industry
12 employer employing a minor causes, permits, or suffers such
13 minor to be placed under conditions which are dangerous to the
14 life or limb or injurious or detrimental to the health or
15 morals or education of the minor, the right of that
16 entertainment industry employer and its representatives and
17 agents to employ minors as provided herein shall stand
18 revoked, unless otherwise ordered by the department ~~division~~,
19 and the person responsible for such unlawful employment is
20 guilty of a misdemeanor of the second degree, punishable as
21 provided in s. 775.082 or s. 775.083.

22 (5) Any entertainment industry employer and its agents
23 employing minors hereunder are required to notify the
24 department ~~division~~, showing the date of the commencement of
25 work, the number of days worked, the location of the work, and
26 the date of termination.

27 Section 150. Subsections (2) and (3) of section
28 450.141, Florida Statutes, are amended to read:

29 450.141 Employing minor children in violation of law;
30 penalties.--

31

1 (2) Any person, firm, corporation, or governmental
2 agency, or agent thereof, that has employed minors in
3 violation of this part, or any rule adopted pursuant thereto,
4 may be subject by the department ~~division~~ to fines not to
5 exceed \$2,500 per offense. The department ~~division~~ shall
6 adopt, by rule, disciplinary guidelines specifying a
7 meaningful range of designated penalties based upon the
8 severity and repetition of the offenses, and which distinguish
9 minor violations from those which endanger a minor's health
10 and safety.

11 (3) If the department ~~division~~ has reasonable grounds
12 for believing there has been a violation of this part or any
13 rule adopted pursuant thereto, it shall give written notice to
14 the person alleged to be in violation. Such notice shall
15 include the provision or rule alleged to be violated, the
16 facts alleged to constitute such violation, and requirements
17 for remedial action within a time specified in the notice. No
18 fine may be levied unless the person alleged to be in
19 violation fails to take remedial action within the time
20 specified in the notice.

21 Section 151. Paragraph (j) of subsection (1) of
22 section 450.191, Florida Statutes, is amended to read:

23 450.191 Executive Office of the Governor; powers and
24 duties.--

25 (1) The Executive Office of the Governor is authorized
26 and directed to:

27 (j) Cooperate with the farm labor office of the
28 Department of Labor and Employment Security ~~Florida State~~
29 ~~Employment Service~~ in the recruitment and referral of migrant
30 laborers and other persons for the planting, cultivation, and
31 harvesting of agricultural crops in Florida.

1 Section 152. Subsection (2) of section 450.28, Florida
2 Statutes, is amended to read:

3 450.28 Definitions.--

4 (2) "Department" ~~"Division"~~ means ~~the Division of Jobs~~
5 ~~and Benefits of~~ the Department of Labor and Employment
6 Security.

7 Section 153. Section 450.30, Florida Statutes, is
8 amended to read:

9 450.30 Requirement of certificate of registration;
10 education and examination program.--

11 (1) No person may act as a farm labor contractor until
12 a certificate of registration has been issued to him or her by
13 the department ~~division~~ and unless such certificate is in full
14 force and effect and is in his or her possession.

15 (2) No certificate of registration may be transferred
16 or assigned.

17 (3) Unless sooner revoked, each certificate of
18 registration, regardless of the date of issuance, shall be
19 renewed on the last day of the birth month following the date
20 of issuance and, thereafter, each year on the last day of the
21 birth month of the registrant. The date of incorporation shall
22 be used in lieu of birthdate for registrants that are
23 corporations. Applications for certificates of registration
24 and renewal thereof shall be on a form prescribed by the
25 department ~~division~~.

26 (4) The department ~~division~~ shall provide a program of
27 education and examination for applicants under this part. The
28 program may be provided by the department ~~division~~ or through
29 a contracted agent. The program shall be designed to ensure
30 the competency of those persons to whom the department
31 ~~division~~ issues certificates of registration.

1 (5) The department ~~division~~ shall require each
2 applicant to demonstrate competence by a written or oral
3 examination in the language of the applicant, evidencing that
4 he or she is knowledgeable concerning the duties and
5 responsibilities of a farm labor contractor. The examination
6 shall be prepared, administered, and evaluated by the
7 department ~~division~~ or through a contracted agent.

8 (6) The department ~~division~~ shall require an applicant
9 for renewal of a certificate of registration to retake the
10 examination only if:

11 (a) During the prior certification period, the
12 division issued a final order assessing a civil monetary
13 penalty or revoked or refused to renew or issue a certificate
14 of registration; or

15 (b) The department ~~division~~ determines that new
16 requirements related to the duties and responsibilities of a
17 farm labor contractor necessitate a new examination.

18 (7) The department ~~division~~ shall charge each
19 applicant a \$35 fee for the education and examination program.
20 Such fees shall be deposited in the Crew Chief Registration
21 Trust Fund.

22 (8) The department ~~division~~ may adopt rules
23 prescribing the procedures to be followed to register as a
24 farm labor contractor.

25 Section 154. Subsections (1), (2), and (4) of section
26 450.31, Florida Statutes, are amended to read:

27 450.31 Issuance, revocation, and suspension of, and
28 refusal to issue or renew, certificate of registration.--

29 (1) The department ~~division~~ shall not issue to any
30 person a certificate of registration as a farm labor
31 contractor, nor shall it renew such certificate, until:

1 (a) Such person has executed a written application
2 therefor in a form and pursuant to regulations prescribed by
3 the department ~~division~~ and has submitted such information as
4 the department ~~division~~ may prescribe.

5 (b) Such person has obtained and holds a valid federal
6 certificate of registration as a farm labor contractor, or a
7 farm labor contractor employee, unless exempt by federal law.

8 (c) Such person pays to the department ~~division~~, in
9 cash, certified check, or money order, a nonrefundable
10 application fee of \$75. Fees collected by the department
11 ~~division~~ under this subsection shall be deposited in the State
12 Treasury into the Crew Chief Registration Trust Fund, which is
13 hereby created, and shall be utilized for administration of
14 this part.

15 (d) Such person has successfully taken and passed the
16 farm labor contractor examination.

17 (2) The department ~~division~~ may revoke, suspend, or
18 refuse to renew any certificate of registration when it is
19 shown that the farm labor contractor has:

20 (a) Violated or failed to comply with any provision of
21 this part or the rules adopted pursuant to s. 450.36.

22 (b) Made any misrepresentation or false statement in
23 his or her application for a certificate of registration.

24 (c) Given false or misleading information concerning
25 terms, conditions, or existence of employment to persons who
26 are recruited or hired to work on a farm.

27 (4) The department ~~division~~ may refuse to issue or
28 renew, or may suspend or revoke, a certificate of registration
29 if the applicant or holder is not the real party in interest
30 in the application or certificate of registration and the real
31 party in interest is a person who has been refused issuance or

1 renewal of a certificate, has had a certificate suspended or
2 revoked, or does not qualify under this section for a
3 certificate.

4 Section 155. Subsections (1), (4), (5), (6), (8), (9),
5 and (10) of section 450.33, Florida Statutes, are amended to
6 read:

7 450.33 Duties of farm labor contractor.--Every farm
8 labor contractor must:

9 (1) Carry his or her certificate of registration with
10 him or her at all times and exhibit it to all persons with
11 whom the farm labor contractor intends to deal in his or her
12 capacity as a farm labor contractor prior to so dealing and,
13 upon request, to persons designated by the department
14 ~~division~~.

15 (4) Display prominently, at the site where the work is
16 to be performed and on all vehicles used by the registrant for
17 the transportation of employees, a single posting containing a
18 written statement in English and in the language of the
19 majority of the non-English-speaking employees disclosing the
20 terms and conditions of employment in a form prescribed by the
21 department ~~division~~ or by the United States Department of
22 Labor for this purpose.

23 (5) Take out a policy of insurance with any insurance
24 carrier which policy insures such registrant against liability
25 for damage to persons or property arising out of the operation
26 or ownership of any vehicle or vehicles for the transportation
27 of individuals in connection with his or her business,
28 activities, or operations as a farm labor contractor. In no
29 event may the amount of such liability insurance be less than
30 that required by the provisions of the financial
31 responsibility law of this state. Any insurance carrier that

1 is licensed to operate in this state and that has issued a
2 policy of liability insurance to operate a vehicle used to
3 transport farm workers shall notify the department ~~division~~
4 when it intends to cancel such policy.

5 (6) Maintain such records as may be designated by the
6 department ~~division~~.

7 (8) File, within such time as the department ~~division~~
8 may prescribe, a set of his or her fingerprints.

9 (9) Produce evidence to the department ~~division~~ that
10 each vehicle he or she uses for the transportation of
11 employees complies with the requirements and specifications
12 established in chapter 316, s. 316.620, or Pub. L. No. 93-518
13 as amended by Pub. L. No. 97-470 meeting Department of
14 Transportation requirements or, in lieu thereof, bears a valid
15 inspection sticker showing that the vehicle has passed the
16 inspection in the state in which the vehicle is registered.

17 (10) Comply with all applicable statutes, rules, and
18 regulations of the United States and of the State of Florida
19 for the protection or benefit of labor, including, but not
20 limited to, those providing for wages, hours, fair labor
21 standards, social security, workers' compensation,
22 unemployment compensation, child labor, and transportation.
23 The department ~~division~~ shall not suspend or revoke a
24 certificate of registration pursuant to this subsection
25 unless:

26 (a) A court or agency of competent jurisdiction
27 renders a judgment or other final decision that a violation of
28 one of the laws, rules, or regulations has occurred and, if
29 invoked, the appellate process is exhausted;

30 (b) An administrative hearing pursuant to ss. 120.569
31 and 120.57 is held on the suspension or revocation and the

1 administrative law judge finds that a violation of one of the
2 laws, rules, or regulations has occurred and, if invoked, the
3 appellate process is exhausted; or

4 (c) The holder of a certificate of registration
5 stipulates that a violation has occurred or defaults in the
6 administrative proceedings brought to suspend or revoke his or
7 her registration.

8 Section 156. Section 450.35, Florida Statutes, is
9 amended to read:

10 450.35 Certain contracts prohibited.--It is unlawful
11 for any person to contract for the employment of farm workers
12 with any farm labor contractor as defined in this act until
13 the labor contractor displays to him or her a current
14 certificate of registration issued by the department ~~division~~
15 pursuant to the requirements of this part.

16 Section 157. Section 450.36, Florida Statutes, is
17 amended to read:

18 450.36 Rules and regulations.--The department ~~division~~
19 may adopt rules necessary to enforce and administer this part.

20 Section 158. Section 450.37, Florida Statutes, is
21 amended to read:

22 450.37 Cooperation with federal agencies.--The
23 department ~~division~~ shall, whenever appropriate, cooperate
24 with any federal agency.

25 Section 159. Subsections (2), (3), and (4) of section
26 450.38, Florida Statutes, are amended to read:

27 450.38 Enforcement of farm labor contractor laws.--

28 (2) Any person who, on or after June 19, 1985, commits
29 a violation of this part or of any rule adopted thereunder may
30 be assessed a civil penalty of not more than \$1,000 for each
31 such violation. Such assessed penalties shall be paid in cash,

1 certified check, or money order and shall be deposited into
2 the General Revenue Fund. The department ~~division~~ shall not
3 institute or maintain any administrative proceeding to assess
4 a civil penalty under this subsection when the violation is
5 the subject of a criminal indictment or information under this
6 section which results in a criminal penalty being imposed, or
7 of a criminal, civil, or administrative proceeding by the
8 United States government or an agency thereof which results in
9 a criminal or civil penalty being imposed. The department
10 ~~division~~ may adopt rules prescribing the criteria to be used
11 to determine the amount of the civil penalty and to provide
12 notification to persons assessed a civil penalty under this
13 section.

14 (3) Upon a complaint of the department ~~division~~ being
15 filed in the circuit court of the county in which the farm
16 labor contractor may be doing business, any farm labor
17 contractor who fails to obtain a certificate of registration
18 as required by this part may, in addition to such penalties,
19 be enjoined from engaging in any activity which requires the
20 farm labor contractor to possess a certificate of
21 registration.

22 (4) For the purpose of any investigation or proceeding
23 conducted by the department ~~division~~, the secretary of the
24 department or the secretary's designee shall have the power to
25 administer oaths, take depositions, make inspections when
26 authorized by statute, issue subpoenas which shall be
27 supported by affidavit, serve subpoenas and other process, and
28 compel the attendance of witnesses and the production of
29 books, papers, documents, and other evidence. The secretary of
30 the department or the secretary's designee shall exercise this
31 power on the secretary's own initiative.

1 Section 160. Subsection (7) of section 497.419,
2 Florida Statutes, is amended to read:

3 497.419 Cancellation of, or default on, preneed
4 contracts.--

5 (7) All preneed contracts are cancelable and revocable
6 as provided in this section, provided that a preneed contract
7 does not restrict any contract purchaser who is a qualified
8 applicant for, or a recipient of, supplemental security
9 income, temporary cash assistance ~~under the WAGES Program~~, or
10 Medicaid from making her or his contract irrevocable.

11 Section 161. (1) For the Careers for Florida's Future
12 Incentive Grant Program established pursuant to sections
13 445.012-445.0125, Florida Statutes, the sum of \$20 million in
14 recurring General Revenue is appropriated to the Office of
15 Tourism, Trade, and Economic Development in the Executive
16 Office of the Governor for Workforce Florida, Inc.

17 (2) For the Small Business Workforce Service
18 Initiative established pursuant to section 445.014, Florida
19 Statutes, the sum of \$1 million in nonrecurring General
20 Revenue is appropriated to the Office of Tourism, Trade, and
21 Economic Development in the Executive Office of the Governor
22 for Workforce Florida, Inc.

23 (3) For the purchase of workforce marketing materials
24 required by section 445.006, Florida Statutes, the sum of
25 \$250,000 in nonrecurring General Revenue is appropriated to
26 the Office of Tourism, Trade, and Economic Development in the
27 Executive Office of the Governor for Workforce Florida, Inc.

28 (4) For the workplace and community education grant
29 program established pursuant to section 239.401, Florida
30 Statutes, the sum of \$1 million in nonrecurring General
31 Revenue is appropriated to the Office of Tourism, Trade, and

1 Economic Development in the Executive Office of the Governor
2 for Workforce Florida, Inc.

3 (5) For the workforce information systems required by
4 section 445.011, Florida Statutes, the sum of \$20 million is
5 appropriated from nonrecurring Temporary Assistance for Needy
6 Families funds to the Office of Tourism, Trade, and Economic
7 Development in the Executive Office of the Governor for
8 Workforce Florida, Inc.

9 (6) For grants to support local economic development
10 projects that lead to jobs for needy Florida families
11 authorized by section 445.015, Florida Statutes, the sum of
12 \$10 million is appropriated from nonrecurring Temporary
13 Assistance for Needy Families funds to the Office of Tourism,
14 Trade, and Economic Development in the Executive Office of the
15 Governor for Workforce Florida, Inc.

16 (7) For youth internship program grants authorized by
17 section 24 of this act, the sum of \$1 million is appropriated
18 from nonrecurring Temporary Assistance for Needy Families
19 funds to the Office of Tourism, Trade, and Economic
20 Development in the Executive Office of the Governor for
21 Workforce Florida, Inc.

22 (8) For the workforce training institute established
23 pursuant to section 445.008, Florida Statutes, the sum of
24 \$200,000 is appropriated from nonrecurring Temporary
25 Assistance for Needy Families funds to the Office of Tourism,
26 Trade, and Economic Development in the Executive Office of the
27 Governor for Workforce Florida, Inc.

28 (9) For diversion services for needy families
29 authorized by section 445.018, Florida Statutes, the sum of \$8
30 million is appropriated from recurring Temporary Assistance
31 for Needy Families funds to the Office of Tourism, Trade, and

1 Economic Development in the Executive Office of the Governor
2 for Workforce Florida, Inc.

3 (10) For pilot projects established pursuant to
4 section 25 of this act for financially needy incumbent workers
5 with disabilities, the sum of \$450,000 is appropriated from
6 nonrecurring Temporary Assistance for Needy Families funds to
7 the Office of Tourism, Trade, and Economic Development in the
8 Executive Office of the Governor for Workforce Florida, Inc.

9 Section 162. If any provision of this act or its
10 application to any person or circumstance is held invalid, the
11 invalidity does not affect other provisions or applications of
12 the act which can be given effect without the invalid
13 provision or application, and to this end the provisions of
14 this act are severable.

15 Section 163. Except as otherwise expressly provided in
16 this act, this act shall take effect July 1, 2000.

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SENATE SUMMARY

Creates ch. 445, F.S., the "Workforce Innovation Act of 2000." Creates Workforce Florida, Inc., a not-for-profit entity, which is responsible for designing and implementing the state's workforce-development strategy. Provides for a board of directors of Workforce Florida, Inc. Creates the First Jobs/First Wages Council, the Better Jobs/Better Wages Council, and the High Skills/High Wages Council to make recommendations on implementing programs and expending funds to support the state's workforce strategies. Provides for a regional workforce board to be appointed within each service delivery area to exercise independent oversight of the state's workforce development goals and strategies. Redesignates the one-stop career centers as the "one-stop delivery system." Provides for the one-stop delivery system to implement the state's employment and training programs. Transfers certain provisions governing training programs currently administered under the WAGES Program to ch. 445, F.S., and provides for employment training and services to be provided under a welfare-transition program. Provides for the welfare-transition program to be directed by Workforce Florida, Inc., and regional workforce boards. Transfers the programs and functions of the Division of Jobs and Benefits within the Department of Labor and Employment Security to the Division of Workforce Administrative Support within the Department of Management Services. Transfers the administration of the displaced homemaker program from the Department of Education to the Division of Workforce Administrative Support within the Department of Management Services. (See bill for details.)