

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

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

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

1 Board of Enterprise Florida, Inc., to Workforce
2 Florida, Inc., as created by the act;
3 transferring the employees of the Jobs and
4 Education Partnership to the Agency for
5 Workforce Innovation; transferring the programs
6 and functions of the Division of Workforce and
7 Employment Opportunities and the Office of
8 Labor Market and Performance Information of the
9 Department of Labor and Employment Security to
10 the Agency for Workforce Innovation; providing
11 certain exceptions; transferring certain vacant
12 positions to the Agency for Workforce
13 Innovation for allocation to regional workforce
14 boards; authorizing Workforce Florida, Inc., to
15 contract with the Agency for Workforce
16 Innovation for the lease of employees; creating
17 s. 445.010, F.S.; providing principles for
18 developing and managing information technology
19 for the workforce system; requiring the sharing
20 of information between agencies within the
21 workforce system; creating s. 445.011, F.S.;
22 requiring Workforce Florida, Inc., to implement
23 a workforce information system, subject to
24 legislative appropriation; specifying
25 information systems to be included; providing
26 requirements for procurement and validation
27 services; requiring that the system be
28 compatible with the state's information system;
29 creating s. 445.012, F.S.; establishing the
30 Careers for Florida's Future Incentive Grant
31 Program; providing for loans to encourage

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

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

1 with disabilities; requiring Workforce Florida,
2 Inc., to develop guidelines for the pilot
3 programs; transferring, renumbering, and
4 amending s. 288.9955, F.S., relating to the
5 Untried Worker Placement and Employment
6 Incentive Act; conforming provisions to changes
7 made by the act; transferring, renumbering, and
8 amending s. 414.15, F.S.; providing certain
9 diversion services under the one-stop delivery
10 system; providing for regional workforce boards
11 to determine eligibility for diversion
12 services; deleting certain limitations on
13 diversion payments; creating s. 445.018, F.S.;
14 providing for a diversion program to strengthen
15 families; specifying services that may be
16 offered under the program; providing that such
17 services are not assistance under federal law
18 or guidelines; requiring families that receive
19 services to agree not to apply for temporary
20 cash assistance for a specified period unless
21 an emergency arises; providing requirements for
22 repaying the value of services provided;
23 transferring, renumbering, and amending s.
24 414.159, F.S., relating to the teen parent and
25 pregnancy prevention diversion program;
26 conforming cross-references to changes made by
27 the act; creating s. 445.020, F.S.; providing
28 for certain criteria for establishing
29 eligibility for diversion programs;
30 transferring, renumbering, and amending s.
31 414.155, F.S., relating to the relocation

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

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

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

1 the act; revising eligibility requirements for
2 noncitizens; amending s. 414.105, F.S.;
3 revising procedures for reviewing exemptions
4 from the requirements for eligibility for
5 temporary cash assistance; deleting certain
6 limitations on the period of such exemptions;
7 providing an extension of certain time
8 limitations with respect to an applicant for
9 supplemental security disability income (SSDI);
10 providing for the regional workforce boards to
11 review the prospects of certain participants
12 for employment; amending s. 414.157, F.S.,
13 relating to the diversion program for victims
14 of domestic violence; conforming provisions to
15 changes made by the act; amending s. 414.158,
16 F.S.; providing for a diversion program to
17 prevent or reduce child abuse and neglect;
18 providing for eligibility; amending ss. 414.35,
19 414.36, F.S., relating to emergency relief and
20 the recovery of overpayments; deleting obsolete
21 provisions; amending ss. 414.39, 414.41, F.S.,
22 relating to case screening and the recovery of
23 certain payments; conforming provisions to
24 changes made by the act; amending s. 414.55,
25 F.S.; deleting provisions authorizing a delay
26 in the implementation of certain programs;
27 providing for Workforce Florida, Inc., to
28 implement the community work program; amending
29 s. 414.70, F.S.; revising certain provisions of
30 a drug-testing and drug-screening program to
31 conform to changes made by the act; deleting

1 obsolete provisions; repealing ss. 239.249,
2 288.9950, 288.9954, 288.9957, 288.9958,
3 288.9959, 414.015, 414.026, 414.0267, 414.027,
4 414.028, 414.029, 414.030, 414.055, 414.125,
5 414.25, 414.38, F.S., relating to funding for
6 vocational and technical education programs,
7 the Workforce Florida Act of 1996, the
8 Workforce Development Board, the WAGES Program
9 State Board of Directors, the WAGES Program,
10 matching grants, local WAGES coalitions, the
11 WAGES Program business registry, WAGES Program
12 Employment Projects, one-stop career centers,
13 the Learnfare Program, exemptions from
14 requirements for certain leases of real
15 property, and certain pilot programs;
16 conforming provisions to changes made by the
17 act; amending s. 14.2015, F.S.; providing
18 additional duties of the Office of Tourism,
19 Trade, and Economic Development within the
20 Executive Office of the Governor with respect
21 to workforce development; requiring that the
22 office cooperate and contract with Workforce
23 Florida, Inc., in performing certain functions;
24 amending s. 20.171, F.S.; revising duties of
25 the Assistant Secretary for Programs and
26 Operations within the Department of Labor and
27 Employment Security; abolishing the Division of
28 Workforce and Employment Opportunities within
29 the department to conform to changes made by
30 the act; creating s. 20.50, F.S.; creating the
31 Agency for Workforce Innovation in the

1 Department of Management Services; specifying
2 duties of the agency; providing for the agency
3 to administer the Office of One-Stop Workforce
4 Services, the Office of Workforce
5 Accountability, and the Office of Workforce
6 Information Services; specifying the federal
7 grants and other funds assigned to the agency
8 for administration; amending s. 212.08, F.S.,
9 relating to sales tax exemptions; deleting a
10 requirement that a business register with the
11 WAGES Program Business Registry for purposes of
12 qualifying for certain exemptions; amending s.
13 212.096, F.S.; redefining the term "new
14 employee" to include participants in the
15 welfare-transition program for purposes of
16 certain tax credits; amending ss. 212.097,
17 212.098, F.S., relating to job tax credits;
18 providing eligibility for tax credits to
19 certain businesses that hire participants in
20 the welfare-transition program; amending s.
21 216.136, F.S.; redesignating the Occupational
22 Forecasting Conference as the "Workforce
23 Estimating Conference"; specifying additional
24 duties of the conference with respect to
25 developing forecasts for employment demands and
26 occupational trends; amending s. 220.181, F.S.,
27 relating to the enterprise zone jobs credit;
28 providing for businesses that hire participants
29 in the welfare-transition program to be
30 eligible for the credit; amending s. 230.2305,
31 F.S., relating to the prekindergarten early

1 intervention program; providing eligibility for
2 children whose parents participate in the
3 welfare-transition program; amending s. 232.17,
4 F.S.; revising requirements for administering
5 the Child Labor Law to conform to changes made
6 by the act; amending s. 234.01, F.S.; providing
7 for school boards to provide transportation
8 services to participants in the
9 welfare-transition program; amending s.
10 234.211, F.S., relating to the use of school
11 buses; conforming provisions to changes made by
12 the act; amending s. 239.105, F.S.; redefining
13 the term "degree vocational education program"
14 for purposes of ch. 239, F.S.; amending s.
15 239.115, F.S.; providing for a response fund to
16 be used to provide customized training for
17 businesses; providing for remaining balances to
18 carry over; providing for performance funds to
19 be distributed to certain workforce programs;
20 conforming provisions to changes made by the
21 act; amending s. 239.117, F.S.; providing for
22 school districts or community colleges to pay
23 the fees of students enrolled in a program
24 under the welfare-transition program; amending
25 s. 239.229, F.S.; requiring the Department of
26 Education to update certain vocational, adult,
27 and community education programs; amending s.
28 239.301, F.S.; providing for literacy
29 assessments and other specialized services for
30 participants in the welfare-transition program;
31 amending s. 239.514, F.S., relating to the

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

1 agreements; providing for a Quick-Response
2 Training Program for participants in the
3 welfare-transition program; amending s.
4 288.901, F.S.; providing for the chairperson of
5 Workforce Florida, Inc., to be a member of the
6 board of directors of Enterprise Florida, Inc.;
7 amending ss. 288.904, 288.905, 288.906, F.S.;
8 revising the duties and functions of Enterprise
9 Florida, Inc., to conform to changes made by
10 the act; amending s. 320.20, F.S.; providing
11 for employing participants in the
12 welfare-transition program for certain projects
13 of the Department of Transportation and the
14 Florida Seaport Transportation and Economic
15 Development Council; amending ss. 322.34,
16 341.052, F.S., relating to proceeds from the
17 sale of seized motor vehicles and a public
18 transit block grant program; conforming
19 provisions to changes made by the act; amending
20 s. 402.3015, F.S.; including children who
21 participate in certain diversion programs under
22 ch. 445, F.S., in the subsidized child care
23 program; providing for certain needy families
24 to be eligible to participate in the subsidized
25 child care program; amending s. 402.33, F.S.;
26 defining the term "state and federal aid" to
27 include temporary cash assistance; amending s.
28 402.40, F.S.; revising membership requirements
29 of the Child Welfare Standards and Training
30 Council to reflect changes made by the act;
31 amending s. 402.45, F.S., relating to the

1 community resource mother or father program;
2 providing for eligibility for recipients of
3 temporary cash assistance; amending s. 403.973,
4 F.S.; providing for expedited permitting of
5 projects that employ participants in the
6 welfare-transition program; amending ss.
7 409.2554, 409.259, F.S., relating to the child
8 support enforcement program; conforming
9 provisions to changes made by the act; amending
10 s. 409.903, F.S., relating to payments for
11 medical assistance; conforming provisions;
12 amending s. 409.942, F.S.; requiring Workforce
13 Florida, Inc., to establish an electronic
14 benefit transfer program; requiring that the
15 program be compatible with the benefit transfer
16 program of the Department of Children and
17 Family Services; amending ss. 411.01, 411.232,
18 411.242, F.S., relating to the Florida
19 Partnership for School Readiness, the
20 Children's Early Investment Program, and the
21 Education Now and Babies Later Program;
22 conforming provisions and revising eligibility
23 for such programs; amending s. 413.82, F.S.,
24 relating to occupational access and
25 opportunity; conforming a definition to changes
26 made by the act; amending s. 421.10, F.S.,
27 relating to housing authorities; conforming
28 income requirements; amending ss. 427.013,
29 427.0155, 427.0157, F.S., relating to the
30 Commission for the Transportation Disadvantaged
31 and community transportation programs;

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

1 F.S., relating to the regulation of labor
2 organizations, to be administered by the
3 Department of Labor and Employment Security;
4 deleting references to the Division of Jobs and
5 Benefits; amending s. 447.305, F.S., relating
6 to the registration of employee organizations;
7 providing for administration by the Department
8 of Labor and Employment Security; amending ss.
9 450.012, 450.061, 450.081, 450.095, 450.121,
10 450.132, 450.141, F.S.; providing for part I of
11 ch. 450, F.S., relating to child labor, to be
12 administered by the Department of Labor and
13 Employment Security; deleting references to the
14 Division of Jobs and Benefits; amending s.
15 450.191, F.S., relating to the duties of the
16 Executive Office of the Governor with respect
17 to migrant labor; conforming provisions to
18 changes made by the act; amending ss. 450.28,
19 450.30, 450.31, 450.33, 450.35, 450.36, 450.37,
20 450.38, F.S., relating to farm labor
21 registration; providing for part III of ch.
22 450, F.S., to be administered by the Department
23 of Labor and Employment Security; deleting
24 references to the Division of Jobs and
25 Benefits; amending s. 497.419, F.S., relating
26 to preneed contracts; conforming provisions to
27 changes made by the act; providing
28 appropriations; providing that no entitlement
29 is created by the act; providing for expiration
30 of specified sections; providing for
31 severability; providing effective dates.

1
2 WHEREAS, the state's workforce-development system and
3 the state's economic-development strategy are not coordinated,
4 with the result that there is an insufficient number of
5 potential employees who have the literacy skills, work ethic,
6 or work habits to meet the needs of employers in this state,
7 and

8 WHEREAS, the number of potential employees with
9 technical or professional skills is insufficient to meet the
10 needs of employers in this state, and

11 WHEREAS, Florida's welfare-reform initiative, the WAGES
12 Program, has reduced the welfare caseload by more than 75
13 percent, and these welfare-transition clients have joined
14 other "working poor" Floridians who need higher wages, jobs
15 with benefits, transportation, child care, and other
16 employment-support services, and

17 WHEREAS, to remain competitive in a changing
18 marketplace, employers in this state must continually upgrade
19 the job skills of their employees, and these "incumbent
20 workers" must be trained for career advancement, and

21 WHEREAS, small businesses provide entry-level
22 employment opportunities for many Floridians, yet the owners
23 of small businesses have limited resources for employee
24 recruitment or training, and

25 WHEREAS, more than \$4.6 billion is spent annually for
26 workforce programs through seven separate Florida agencies,
27 yet there is no focal point of accountability for system
28 performance, and

29 WHEREAS, the multiple and overlapping state and local
30 administrative structures associated with workforce and
31 welfare-reform efforts in this state have fragmented

1 accountability, wasted money, and frustrated efforts to
2 integrate workforce activities at the point of service, and

3 WHEREAS, it is the intent of the Florida Legislature
4 that this act create an environment in which families in this
5 state can achieve economic self-sufficiency through
6 employment, and

7 WHEREAS, it is the intent of the Florida Legislature
8 that this act enable Florida employers to meet their needs for
9 qualified, motivated employees, and

10 WHEREAS, it is the intent of the Florida Legislature
11 that this act encourage the continued growth of Florida's
12 economy by developing and retaining a highly skilled and
13 flexible workforce, NOW, THEREFORE,

14

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

16

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

19 445.001 Short title.--This chapter may be cited as the
20 "Workforce Innovation Act of 2000."

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

23 445.002 Definitions.--As used in this chapter, the
24 term:

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

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

1 services such as child care and transportation; services such
2 as counseling, case management, peer support, and child care
3 information and referral; transitional services, job
4 retention, job advancement, and other employment-related
5 services; nonmedical treatment for substance abuse or mental
6 health problems; teen-pregnancy prevention; two-parent family
7 support, including noncustodial parent employment;
8 court-directed supervised visitation, and
9 responsible-fatherhood services; and any other services that
10 are reasonably calculated to further the purposes of the
11 welfare-transition program. Such terms do not include
12 assistance as defined in federal regulations at 45 C.F.R. s.
13 260.31(a).

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

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

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

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

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

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

31

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

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

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

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

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

1 process that would fully integrate all federally mandated and
2 optional partners by the second year of the plan. All optional
3 federal program partners in the planning process shall be
4 mandatory participants in the second year of the plan.

5 (3) FUNDING.--

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

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

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

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

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

31

1 a. The Incumbent Worker Training Program will be
2 administered by ~~a private business organization, known as the~~
3 ~~grant administrator, under contract with the Workforce~~
4 Florida, Inc. Development Board. Workforce Florida, Inc., at
5 its discretion, may contract with a private business
6 organization to serve as grant administrator.

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

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

28 d. A business that is selected to receive grant
29 funding must provide a matching contribution to the training
30 project, including but not limited to, wages paid to trainees
31 or the purchase of capital equipment used in the training

1 project; must sign an agreement with the grant administrator
2 to complete the training project as proposed in the
3 application; must keep accurate records of the project's
4 implementation process; and must submit monthly or quarterly
5 reimbursement requests with required documentation.

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

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

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

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

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

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

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

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

28 2. Unless otherwise provided for by contract with
29 Workforce Florida, Inc., administrative and personnel policies
30 of the administrative entity shall apply.
31

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

5 ~~3. The administrative entity will operate under a~~
6 ~~procedures manual, approved by the Workforce Development~~
7 ~~Board, addressing: financial services including cash~~
8 ~~management, accounting, and auditing; procurement; management~~
9 ~~information system services; and federal and state compliance~~
10 ~~monitoring, including quality control.~~

11 ~~3.4. State Career Service employees in the Department~~
12 ~~of Labor and Employment Security may be leased or assigned to~~
13 ~~the administrative entity to provide administrative and~~
14 ~~professional functions.~~

15 (4) FEDERAL REQUIREMENTS, EXCEPTIONS AND REQUIRED
16 MODIFICATIONS.--

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

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

29 (c) ~~The Workforce Florida, Inc., Development Board~~ may
30 make modifications to the state's plan, policies, and
31 procedures to comply with federally mandated requirements that

1 in its judgment must be complied with to maintain funding
2 provided pursuant to Pub. L. No. 105-220. The board shall
3 notify in writing the Governor, the President of the Senate,
4 and the Speaker of the House of Representatives within 30 days
5 after ~~of~~ any such changes or modifications.

6 (5) The Department of Labor and Employment Security
7 shall phase-down JTPA duties before the federal program is
8 abolished July 1, 2000. Outstanding accounts and issues shall
9 be completed prior to transfer to the Department of Management
10 Services promptly closed out after this date.

11 (6) LONG-TERM CONSOLIDATION OF WORKFORCE
12 DEVELOPMENT.--

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

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

30 ~~(7) TERMINATION OF SET-ASIDE.-- For those state and~~
31 ~~federal set-asides terminated by the federal Workforce~~

1 ~~Investment Act of 1998, the Department of Education, the~~
 2 ~~Office of Tourism, Trade, and Economic Development within the~~
 3 ~~Executive Office of the Governor, and the Department of Elder~~
 4 ~~Affairs shall keep all unexpended JTPA 123 (Education~~
 5 ~~Coordination), JTPA III (Dislocated Workers), or JTPA IIA~~
 6 ~~(Services for Older Adults) funds to closeout their education~~
 7 ~~and coordination activities. The Workforce Development Board~~
 8 ~~shall develop guidelines under which the departments may~~
 9 ~~negotiate with the regional workforce development boards to~~
 10 ~~provide continuation of activities and services currently~~
 11 ~~conducted with the JTPA Section 123 or JTPA IIA funds.~~

12 Section 4. Section 288.9952, Florida Statutes, is
 13 transferred, renumbered as section 445.004, Florida Statutes,
 14 and amended to read:

15 445.004 288.9952 Workforce Florida, Inc.; creation;
 16 purpose; membership; duties and powers Development Board.--

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

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

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

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

1 (c) Private-sector members appointed by the Governor
2 must be appointed for 4-year, staggered terms. Public-sector
3 members appointed by the Governor must be appointed to 4-year
4 terms. One-third of all representatives of businesses
5 required to be appointed by the Governor pursuant to Pub. L.
6 No. 105-220, must be recommended by the President of the
7 Senate from leaders nominated by statewide business
8 organizations. One-third of all representatives of businesses
9 required to be appointed by the Governor pursuant to Pub. L.
10 No. 105-220, must be recommended by the Speaker of the House
11 of Representatives from leaders nominated by statewide
12 business organizations. Members appointed by the Governor
13 serve at the pleasure of the Governor.

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

17 (e) A member of the board of directors of ~~the~~
18 Workforce Florida, Inc., Development Board may be removed by
19 the Governor for cause. Absence from three consecutive
20 meetings results in automatic removal. The chairperson ~~chair~~
21 of ~~the~~ Workforce Florida, Inc., Development Board shall notify
22 the Governor of such absences.

23 (f) Representatives of businesses appointed to the
24 board of directors may not include providers of workforce
25 services.

26 (4)(3)(a) The president of ~~the~~ Workforce Florida,
27 Inc., Development Board shall be hired by the board of
28 directors of Workforce ~~president of Enterprise~~ Florida, Inc.,
29 and shall serve in the capacity of an executive director and
30 secretary of ~~the~~ Workforce Florida, Inc. Development Board.

31

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

4 (c) A majority of the total current membership of the
5 board of directors of ~~the~~ Workforce Florida, Inc., Development
6 Board comprises a quorum of the board.

7 (d) A majority of those voting is required to organize
8 and conduct the business of the ~~Workforce Development~~ board,
9 except that a majority of the entire board of directors ~~of the~~
10 ~~Workforce Development Board~~ is required to adopt or amend the
11 operational plan.

12 (e) Except as delegated or authorized by the board of
13 directors of ~~the~~ Workforce Florida, Inc. Development Board,
14 individual members have no authority to control or direct the
15 operations of ~~the~~ Workforce Florida, Inc., Development Board
16 or the actions of its officers and employees, including the
17 president.

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

21 (f)(g) Members of the board of directors of ~~the~~
22 Workforce Florida, Inc., Development Board and its committees
23 shall serve without compensation, but these members, the
24 president, and all employees of ~~the~~ Workforce Florida, Inc.,
25 Development Board may be reimbursed for all reasonable,
26 necessary, and actual expenses, ~~as determined by the board of~~
27 ~~directors of Enterprise Florida, Inc.~~

28 (g)(h) The board of directors of ~~the~~ Workforce
29 Florida, Inc., Development Board may establish an executive
30 committee consisting of the chair and at least two additional
31 board members selected by the board of directors. The

1 executive committee and the president shall have such
2 authority as the board ~~of directors of the Workforce~~
3 ~~Development Board~~ delegates to it, except that the board of
4 directors may not delegate to the executive committee
5 authority to take action that requires approval by a majority
6 of the entire board of directors.

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

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

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

30 (a) Serving as the state's Workforce Investment Board
31 pursuant to Pub. L. No. 105-220. Unless otherwise required by

1 federal law, at least 90 percent of the workforce development
2 funding must go into direct customer service costs. ~~Of the~~
3 ~~allowable administrative overhead, appropriate amounts shall~~
4 ~~be expended to procure independent job-placement evaluations.~~

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

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

13 2. Programs authorized under the Wagner-Peyser Act of
14 1933, as amended, 29 U.S.C. ss. 49 et seq.

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

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

21 5. Activities authorized under 38 U.S.C., chapter 41,
22 including job counseling, training, and placement for
23 veterans.

24 6. Employment and training activities carried out
25 under the Community Services Block Grant Act, 42 U.S.C. ss.
26 9901 et seq.

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

30 8. Welfare-transition services funded by the Temporary
31 Assistance for Needy Families Program, created under the

1 Personal Responsibility and Work Opportunity Reconciliation
2 Act of 1996, as amended, Pub. L. No. 104-193, and Title IV, s.
3 403, of the Social Security Act, as amended.

4 9. Displaced homemaker programs, provided under s.
5 446.50.

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

8 11. The Food Stamp Employment and Training Program,
9 provided under the Food Stamp Act of 1977, U.S.C. ss.
10 2011-2032; the Food Security Act of 1988, Pub. L. No. 99-198;
11 and the Hunger Prevention Act, Pub. L. No. 100-435.

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

15 13. Offender-placement services, provided under ss.
16 944.707-944.708.

17 14. 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 15. Other programs funded by federal or state
25 appropriations, as determined by the Legislature in the
26 General Appropriations Act or by law.

27 (c)(b) Contracting with public and private entities as
28 necessary to further the directives of this section. All
29 contracts executed by Workforce Florida, Inc., must include
30 specific performance expectations and deliverables., except
31 that any contract made with an organization represented on the

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

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

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

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

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

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

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

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

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

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

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

24 (d) Designating ~~The designation of~~ Institutes of
25 Applied Technology composed of public and private
26 postsecondary institutions working together with business and
27 industry to ensure that technical and vocational education
28 programs use the most advanced technology and instructional
29 methods available and respond to the changing needs of
30 business and industry. ~~Of the funds reserved for activities of~~
31 ~~the Workforce Investment Act at the state level, \$500,000~~

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

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

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

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

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

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

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

31

1 (8) The Auditor General may, pursuant to his or her
2 own authority or at the direction of the Legislative Auditing
3 Committee, conduct an audit of the Workforce Florida, Inc.,
4 ~~Development Board~~ or the programs or entities created by the
5 Workforce Florida, Inc.~~Development Board.~~

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

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

26 (b) The second tier of measures must be organized to
27 provide a set of benchmark outcomes for the initiatives of the
28 First Jobs/First Wages Council, the Better Jobs/Better Wages
29 Council, and the High Skills/High Wages Council ~~one-stop~~
30 ~~Career Centers~~ and for each of the strategic components of the
31 workforce development strategy. ~~A set of standards and~~

1 ~~measures must be developed for one-stop Career Centers, youth~~
2 ~~employment activities, WAGES, and High Skills/High Wages,~~
3 ~~targeting the specific goals of each particular strategic~~
4 ~~component. Cost per entered employment, earnings at placement,~~
5 ~~retention in employment, job placement, and entered employment~~
6 ~~rate must be included among the performance outcome measures.~~

7 ~~1. Appropriate measures for one-stop Career Centers~~
8 ~~may include direct job placements at minimum wage, at a wage~~
9 ~~level established by the Occupational Forecasting Conference,~~
10 ~~and at a wage level above the level established by the~~
11 ~~Occupational Forecasting Conference.~~

12 ~~2. Appropriate measures for youth employment~~
13 ~~activities may include the number of students enrolling in and~~
14 ~~completing work-based programs, including apprenticeship~~
15 ~~programs; job placement rate; job retention rate; wage at~~
16 ~~placement; and wage growth.~~

17 ~~3. WAGES measures may include job placement rate, job~~
18 ~~retention rate, wage at placement, wage growth, reduction and~~
19 ~~elimination of reliance on public assistance, and savings~~
20 ~~resulting from reduced reliance on public assistance.~~

21 ~~4. High Skills/High Wages measures may include job~~
22 ~~placement rate, job retention rate, wage at placement, and~~
23 ~~wage growth.~~

24 (c) The third tier of measures must be the operational
25 output measures to be used by the agency implementing
26 programs, and it may be specific to federal requirements. The
27 tier-three measures must be developed by the agencies
28 implementing programs, and the Workforce Florida, Inc.,
29 ~~Development Board~~ may be consulted in this effort. Such
30 measures must be reported to the Workforce Florida, Inc.,
31 ~~Development Board~~ by the appropriate implementing agency.

1 (d) Regional differences must be reflected in the
2 establishment of performance goals and may include job
3 availability, unemployment rates, average worker wage, and
4 available employable population. ~~All performance goals must be
5 derived from the goals, principles, and strategies established
6 in the Workforce Florida Act of 1996.~~

7 (e) Job placement must be reported pursuant to s.
8 229.8075. Positive outcomes for providers of education and
9 training must be consistent with ss. 239.233 and 239.245.

10 (f) The uniform measures of success that are adopted
11 by ~~the Workforce Florida, Inc., Development Board~~ or the
12 regional workforce ~~development~~ boards must be developed in a
13 manner that provides for an equitable comparison of the
14 relative success or failure of any service provider in terms
15 of positive outcomes.

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

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

27 (a) First Jobs/First Wages is the state's strategy to
28 promote successful entry into the workforce through education
29 and workplace experience that lead to self-sufficiency and
30 career advancement. The components of the strategy include
31 efforts that enlist business, education, and community support

1 for students to achieve long-term career goals, ensuring that
2 young people have the academic and occupational skills
3 required to succeed in the workplace.

4 (b) Better Jobs/Better Wages is the state's strategy
5 for assisting employers in upgrading or updating the skills of
6 their employees and for assisting incumbent workers in
7 improving their performance in their current jobs or acquiring
8 the education or training needed to secure a better job with
9 better wages.

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

15 (11) The workforce development system shall use a
16 charter-process approach aimed at encouraging local design and
17 control of service delivery and targeted activities. Workforce
18 Florida, Inc., shall be responsible for granting charters to
19 regional workforce boards that have a membership consistent
20 with the requirements of federal and state law and that have
21 developed a plan consistent with the state's
22 workforce-development strategy. The plan must specify methods
23 for allocating the resources and programs in a manner that
24 eliminates unwarranted duplication, minimizes administrative
25 costs, meets the existing job-market demands and the
26 job-market demands resulting from successful
27 economic-development activities, ensures access to quality
28 workforce-development services for all Floridians, and
29 maximizes successful outcomes. As part of the charter process,
30 Workforce Florida, Inc., shall establish incentives for
31 effective coordination of federal and state programs, outline

1 rewards for successful job placements, and institute
2 collaborative approaches among local service providers. Local
3 decisionmaking and control shall be important components for
4 inclusion in this charter application.

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

7 445.005 First Jobs/First Wages, Better Jobs/Better
8 Wages, and High Skills/High Wages Councils of Workforce
9 Florida, Inc.--

10 (1) The chairperson of Workforce Florida, Inc., shall
11 establish by October 1, 2000, and shall maintain at least
12 until September 30, 2002, three standing councils, which shall
13 be known as the First Jobs/First Wages Council, the Better
14 Jobs/Better Wages Council, and the High Skills/High Wages
15 Council.

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

18 (b) Each council shall be composed of individuals
19 appointed by the chairperson of Workforce Florida, Inc., from
20 the membership of the board of directors and individuals from
21 outside Workforce Florida, Inc., who possess relevant
22 experience or expertise in the subject area of the council. A
23 majority of the membership of each council must be members of
24 the board of directors of Workforce Florida, Inc.

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

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

31

1 (2) The First Jobs/First Wages Council shall develop
2 strategies for approval by the board of directors of Workforce
3 Florida, Inc., which promote the successful entry of
4 individuals, including young people and adults working for the
5 first time, into the workforce. The council shall advise the
6 board of directors and make recommendations on implementing
7 programs and expending funds in support of such youth
8 workforce strategies. The council shall serve as the state's
9 youth council for purposes of Pub. L. No. 105-220.

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

21 (4) The High Skills/High Wages Council shall develop
22 strategies for approval by the board of directors of Workforce
23 Florida, Inc., which align the education and training programs
24 with high-paying, high-demand occupations that advance
25 individuals' careers, build a more skilled workforce, and
26 enhance the state's efforts to attract and expand job-creating
27 businesses. The council shall advise the board of directors
28 and make recommendations on implementing programs and
29 expending funds in support of such high-skills/high-wages
30 strategies.

31

1 (5) Prior to the 2002 legislative session, the board
2 of directors of Workforce Florida, Inc., shall report to the
3 Governor, the President of the Senate, and the Speaker of the
4 House of Representatives on the contribution of the councils
5 toward fulfilling the goals of Workforce Florida, Inc. The
6 report must include recommendations on whether the councils
7 should be continued and on any proposed legislative action
8 concerning the councils.

9 Section 6. Section 445.006, Florida Statutes, is
10 created to read:

11 445.006 Strategic plan for workforce development.--

12 (1) Workforce Florida, Inc., in conjunction with state
13 and local partners in the workforce system, shall develop a
14 strategic plan for workforce, with the goal of producing
15 skilled employees for employers in the state. The strategic
16 plan shall be submitted to the Governor, the President of the
17 Senate, and the Speaker of the House of Representatives by
18 February 1, 2001. The strategic plan shall be updated or
19 modified by January 1 of each year thereafter, unless the
20 board of directors of Workforce Florida, Inc., determines that
21 updates or modifications are not necessary, in which case
22 Workforce Florida, Inc., shall notify the Governor, the
23 President of the Senate, and the Speaker of the House of
24 Representatives of such determination. The plan must include,
25 but need not be limited to, strategies for:

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

28 (b) Aggregating, integrating, and leveraging workforce
29 system resources;

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

1 (d) Addressing the workforce needs of small
2 businesses; and

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

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

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

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

20 (c) Coordinating with Enterprise Florida, Inc., to
21 ensure that workforce marketing efforts complement the
22 economic development marketing efforts of the state.

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

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

28 (b) Caseload trends;

29 (c) Recidivism;

30 (d) Participation in diversion and
31 relocation-assistance programs;

1 (e) Employment retention;
2 (f) Wage growth; and
3 (g) Other issues identified by the board of directors
4 of Workforce Florida, Inc.

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

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

16 1. The degree of difficulty associated with placement
17 and retention;

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

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

21 (b) The payment structure shall provide not more than
22 50 percent of the cost of services provided to a
23 welfare-transition-program participant prior to placement, 25
24 percent upon employment placement, and 25 percent if
25 employment is retained for at least 6 months. The payment
26 structure must also provide for bonus payments of up to 10
27 percent of the contract amount to providers that achieve
28 notable success in achieving contract objectives, including,
29 but not limited to, success in diverting families in which
30 there is an adult who is subject to work requirements from
31 receiving cash assistance and in achieving long-term job

1 retention and wage growth with respect to
2 welfare-transition-program customers.

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

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

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

24 (c) A component that encourages formation and
25 maintenance of two-parent families through, among other
26 things, court-directed supervised visitation;

27 (d) A component that fosters responsible fatherhood in
28 families receiving assistance; and

29 (e) A component that fosters provision of services
30 that reduce the incidence and effects of domestic violence on
31 women and children in families receiving assistance.

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

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

6 (1) One regional workforce ~~development~~ board shall be
7 appointed in each designated service delivery area and shall
8 serve as the local workforce investment board pursuant to Pub.
9 L. No. 105-220. The membership of the board shall be
10 consistent with Pub. L. No. 105-220, Title I, s. 117(b), and
11 contain three representatives of organized labor. The
12 importance of minority and gender representation shall be
13 considered when making appointments to the board. If the
14 regional workforce board enters into a contract with an
15 organization or individual represented on the board of
16 directors, the contract must be approved by a two-thirds vote
17 of the entire board, and the board member who could benefit
18 financially from the transaction must abstain from voting on
19 the contract. A board member must disclose any such conflict
20 in a manner that is consistent with the procedures outlined in
21 s. 112.3143. ~~A member of a regional workforce development~~
22 ~~board may not vote on a matter under consideration by the~~
23 ~~board regarding the provision of services by such member, or~~
24 ~~by an entity that such member represents; vote on a matter~~
25 ~~that would provide direct financial benefit to such member or~~
26 ~~the immediate family of such member; or engage in any other~~
27 ~~activity determined by the Governor to constitute a conflict~~
28 ~~of interest as specified in the state plan.~~

29 (2) ~~The Workforce~~ Florida, Inc., ~~Development Board~~
30 will determine the timeframe and manner of changes to the
31

1 regional workforce ~~development~~ boards as required by this
2 chapter act and Pub. L. No. 105-220.

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

8 (4) In addition to the duties and functions specified
9 by ~~the Workforce Florida, Inc., Development Board~~ and by the
10 interlocal agreement approved by the local county or city
11 governing bodies, the regional workforce ~~development~~ board
12 shall have the following responsibilities:

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

15 (b) Conclude agreements necessary to designate the
16 fiscal agent and administrative entity. A public or private
17 entity, other than an entity established pursuant to s.
18 163.01, which makes a majority of the appointments to a
19 regional workforce board may not serve as the board's
20 administrative entity. Workforce Florida, Inc., may waive this
21 prohibition upon a showing that a fair and competitive process
22 was used to select the administrative entity.

23 (c) Complete assurances required for the ~~Workforce~~
24 ~~Development Board~~ charter process of Workforce Florida, Inc.,
25 and provide ongoing oversight related to administrative costs,
26 duplicated services, career counseling, economic development,
27 equal access, compliance and accountability, and performance
28 outcomes.

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

31

1 (5) ~~The Workforce Florida, Inc., Development Board~~
2 shall implement a training program for the regional workforce
3 ~~development~~ boards to familiarize board members with the
4 state's workforce development goals and strategies. The
5 regional workforce ~~development~~ board shall designate all local
6 service providers and shall not transfer this authority to a
7 third party. In order to exercise independent oversight, the
8 regional workforce ~~development~~ board shall not be a direct
9 provider of intake, assessment, eligibility determinations, or
10 other direct provider services.

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

14 (7) Each regional workforce ~~development~~ board shall
15 establish by October 1, 2000, and shall maintain at least
16 until September 30, 2002, a high skills/high wages committee
17 consisting of at least five private-sector business
18 representatives appointed in consultation with local chambers
19 of commerce by the primary county economic-development
20 organization within the region, as identified by Enterprise
21 Florida, Inc.; a representative of each primary county
22 economic-development organization within the region;
23 ~~including the regional workforce development board chair; the~~
24 ~~presidents of all community colleges within the board's~~
25 ~~region; those district school superintendents with authority~~
26 ~~for conducting postsecondary educational programs within the~~
27 ~~region; and two representatives a representative from a~~
28 ~~nonpublic postsecondary educational institutions institution~~
29 ~~that are is an~~ authorized individual training account
30 ~~providers provider~~ within the region, appointed by the
31 chairperson of the regional workforce board. If possible, one

1 of the nonpublic educational institutions represented must be
2 accredited by the Southern Association of Colleges and
3 Schools. The business representatives appointed by the primary
4 county economic-development organizations ~~other than the board~~
5 ~~chair~~ need not be members of the regional workforce
6 ~~development~~ board and shall represent those industries that
7 are of primary importance to the region's current and future
8 economy. In a multicounty region, each primary county
9 economic-development organization within the region shall
10 appoint at least one business representative and shall consult
11 with the other primary county economic-development
12 organizations within the region to make joint appointments
13 when necessary.

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

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

21 2. Integrated use of state education and federal
22 workforce development funds to enhance the training and
23 placement of designated population individuals with local
24 businesses and industries.

25 (b) The committees shall also make reports to
26 Workforce Florida, Inc., annually, on dates specified by
27 Workforce Florida, Inc., that identify occupations in the
28 region deemed critical to business retention, expansion, and
29 recruitment activities, based on guidelines set by Workforce
30 Florida, Inc. Such guidelines shall include research of the
31 workforce needs of private employers in the region, in

1 consultation with local chambers of commerce and
2 economic-development organizations. Occupations identified
3 pursuant to this paragraph shall be considered by Workforce
4 Florida, Inc., for inclusion in the region's targeted
5 occupation list.~~After fiscal year 1999-2000, the Workforce~~
6 ~~Development Board has the discretion to decrease the frequency~~
7 ~~of reporting by the high skills/high wages committees, but the~~
8 ~~committees shall meet and submit any recommendations at least~~
9 ~~annually.~~

10 ~~(c) Annually, the Workforce Development Board shall~~
11 ~~compile all the recommendations of the high skills/high wages~~
12 ~~committees, research their feasibility, and make~~
13 ~~recommendations to the Governor, the President of the Senate,~~
14 ~~and the Speaker of the House of Representatives.~~

15 (8) Each regional workforce board shall establish a
16 better jobs/better wages committee consisting of at least five
17 members. Initial appointments to this committee shall include
18 at least three members of the local WAGES coalition,
19 established pursuant to chapter 96-175, Laws of Florida.

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

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

27 (11) For purposes of procurement, regional workforce
28 boards and their administrative entities are not state
29 agencies, but the boards and their administrative entities
30 must comply with state procurement laws and procedures until
31 Workforce Florida, Inc., adopts the provisions or alternative

1 procurement procedures that meet the requirements of federal
2 law. All contracts executed by regional workforce boards must
3 include specific performance expectations and deliverables.

4 Section 8. Section 445.008, Florida Statutes, is
5 created to read:

6 445.008 Workforce Training Institute.--

7 (1) Workforce Florida, Inc., may create the Workforce
8 Training Institute, which shall be a comprehensive program of
9 workforce training courses designed to meet the unique needs
10 of the workforce system partners. The workforce training
11 courses shall include Internet-based training modules suitable
12 for, and made available to, school guidance counselors,
13 community college counselors, and other professionals integral
14 to the workforce system.

15 (2) Workforce Florida, Inc., may enter into a contract
16 for the provision of administrative support services for the
17 institute. Workforce Florida, Inc., shall adopt policies for
18 the administration and operation of the institute and
19 establish admission fees in an amount which, in the aggregate,
20 does not exceed the cost of the program. Workforce Florida,
21 Inc., may accept donations or grants of any type for any
22 function or purpose of the institute.

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

29 Section 9. Section 288.9951, Florida Statutes, is
30 transferred, renumbered as section 445.009, Florida Statutes,
31 and amended to read:

1 445.009 ~~288.9951~~ One-stop delivery system ~~Career~~
2 ~~Centers~~.--

3 (1) The one-stop delivery system is Career Centers
4 ~~comprise~~ the state's primary initial customer-service strategy
5 ~~delivery system~~ for offering every Floridian access, through
6 service sites or telephone or computer networks, to the
7 following services:

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

9 (b) Career counseling and educational planning.

10 (c) Consumer reports on service providers.

11 (d) Recruitment and eligibility determination.

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

14 (f) Employability skills training.

15 (g) Adult education and basic skills training.

16 (h) Technical training leading to a certification and
17 degree.

18 (i) Claim filing for unemployment compensation
19 services.

20 (j) Temporary income, health, nutritional, and housing
21 assistance.

22 (k) Other appropriate and available workforce
23 development services.

24 ~~(2) In addition to the mandatory partners identified~~
25 ~~in Pub. L. No. 105-220, Food Stamp Employment and Training,~~
26 ~~Food Stamp work programs, and WAGES/TANF programs shall, upon~~
27 ~~approval by the Governor of a transition plan prepared by the~~
28 ~~Workforce Development Board in collaboration with the WAGES~~
29 ~~Program State Board of Directors, participate as partners in~~
30 ~~each one-stop Career Center. Based on this plan, each partner~~
31 ~~is prohibited from operating independently from a One-Stop~~

1 ~~Career Center unless approved by the regional workforce~~
2 ~~development board. Services provided by partners who are not~~
3 ~~physically located in a One-Stop Career Center must be~~
4 ~~approved by the regional workforce development board.~~

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

10 (b) A regional workforce board may not designate as
11 its one-stop delivery system operator any public or private
12 entity that is eligible to provide services under any state or
13 federal workforce program that is a mandatory or discretionary
14 partner in the region's one-stop delivery system. Workforce
15 Florida, Inc., may waive this prohibition upon a showing by
16 the regional workforce board that a fair and competitive
17 process was used in the selection. As a condition of
18 authorizing a regional workforce board to designate such an
19 entity as its one-stop delivery system operator, Workforce
20 Florida, Inc., must require the regional workforce board to
21 demonstrate that safeguards are in place to ensure that the
22 one-stop delivery system operator will not exercise an unfair
23 competitive advantage or unfairly refer or direct customers of
24 the one-stop delivery system to services provided by that
25 one-stop delivery system operator.A regional workforce
26 ~~development~~ board may retain its current One-Stop Career
27 Center operator without further procurement action where the
28 board has established a One-Stop Career Center that has
29 complied with federal and state law.

30 (3)(4) Notwithstanding any other provision of law, any
31 memorandum of understanding in effect on June 30, 2000,

1 between a regional workforce board and the Department of Labor
2 and Employment Security governing the delivery of workforce
3 services shall remain in effect until September 30, 2000.

4 Beginning October 1, 2000, regional workforce boards shall
5 enter into a memorandum of understanding with the Agency for
6 Workforce Innovation for the delivery of employment services
7 authorized by the federal Wagner-Peyser Act. This memorandum
8 of understanding must be performance-based.~~effective July 1,~~
9 ~~1999, regional workforce development boards shall enter into a~~
10 ~~memorandum of understanding with the Department of Labor and~~
11 ~~Employment Security for the delivery of employment services~~
12 ~~authorized by Wagner-Peyser. For fiscal year 1999-2000, the~~
13 ~~memorandum of understanding with the Department of Labor and~~
14 ~~Employment Security must be performance-based, dedicating 15~~
15 ~~percent of the funds to performance payments. Performance~~
16 ~~payments shall be based on performance measures developed by~~
17 ~~the Workforce Development Board.~~

18 (a) Unless otherwise required by federal law, at least
19 90 percent of the Wagner-Peyser funding must go into direct
20 customer service costs.

21 (b) Employment services must be provided through the
22 one-stop delivery system Career Centers, under the guidance of
23 one-stop delivery system Career Center operators. One-stop
24 delivery system operators shall have overall authority for
25 directing the staff of the workforce system. Personnel matters
26 shall remain under the ultimate authority of the Agency for
27 Workforce Innovation. However, the one-stop delivery system
28 operator shall submit to the agency information concerning the
29 job performance of department employees who deliver employment
30 services. The agency shall consider any such information

31

1 submitted by the one-stop delivery system operator in
2 conducting performance appraisals of the employees.

3 (c) As a part of the memorandum of understanding under
4 this subsection, a regional workforce board may elect to enter
5 into an agreement with the Agency for Workforce Innovation
6 under which agency employees delivering employment services
7 shall be leased to the one-stop delivery system operator.
8 Notwithstanding any provisions in chapter 110 to the contrary,
9 an agency employee leased pursuant to this paragraph shall
10 retain the position classification as a state employee that he
11 or she held on the day before the lease agreement takes
12 effect, as well as any state employee personnel rights or
13 benefits associated with that position classification. This
14 lease agreement, at a minimum, must specify that:

15 1. The agency shall retain fiscal responsibility and
16 accountability for the administration of funds allocated to
17 the state under the Wagner-Peyser Act.

18 2. The agency shall retain ultimate authority over
19 personnel matters relating to an employee covered by the lease
20 agreement; however, the employee shall be under the day-to-day
21 supervision of the one-stop delivery system operator. The
22 one-stop delivery system operator shall submit to the agency
23 information relating to the job performance of agency
24 employees, as provided in paragraph (b).

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

28 (d) Workforce Florida, Inc., in consultation with the
29 Office of Program Policy Analysis and Government
30 Accountability, shall review the delivery of employment
31 services under the Wagner-Peyser Act and the integration of

1 those services with other activities performed through the
2 one-stop delivery system and shall provide recommendations to
3 the Legislature for improving the effectiveness of the
4 delivery of employment services in this state. Workforce
5 Florida, Inc., shall submit a report and recommendations to
6 the Governor, the President of the Senate, and the Speaker of
7 the House of Representatives by January 1, 2001.

8 ~~(4)(5)~~ One-stop delivery system Career Center partners
9 ~~identified in subsection (2)~~ shall enter into a memorandum of
10 understanding pursuant to Pub. L. No. 105-220, Title I, s.
11 121, with the regional workforce ~~development~~ board. Failure of
12 a local partner to participate cannot unilaterally block the
13 majority of partners from moving forward with their one-stop
14 delivery system Career Centers, and the Workforce Florida,
15 Inc. Development Board, pursuant to s. 445.004(5)(d)~~s.~~
16 ~~288.9952(4)(d)~~, may make notification of a local partner that
17 fails to participate.

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

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

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

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

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

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

31

1 ~~(7)(8)~~(a) Individual Training Accounts must be
2 expended on programs that prepare people to enter high-wage
3 occupations identified by the Occupational Forecasting
4 Conference created by s. 216.136, and on other programs as
5 approved by ~~the Workforce Florida, Inc. Development Board.~~

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

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

25 (d) To the maximum extent possible, training providers
26 shall use funding sources other than the funding provided
27 under Pub. L. No. 105-220. A performance outcome related to
28 alternative financing obtained by the training provider shall
29 be established by ~~the Workforce Florida, Inc., Development~~
30 ~~Board~~ and used for performance evaluation purposes. The
31

1 performance evaluation must take into consideration the number
2 of alternative funding sources.

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

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

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

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

1 order to link information in those databases with the one-stop
2 delivery system ~~Career Centers~~:

3 1. The Unemployment Compensation System of the
4 Department of Labor and Employment Security.

5 2. The Job Service System of the Department of Labor
6 and Employment Security.

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

9 4. The Workers' Compensation System of the Department
10 of Labor and Employment Security.

11 5. The Student Financial Assistance System of the
12 Department of Education.

13 6. Enrollment in the public postsecondary education
14 system.

15

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

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

29 Section 10. (1) It is the intent of the Legislature
30 that the changes to the workforce system made by this act,
31 including, but not limited to, the transfer of any workforce

1 policy, program, or administrative responsibility to Workforce
2 Florida, Inc., or to the Agency for Workforce Innovation, be
3 accomplished with minimal disruption of services provided to
4 the public and with minimal disruption to employees of any
5 organization in the workforce system. To that end, the
6 Legislature directs all applicable units of state government
7 to contribute to the successful implementation of this act,
8 and the Legislature believes that a transition period between
9 the effective date of this act and October 1, 2000, is
10 appropriate and warranted.

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

19 (3) The Governor shall designate a staff member of the
20 Office of Planning and Budgeting to serve as the Governor's
21 primary representative on matters related to implementing this
22 act and the transition plan required under this section. The
23 representative shall report to the Governor on the progress
24 being made in implementing this act and the transition plan,
25 including, but not limited to, any difficulties experienced by
26 Workforce Florida, Inc., in securing the full participation
27 and cooperation of applicable state agencies. The
28 representative shall also coordinate the submission of any
29 budget amendments, in accordance with chapter 216, Florida
30 Statutes, that may be necessary to implement this act.

31

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

12 (5) The transfer of any program, activity, or function
13 under this act includes the transfer of any records and
14 unexpended balances of appropriations, allocations, or other
15 funds related to such program, activity, or function. Unless
16 otherwise provided, the successor organization to any program,
17 activity, or function transferred under this act shall become
18 the custodian of any property of the organization that was
19 responsible for the program, activity, or function immediately
20 prior to the transfer.

21 (6) The Office of Tourism, Trade, and Economic
22 Development within the Executive Office of the Governor may
23 contract with Workforce Florida, Inc., to take any necessary
24 initial steps in preparing to become the state's principal
25 workforce policy organization on October 1, 2000, consistent
26 with the provisions of this act.

27 Section 11. (1) Effective July 1, 2000, the following
28 programs and functions are assigned and transferred to
29 Workforce Florida, Inc.:

30 (a) The WAGES Program State Board of Directors support
31 staff, data, records, contract personnel, property, and

1 unexpended balances of appropriations, allocations, and other
2 funds from the Executive Office of the Governor.

3 (b) The programs, activities, and functions of the
4 Workforce Development Board of Enterprise Florida, Inc.,
5 including records, personnel, property, and unexpended
6 balances of funds. To reduce administrative cost, Workforce
7 Florida, Inc., may contract with Enterprise Florida, Inc., for
8 the provision of personnel, property management, and other
9 support services.

10 (2) Effective October 1, 2000, employees of the
11 Workforce Development Board of Enterprise Florida, Inc., who
12 are leased from the Department of Management Services are
13 transferred by a type two transfer, as defined in section
14 20.06(2), Florida Statutes, to the Agency for Workforce
15 Innovation.

16 (3) Effective October 1, 2000, the following programs
17 and functions transferred to the Agency for Workforce
18 Innovation:

19 (a) The Division of Workforce and Employment
20 Opportunities and the Office of Labor Market and Performance
21 Information are transferred by a type two transfer, as defined
22 in section 20.06(2), Florida Statutes, from the Department of
23 Labor and Employment Security. Employees who are responsible
24 for licensing and permitting business agents and labor
25 organizations under chapter 447 and employees who are
26 responsible for regulations relating to minority labor groups
27 under chapter 450 are not included in this transfer.

28 (b) The resources, staff, data, records, personnel,
29 property, and unexpended balances of appropriations,
30 allocations, and other funds and information systems within
31 the Office of the Secretary, Office of Information Systems, or

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

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

10 (4) Prior to effecting the transfer of staff required
11 by paragraphs (3)(a) and (b), the Department of Labor and
12 Employment Security shall reduce by 25 percent the number of
13 staff to be transferred who are not engaged in directly
14 providing services to customers or in supervising the direct
15 provision of services. Positions vacated as a result of this
16 reduction shall be placed and maintained in reserve by the
17 Office of Planning and Budgeting of the Executive Office of
18 the Governor. Savings that result from position reductions
19 shall be transferred, under section 20.06(2), Florida
20 Statutes, to the Agency for Workforce Innovation for
21 allocation to regional workforce boards for operating the
22 one-stop delivery system. Prior to January 15, 2001, Workforce
23 Florida, Inc., in cooperation with the Agency for Workforce
24 Innovation, shall submit to the Governor, the President of the
25 Senate, and the Speaker of the House of Representatives a plan
26 for reorganizing and further reducing the number of staff
27 members transferred pursuant to paragraphs (3)(a) and (b).

28 (5) Workforce Florida, Inc., may contract with the
29 Agency for Workforce Innovation to lease any employees deemed
30 necessary by Workforce Florida, Inc., for the effective
31 operation of the workforce system. Notwithstanding any

1 provisions in chapter 110, Florida Statutes, to the contrary,
2 a department employee who is leased pursuant to this
3 subsection shall retain the position classification as a state
4 employee which he or she held on the day before the lease
5 agreement takes effect and shall retain any state-employee
6 personnel rights or benefits associated with that position
7 classification.

8 Section 12. Section 445.010, Florida Statutes, is
9 created to read:

10 445.010 Workforce system information technology;
11 principles and information sharing.--

12 (1) The following principles shall guide the
13 development and management of workforce system information
14 resources:

15 (a) Workforce system entities should be committed to
16 information sharing.

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

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

23 (d) When the capture of data for the mutual benefit of
24 workforce-system entities can be accomplished, the costs for
25 capturing, managing, and disseminating those data should be
26 shared.

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

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

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

6 (2) Information that is essential to the integrated
7 delivery of services through the one-stop delivery system must
8 be shared between partner agencies within the workforce system
9 to the full extent permitted under state and federal law. In
10 order to enable the full integration of services for a
11 specific workforce-system customer, that customer must be
12 offered the opportunity to provide written consent prior to
13 sharing any information concerning that customer between the
14 workforce-system partners which is subject to confidentiality
15 under state or federal law.

16 Section 13. Section 445.011, Florida Statutes, is
17 created to read:

18 445.011 Workforce information systems.--

19 (1) Workforce Florida, Inc., shall implement, subject
20 to legislative appropriation, automated information systems
21 that are necessary for the efficient and effective operation
22 and management of the workforce-development system. These
23 information systems shall include, but need not be limited to,
24 the following:

25 (a) An integrated management system for the one-stop
26 service delivery system, which includes, at a minimum, common
27 registration and intake, screening for needs and benefits,
28 case planning and tracking, training-benefits management,
29 service and training provider management, performance
30 reporting, executive information and reporting, and
31 customer-satisfaction tracking and reporting.

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

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

8 2. Job-market information based on surveys, including
9 local, state, regional, and national occupational and
10 job-availability information; and

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

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

20 (3) Workforce Florida, Inc., may procure independent
21 verification and validation services associated with
22 developing and implementing any workforce information system.

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

29 Section 14. Section 445.012, Florida Statutes, is
30 created to read:

31

1 445.012 Careers for Florida's Future Incentive Grant
2 Program.--

3 (1) The Careers for Florida's Future Incentive Grant
4 Program is created to encourage students in this state to
5 obtain degrees or certificates in postsecondary programs that
6 produce graduates with job skills in advanced technology which
7 are critical to the economic future of this state. The program
8 shall provide for a forgivable loan that requires a student to
9 enroll in and complete an eligible program and then to
10 maintain employment in an eligible occupation in this state
11 for 1 year for each year of grant receipt. The recipient must
12 begin repayment of the grant 1 year after the recipient is no
13 longer enrolled in an eligible institution or completes the
14 program, unless the recipient obtains employment in an
15 eligible occupation.

16 (2) Workforce Florida, Inc., shall manage the Careers
17 for Florida's Future Incentive Grant Program in accordance
18 with rules and procedures established for this purpose.
19 Workforce Florida, Inc., shall contract with the Office of
20 Student Financial Assistance in the Department of Education to
21 administer the incentive grant program for students pursuing
22 baccalaureate degrees or degree career education programs that
23 articulate into baccalaureate degree programs. The office
24 shall advertise the availability of the grant program and
25 collect all delinquent incentive grant repayments.

26 (a) The Office of Student Financial Assistance of the
27 Department of Education shall issue awards from the incentive
28 grant program each semester. Before the registration period
29 each semester, the department shall transmit payment for each
30 award to the president or director of the postsecondary
31 education institution, or his or her representative, except

1 that the department may withhold payment if the receiving
2 institution fails to report or make refunds to the department
3 as required in this section.

4 (b) Within 30 days after the end of regular
5 registration each semester, the educational institution shall
6 certify to the department the eligibility status of each
7 student who receives an award. After the end of the
8 drop-and-add period, an institution is not required to
9 reevaluate or revise a student's eligibility status, but must
10 make a refund to the department if a student who receives an
11 award disbursement terminates enrollment for any reason during
12 an academic term and a refund is permitted by the
13 institution's refund policy.

14 (c) An institution that receives funds from the
15 program shall certify to the department the amount of funds
16 disbursed to each student and shall remit to the department
17 any undisbursed advances within 60 days after the end of
18 regular registration. The department may suspend or revoke an
19 institution's eligibility to receive future moneys for the
20 program if the department finds that an institution has not
21 complied with this section.

22 (3) Workforce Florida, Inc., shall allocate to each
23 regional workforce board its share of funds available for
24 incentive grants in eligible diploma, certificate, and degree
25 career education programs that do not articulate into
26 baccalaureate programs. Each regional workforce board shall
27 administer the program, including determining award recipients
28 within funds available to it for that purpose. Workforce
29 Florida, Inc., shall contract with the Office of Student
30 Financial Assistance in the Department of Education for
31 collecting delinquent incentive grant repayments.

1 (a) Workforce Florida, Inc., shall reallocate any
2 funds not encumbered by the regional workforce boards by
3 January 31 of each year to other regional workforce boards for
4 additional awards, in accordance with rules and procedures
5 established for this purpose.

6 (b) Within 30 days after the student begins classes,
7 the educational institution shall certify to the regional
8 workforce board the eligibility status of each student who
9 receives an award. After this report, an institution is not
10 required to reevaluate or revise a student's eligibility
11 status, but must make a refund to the regional workforce board
12 if a student who receives an award disbursement terminates
13 enrollment for any reason during the period that would permit
14 a refund by the institution's refund policy.

15 (c) Regional workforce boards shall ensure that each
16 recipient receives maximum funding possible by coordinating
17 career education awards with Individual Training Accounts
18 funded by the federal Workforce Investment Act, Retention
19 Incentive Training Accounts funded by the federal Temporary
20 Assistance for Needy Families Act, the federal Welfare-to-Work
21 program, and other programs intended to assist incumbent
22 workers in upgrading their skills.

23 (4) If funds appropriated are not adequate to provide
24 the maximum allowable award to each eligible applicant, full
25 awards must be provided in the order of priority established
26 by Workforce Florida, Inc. Awards must not be reduced to
27 increase the number of recipients.

28 (5) A recipient who is pursuing a baccalaureate degree
29 shall receive \$100 for each lower-division credit hour in
30 which the student is enrolled at an eligible college or
31 university, up to a maximum of \$1,500 per semester, and \$200

1 for each upper-division credit hour in which the student is
2 enrolled at an eligible college or university, up to a maximum
3 of \$3,000 per semester. For purposes of this section, a
4 student is pursuing a baccalaureate degree if he or she is in
5 a program that articulates into a baccalaureate degree program
6 by agreement of the Articulation Coordinating Committee. A
7 student in an applied technology diploma program, a
8 certificate career education program, or a degree career
9 education program that does not articulate into a
10 baccalaureate degree program shall receive \$2 for each
11 vocational contact hour, or the equivalent, for certificate
12 programs, or \$60 for each credit hour, or the equivalent, for
13 degree career education programs and applied technology
14 programs for which the student is enrolled at an eligible
15 college, technical center, or nonpublic career education
16 school.

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

23 (7) If a recipient who is enrolled in a baccalaureate
24 degree or a degree career education program that articulates
25 into a baccalaureate degree program transfers from one
26 eligible institution to another and continues to meet
27 eligibility requirements, the award shall be transferred with
28 the student.

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

31

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

3 Section 15. Section 445.0121, Florida Statutes, is
4 created to read:

5 445.0121 Student eligibility requirements for initial
6 awards.--

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

10 (a)1. Have been a resident of this state for purposes
11 other than to obtain an education for the previous 3 years; or

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

15 a. The student is enrolled full-time in the
16 early-admission program of an eligible postsecondary education
17 institution or completes a home-education program in
18 accordance with s. 232.0201; or

19 b. The student earns a high school diploma from a
20 non-Florida school while living with a parent or guardian who
21 is on military or public service assignment outside this
22 state.

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

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

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

30
31

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

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

6 (a) Have been a resident of this state for the
7 previous 3 years for purposes other than to obtain an
8 education.

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

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

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

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

20 (b) Be enrolled in an eligible diploma, certificate,
21 or degree career education program, as specified in s.
22 445.0124.

23 Section 16. Section 445.0122, Florida Statutes, is
24 created to read:

25 445.0122 Student eligibility requirements for renewal
26 awards.--

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

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

1 (b) Maintain the equivalent of a grade point average
2 of at least 2.75 on a 4.0 scale for all postsecondary
3 education work.

4 (2) A student who is enrolled in a program that
5 terminates in a baccalaureate degree or who is enrolled in an
6 associate degree program that articulates into a baccalaureate
7 degree may receive an award for a maximum of 110 percent of
8 the number of credit hours required to complete the program.

9 (3) To be eligible to renew an incentive grant for an
10 applied technology diploma program or a certificate or degree
11 career education program that does not articulate into a
12 baccalaureate degree program, a student must have successfully
13 attained the last occupational completion point attempted. If
14 an occupational completion point requires more than one term
15 to complete, a student may receive grants for the additional
16 terms if the institution reports that the student is making
17 adequate progress toward completion.

18 (4) A student who is enrolled in a program that
19 terminates in an applied technology diploma or a certificate
20 or degree career education program that does not articulate
21 into a baccalaureate degree program may receive an award for a
22 maximum of 110 percent of the credit hours or clock hours
23 required to complete the program, up to 90 semester credit
24 hours or the equivalent in quarter or clock hours.

25 (5) A student maintains eligibility for an award for 4
26 years following receipt of the initial award for courses in
27 the lower division and 4 years following receipt of the
28 initial award for courses in the upper division. For purposes
29 of this subsection, lower-division courses include courses in
30 an eligible applied technology diploma program or a
31 certificate or degree career education program that does not

1 articulate into a baccalaureate degree program by agreement of
2 the Articulation Coordinating Committee, as well as courses in
3 associate in arts and associate in science degree programs
4 that articulate into a baccalaureate degree program.

5 Section 17. Section 445.0123, Florida Statutes, is
6 created to read:

7 445.0123 Eligible postsecondary education
8 institutions.--A student is eligible for an award or the
9 renewal of an award from the Careers for Florida's Future
10 Incentive Grant Program if the student meets the requirements
11 for the program as described in ss. 445.012-445.0125 and is
12 enrolled in a postsecondary education institution that meets
13 the description of any one of the following:

14 (1) A public university, community college, or
15 technical center in this state.

16 (2) An independent college or university in this state
17 which is recognized by the United States Department of
18 Education and has operated in this state for at least 3 years.

19 (3) An independent postsecondary education institution
20 in this state which is chartered in Florida and accredited by
21 the Commission on Colleges of the Southern Association of
22 Colleges and Schools.

23 (4) An independent postsecondary education institution
24 in this state which is licensed by the State Board of
25 Independent Colleges and Universities and which:

26 (a) Shows evidence of sound financial condition; and

27 (b) Has operated in this state for at least 3 years
28 without having its approval, accreditation, or license placed
29 on probation.

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1 (4) An independent postsecondary education institution
2 in this state which is licensed by the State Board of
3 Nonpublic Career Education and which:

4 (a) Has a program-completion and placement rate of at
5 least the rate required by current state law, the Florida
6 Administrative Code, or the Department of Education for an
7 institution at its level;

8 (b) Shows evidence of sound financial condition; and

9 (c)1. Is accredited at the institutional level by an
10 accrediting agency recognized by the United States Department
11 of Education and has operated in this state for at least 3
12 years during which there has been no complaint for which
13 probable cause has been found; or

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

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

19 445.0124 Eligible programs.--

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

22 (2) Eligible lower-division programs are those
23 programs that prepare a student for admission to a degree
24 program that prepares students for employment in targeted
25 career occupations listed in subsection (3). These programs
26 include any associate in science degree program that
27 articulates into a baccalaureate degree program by agreement
28 of the Articulation Coordinating Committee.

29 (3) Eligible upper-division programs are those
30 programs that prepare students for employment in targeted
31 career occupations in one of the following business sectors:

1 information technology/telecommunications, biomedical
2 technology, manufacturing-electronics, and
3 aviation/transportation. Workforce Florida, Inc., must
4 determine eligible programs within these sectors annually in
5 cooperation with the Board of Regents.

6 (4) Eligible career education programs are those
7 programs in the following business sectors: information
8 technology/telecommunications, biomedical technology,
9 manufacturing-electronics, aviation/transportation, and
10 skilled building trades. Workforce Florida, Inc., must
11 determine eligible programs within these sectors annually in
12 cooperation with the State Board of Community Colleges and the
13 Department of Education.

14 Section 19. Section 445.0125, Florida Statutes, is
15 created to read:

16 445.0125 Repayment schedule.--

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

20 (a) Repayment must begin:

21 1. One year after completion of the program of
22 studies, unless the recipient is employed in an eligible
23 occupation; or

24 2. One year after the student is no longer enrolled in
25 an eligible institution.

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

30 (c) The State Board of Education shall adopt by rule
31 repayment schedules.

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

3 (a) To repay an incentive grant for upper-division or
4 lower-division courses that lead to a baccalaureate degree, a
5 student must earn the baccalaureate degree and then maintain
6 employment in an eligible occupation in this state for 1 year
7 for each year in which the grant was received for full-time
8 enrollment. If the student's actual enrollment was part-time,
9 the grant repayment shall be calculated as the length of time
10 required to complete the program based on full-time
11 enrollment.

12 (b) For an incentive grant for a program that
13 generates credit toward an occupational completion point, a
14 certificate, or a career education degree that does not
15 articulate into a baccalaureate degree, a student must
16 complete the program and maintain employment in an eligible
17 occupation in this state for 6 months for every semester of
18 full-time enrollment in the program. If the student's actual
19 enrollment in the program was part-time, the grant repayment
20 shall be calculated as the length of time required to complete
21 the program based on full-time enrollment, based on 6 months
22 for each semester.

23 (3) Any incentive grant recipient who does not remain
24 employed in an eligible occupation in this state must repay
25 the loan plus accrued annual interest at the rate of the
26 3-month United States Treasury Bill, plus 2.3 percent.

27 (4) An incentive grant recipient may receive repayment
28 credit for eligible employment rendered at any time during the
29 scheduled repayment period. However, this repayment credit is
30 applicable only to the current principal and accrued interest
31 balance that remains at the time the repayment credit is

1 earned. An incentive grant recipient may not be reimbursed for
2 previous cash payments of principal and interest.

3 Section 20. Section 445.0128, Florida Statutes, is
4 created to read:

5 445.0128 Workplace education.--

6 (1) Each school board and community college board of
7 trustees may apply to Workforce Florida, Inc., for a workplace
8 education grant. An applicant shall include in the grant
9 application a description of the workplace education program.
10 Workforce Florida, Inc., shall give priority to applications
11 that include:

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

14 (b) A program that makes attendance convenient to the
15 workplace by conducting instructional activities at or near
16 the workplace and by providing electronic access to
17 instructional assistance. Additional consideration must be
18 given to a program that provides for transportation within
19 existing resources.

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

22 (d) A program that will be conducted jointly by one or
23 more school districts and the community college that serves
24 the region.

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

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

6 (4) A program must be designed to meet the needs of
7 the employers for continued education and training of
8 incumbent workers and may consist of instruction in adult
9 general education or vocational education, or both. Components
10 of the program must be conducted on site at the workplace or
11 at a site and at times convenient to the employees of the
12 firms that participate in the program.

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

16 Section 21. Section 445.013, Florida Statutes, is
17 created to read:

18 445.013 Challenge grants in support of welfare-to-work
19 initiatives.--

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

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

1 government in this program. Eligible organizations include,
2 but are not limited to:

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

5 (b) Faith-based organizations;

6 (c) Community-development or community-improvement
7 organizations;

8 (d) College or university alumni organizations or
9 fraternities or sororities;

10 (e) Community-based organizations dedicated to
11 addressing the challenges of inner city, rural, or minority
12 youth;

13 (f) Chambers of commerce or similar business or civic
14 organizations;

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

17 (h) Municipalities, counties, or other units of
18 government;

19 (i) Private businesses; and

20 (j) Other organizations deemed appropriate by
21 Workforce Florida, Inc.

22 (3) If an eligible organization pledges to sponsor an
23 individual in postemployment education or training approved by
24 Workforce Florida, Inc., by providing the match of nonfederal
25 funds required under the federal welfare-to-work grant
26 program, Workforce Florida, Inc., shall earmark
27 welfare-to-work funds in support of the sponsored individual
28 and the designated training or education project. Workforce
29 Florida, Inc., and the eligible organization shall enter into
30 an agreement governing the disbursement of funds which
31 specifies the services to be provided for the benefit of the

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

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

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

19 Section 22. Section 445.014, Florida Statutes, is
20 created to read:

21 445.014 Small business workforce service initiative.--

22 (1) Subject to legislative appropriation, Workforce
23 Florida, Inc., shall establish a program to encourage regional
24 workforce development boards to establish one-stop delivery
25 systems that maximize the provision of workforce and
26 human-resource support services to small businesses. Under the
27 program, a regional workforce board may apply, on a
28 competitive basis, for funds to support the provision of such
29 services to small businesses through the region's one-stop
30 delivery system.

31

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

3 (a) Identifying common training needs among small
4 businesses;

5 (b) Developing curriculum to address common training
6 needs among small businesses;

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

9 (d) Assisting small businesses to identify incentives
10 and complete applications or other paperwork associated with
11 such incentives; and

12 (e) Establishing a single point of contact for the
13 provision of preemployment and postemployment services to
14 small businesses.

15 (3) Workforce Florida, Inc., shall establish
16 guidelines governing the administration of this program and
17 shall establish criteria to be used in evaluating applications
18 for funding. Such criteria must include, but need not be
19 limited to, a showing that the regional board has in place a
20 detailed plan for establishing a one-stop delivery system
21 designed to meet the workforce needs of small businesses and
22 for leveraging other funding sources in support of such
23 activities.

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

31

1 Section 23. Section 445.015, Florida Statutes, is
2 created to read:

3 445.015 Initiatives supporting economic development
4 for working poor families.--

5 (1) The Legislature finds that the ability of needy
6 persons in this state to achieve economic self-sufficiency
7 depends upon the existence of sufficient employment
8 opportunities with potential for career advancement. The
9 Legislature further finds that the ability of new and
10 expanding businesses to create such employment opportunities
11 depends significantly upon the availability of skilled
12 workers. Recognizing the interrelationship between economic
13 development and workforce development, it is the intent of the
14 Legislature to support innovative economic-development
15 projects that have been identified as having an impact on the
16 employment of needy persons in this state.

17 (2) Subject to legislative appropriation, Workforce
18 Florida, Inc., shall establish a program to provide funding in
19 support of economic-development projects that have a
20 significant potential for the employment of individuals in
21 families that are at risk of welfare dependency because the
22 family's income does not exceed 200 percent of the federal
23 poverty level. Workforce Florida, Inc., shall adopt guidelines
24 for administering this program and shall establish criteria
25 governing the evaluation of funding proposals submitted under
26 this program. Workforce Florida, Inc., shall consult with
27 Enterprise Florida, Inc., in developing such guidelines and
28 criteria, and shall include representatives of Enterprise
29 Florida, Inc., on a team to review funding proposals.

30 (3) To be eligible for funding under this section, a
31 proposal must be submitted jointly by a regional workforce

1 board and a local or regional economic development
2 organization. Funding proposals may be submitted to Workforce
3 Florida, Inc., throughout the fiscal year. Priority shall be
4 given to proposals submitted jointly by two or more regions
5 which are designed to address issues that cross regional
6 boundaries.

7 (4) Each project that receives funding under this
8 section must meet performance standards specified in the
9 project's contract. Failure to fulfill all performance
10 expectations will result in imposition of financial sanctions
11 and in loss of eligibility for receipt of future project
12 funding.

13 Section 24. Pilot grant program for youth
14 internships.--

15 (1) Subject to legislative appropriation, Workforce
16 Florida, Inc., shall establish a pilot matching grant program
17 that is designed to encourage businesses to employ, train, and
18 mentor financially needy youth through internships completed
19 under the direct supervision of the eligible business. Under
20 this program, Workforce Florida, Inc., may award grants to an
21 eligible business for the benefit of a named eligible youth.

22 (2) Grant funds awarded under this program shall be
23 used to supplement the stipend of the eligible youth and must
24 be matched by contributions from the eligible business. The
25 maximum grant amount that may be awarded on behalf of a single
26 eligible youth at one time is \$2,000. Workforce Florida, Inc.,
27 may establish limitations on the total number of internship
28 grants that may be awarded to a single eligible business or
29 that may be awarded on behalf of a single eligible youth.

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

4 (4) An eligible youth under this program includes a
5 student between the ages of 15 and 18 who is currently
6 enrolled at a high school in Florida and who has not been
7 previously employed within the preceding 12 months by the
8 eligible business, or a successor business, applying for
9 matching funds under this program. The youth must be a member
10 of a family that includes a parent with one or more minor
11 children or a caretaker with one or more minor children and
12 that is at risk of welfare dependency because the family's
13 income does not exceed 200 percent of the federal poverty
14 level.

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

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

19 2. The anticipated number of hours per week the
20 eligible youth will work;

21 3. The total hourly stipend to be paid to eligible
22 youth, with a description of the portion of the stipend
23 proposed to be paid by the eligible business and the portion
24 of the stipend proposed to be paid by the state;

25 4. The anticipated term of the internship;

26 5. The training and supervision to be provided by the
27 eligible business;

28 6. The impact of the grant funds on the ability of the
29 eligible business to employ the eligible youth through the
30 internship; and

31

1 7. The prospects for unsubsidized employment of the
2 youth after the internship period concludes.

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

7 (6) Workforce Florida, Inc., shall establish
8 guidelines governing the administration of this program which
9 facilitate access to the program by businesses and shall
10 establish criteria to be used in evaluating an application for
11 funding and the internship plan accompanying the application
12 as required under subsection (5). Such criteria must include,
13 but need not be limited to:

14 (a) The nature of the work to be performed by the
15 eligible youth;

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

18 (c) Whether the eligible business is classified in one
19 of the business sectors identified by Enterprise Florida,
20 Inc., as being strategically important to the economic
21 development efforts of the state or is classified in a
22 business sector identified as being strategically important to
23 the particular regional or local area in which the business is
24 located;

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

27 (e) The demonstrated need of the eligible business and
28 the amount of matching funds to be provided by the eligible
29 business; and

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

4 (7) Before allocating funds for any grant application
5 under this program, Workforce Florida, Inc., shall execute a
6 simplified grant agreement with the eligible business. Such
7 agreement must include provisions for Workforce Florida, Inc.,
8 to have access to information about the performance of
9 eligible youth upon completion of the internship.

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

14 (9) Before the 2002 legislative session, Workforce
15 Florida, Inc., shall prepare a report describing the outcomes
16 of the pilot program authorized under this section. The report
17 must include a recommendation as to whether the Legislature
18 should continue to fund the program and on any changes
19 necessary to enhance the program. The report must be submitted
20 to the Governor, the President of the Senate, and the Speaker
21 of the House of Representatives by January 31, 2002.

22 Section 25. Pilot projects for incumbent workers with
23 disabilities.--There is established in three counties pilot
24 programs of targeted services for incumbent workers with
25 disabilities. These pilot programs are intended to offer
26 specialized services to individuals with disabilities who are
27 employed to assist them in overcoming barriers to advancement
28 into higher paying jobs which are particular to their
29 disability. The specialized services include, but are not
30 limited to, case management, assistive technology devices,
31 consultation with employers, specialized training, limited job

1 coaching, referrals to continued training or other existing
2 services, and assistance with transportation. The provision of
3 these services shall be based on individual need and may range
4 from one-time assistance to intensive on-going supports. The
5 three counties identified for the pilot programs should
6 reflect a diversification of geographic locations and urban
7 and rural communities. Workforce Florida, Inc., shall develop
8 guidelines for the pilot programs, in consultation with the
9 Occupational Access and Opportunity Commission, including
10 delivery of service that allows maximum flexibility in
11 achieving advancement into higher paying jobs for individuals
12 with disabilities who are employed.

13 Section 26. Section 288.9955, Florida Statutes, is
14 transferred, renumbered as section 445.016, Florida Statutes,
15 and amended to read:

16 445.016 ~~288.9955~~ Untried Worker Placement and
17 Employment Incentive Act.--

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

20 (2) For purposes of this section, the term "untried
21 worker" means a person who is a hard-to-place participant in
22 the welfare-transition program ~~Work and Gain Economic~~
23 ~~Self-sufficiency Program (WAGES)~~ because he or she has
24 limitations associated with the long-term receipt of welfare
25 and difficulty in sustaining employment, particularly because
26 of physical or mental disabilities.

27 (3) Incentive payments may be made to for-profit or
28 not-for-profit agents selected by regional workforce boards
29 ~~local WAGES coalitions~~ who successfully place untried workers
30 in full-time employment for 6 months with an employer after
31 the employee successfully completes a probationary placement

1 of no more than 6 months with that employer. Full-time
2 employment that includes health care benefits will receive an
3 additional incentive payment.

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

8 (5) Incentives must be paid according to the incentive
9 schedule developed by Workforce Florida, Inc., the Department
10 of Management Services,~~the Department of Labor and Employment~~
11 ~~Security~~ and the Department of Children and Family Services
12 which costs the state less per placement than the state's
13 12-month expenditure on a welfare recipient.

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

25 (7) This section shall not be used for the purpose of
26 displacing or replacing an employer's regular employees, and
27 shall not interfere with executed collective bargaining
28 agreements. Untried workers shall be paid by the employer at
29 the same rate as similarly situated and assessed workers in
30 the same place of employment.

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

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

10 Section 27. Section 414.15, Florida Statutes, is
11 transferred, renumbered as section 445.017, Florida Statutes,
12 and amended to read:

13 445.017 ~~414.15~~ Diversion.--

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

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

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

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

31

1 (c) Screening applicants to respond to emergency
2 needs.

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

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

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

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

21 (5)~~(6)~~ The family receiving up-front diversion must
22 sign an agreement restricting the family from applying for
23 temporary cash assistance for 3 months, unless an emergency is
24 demonstrated to the department. If a demonstrated emergency
25 forces the family to reapply for temporary cash assistance
26 within 3 months after receiving a diversion payment, the
27 diversion payment shall be prorated over a 3-month ~~the 2-month~~
28 period and subtracted from any regular payment of temporary
29 cash assistance for which the family applicant may be
30 eligible.

31

1 Section 28. Section 445.018, Florida Statutes, is
2 created to read:

3 445.018 Diversion program to strengthen Florida's
4 families.--

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

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

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

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

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

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

30 (4) Each family that receives services under this
31 section must sign an agreement not to apply for temporary cash

1 assistance for 6 months following the receipt of services,
2 unless an unanticipated emergency situation arises. If a
3 family applies for temporary cash assistance without a
4 documented emergency, the family must repay the value of the
5 diversion services provided. Repayment may be prorated over 6
6 months and shall be paid through a reduction in the amount of
7 any monthly temporary cash assistance payment received by the
8 family.

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

13 Section 29. Section 414.159, Florida Statutes, is
14 transferred, renumbered as section 445.019, Florida Statutes,
15 and amended to read:

16 445.019 ~~414.159~~ Teen parent and pregnancy prevention
17 diversion program; eligibility for services.--The Legislature
18 recognizes that teen pregnancy is a major cause of dependency
19 on government assistance that often extends through more than
20 one generation. The purpose of the teen parent and pregnancy
21 prevention diversion program is to provide services to reduce
22 and avoid welfare dependency by reducing teen pregnancy,
23 reducing the incidence of multiple pregnancies to teens, and
24 by assisting teens in completing educational programs.

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

29 (2) Services provided under this program shall be
30 limited to services that are not considered assistance under
31 federal law or guidelines.

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

4 Section 30. Section 445.020, Florida Statutes, is
5 created to read:

6 445.020 Diversion programs; determination of need.--If
7 federal regulations require a determination of needy families
8 or needy parents to be based on financial criteria, such as
9 income or resources, for individuals or families who are
10 receiving services, one-time payments, or nonrecurring
11 short-term benefits, the Department of Children and Family
12 Services shall adopt rules to define such criteria. In such
13 rules, the department, subject to approval by the board of
14 directors of Workforce Florida, Inc., shall use the income
15 level established for Temporary Assistance for Needy Families
16 funds which are transferred for use under Title XX of the
17 Social Security Act. If federal regulations do not require a
18 financial determination for receipt of such benefits,
19 payments, or services, the criteria otherwise established in
20 this chapter shall be used.

21 Section 31. Section 414.155, Florida Statutes, is
22 transferred, renumbered as section 445.021, Florida Statutes,
23 and amended to read:

24 445.021 ~~414.155~~ Relocation assistance program.--

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

1 established a program to assist families in relocating to
2 communities with greater opportunities for self-sufficiency.

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

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

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

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

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

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

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

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

30 (c) Establishment of a relocation plan that ~~which~~
31 includes such requirements as are necessary to prevent abuse

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

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

14 (e) Monitoring the relocation.

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

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

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

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

11 Section 32. Section 414.223, Florida Statutes, is
12 transferred, renumbered as section 445.022, Florida Statutes,
13 and amended to read:

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

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

31

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

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

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

15 Section 33. Section 414.18, Florida Statutes, is
16 transferred, renumbered as section 445.023, Florida Statutes,
17 and amended to read:

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

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

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

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

29 (c) The family meets the income guidelines established
30 under s. 402.3015. Financial eligibility for this program
31 shall be based solely on the guidelines used for subsidized

1 child care, notwithstanding any financial eligibility criteria
2 to the contrary in s. 414.075, s. 414.085, or s. 414.095.

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

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

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

22 (5) Notwithstanding any provision of s. 414.105 to the
23 contrary, the time limitation on receipt of assistance under
24 this section shall be the limit established pursuant to s.
25 408(a)(7) of the Social Security Act, as amended, 42 U.S.C. s.
26 608(a)(7).

27 Section 34. Section 445.024, Florida Statutes, is
28 created to read:

29 445.024 Work requirements.--

30 (1) WORK ACTIVITIES.--The following activities may be
31 used individually or in combination to satisfy the work

1 requirements for a participant in the temporary cash
2 assistance program:

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

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

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

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

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

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

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

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

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

29 (d) Community service work experience.--Community
30 service work experience is job training experience at a
31 supervised public or private not-for-profit agency. A

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

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

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

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

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

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

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

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

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

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

26
27 Job readiness assistance may also include providing a
28 participant with access to an employment resource center that
29 contains job listings, telephones, facsimile machines,
30 typewriters, and word processors. Job search and job readiness
31 activities may be used in conjunction with other program

1 activities, such as work experience, but may not be the
2 primary work activity for longer than the length of time
3 permitted under federal law.

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

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

1 program leading to a high school diploma shall not be
2 considered vocational education for purposes of this section.

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

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

31

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

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

- 15 1. Has not completed high school or obtained a high
16 school equivalency diploma;
- 17 2. Is a dependent child or a head of household; and
- 18 3. For whom it has not been determined that another
19 program activity is more appropriate.

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

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

1 provision, a regional workforce board must continue to exceed
2 the overall federal work participation rate requirements. For
3 purposes of this paragraph, the board of directors of
4 Workforce Florida, Inc., may adjust the regional participation
5 requirement based on regional caseload decline. However, this
6 adjustment is limited to no more than the adjustment produced
7 by the calculation used to generate federal adjustments to the
8 participation requirement due to caseload decline.

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

10 1. If a work-eligible adult recipient of temporary
11 cash assistance does not have a high school diploma or has not
12 received a general equivalency diploma (GED), time spent
13 attending secondary school or a course of study leading to a
14 GED may count toward the recipient's minimum monthly
15 work-participation requirement.

16 2. If literacy is a barrier to employment for a
17 work-eligible adult recipient of temporary cash assistance,
18 time spent in adult education courses related to literacy or
19 in courses in English-language proficiency may count toward
20 the recipient's minimum monthly work-participation
21 requirement.

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

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

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

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

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

24 (a) A minor child under age 16.

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

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

30 (d) One custodial parent with a child under 3 months
31 of age, except that the parent may be required to attend

1 parenting classes or other activities to better prepare for
2 the responsibilities of raising a child. If the custodial
3 parent is age 19 or younger and has not completed high school
4 or the equivalent, he or she may be required to attend school
5 or other appropriate educational activities.

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

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

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

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

22 (d) Priority may be assigned based on the amount of
23 time remaining until the participant reaches the applicable
24 time limit for program participation or may be based on
25 requirements of a case plan.

26
27 Regional workforce boards may limit a participant's weekly
28 work requirement to the minimum required to meet federal work
29 activity requirements in lieu of the level defined in
30 subsection (2). Regional workforce boards may develop
31 screening and prioritization procedures based on the

1 allocation of resources, the availability of community
2 resources, or the work activity needs of the service district.

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

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

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

24 (c) Notwithstanding the exemption from the competitive
25 sealed bid requirements provided in s. 287.057(3)(f) for
26 certain contractual services, each contract awarded under this
27 chapter must be awarded on the basis of a competitive sealed
28 bid, except for a contract with a governmental entity as
29 determined by the regional workforce board.

30 (d) Regional workforce boards may contract with
31 commercial, charitable, or religious organizations. A contract

1 must comply with federal requirements with respect to
2 nondiscrimination and other requirements that safeguard the
3 rights of participants. Services may be provided under
4 contract, certificate, voucher, or other form of disbursement.

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

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

18 (g) 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 (6) PROTECTIONS FOR PARTICIPANTS.--Each participant is
24 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 welfare-transition
28 program.

29 (7) PROTECTION FOR CURRENT EMPLOYEES.--In establishing
30 and contracting for work experience and community service
31 activities, other work experience activities, on-the-job

1 training, subsidized employment, and work supplementation
2 under the welfare-transition program, an employed worker may
3 not be displaced, either completely or partially. A
4 participant may not be assigned to an activity or employed in
5 a position if the employer has created the vacancy or
6 terminated an existing employee without good cause in order to
7 fill that position with a program participant.

8 (8) CONTRACTS FOR VOCATIONAL ASSESSMENTS AND WORK
9 EVALUATIONS.--Vocational assessments or work evaluations by
10 the Division of Vocational Rehabilitation pursuant to this
11 section shall be performed under contract with the regional
12 workforce boards.

13 Section 35. Section 414.20, Florida Statutes, is
14 transferred, renumbered as section 445.025, Florida Statutes,
15 and amended to read:

16 445.025 ~~414.20~~ Other support services.--Support
17 services shall be provided, if resources permit, to assist
18 participants in complying with work activity requirements
19 outlined in s. 445.024 ~~s. 414.065~~. If resources do not permit
20 the provision of needed support services, the regional
21 workforce board ~~department and the local WAGES coalition~~ may
22 prioritize or otherwise limit provision of support services.
23 This section does not constitute an entitlement to support
24 services. Lack of provision of support services may be
25 considered as a factor in determining whether good cause
26 exists for failing to comply with work activity requirements
27 but does not automatically constitute good cause for failing
28 to comply with work activity requirements, and does not affect
29 any applicable time limit on the receipt of temporary cash
30 assistance or the provision of services under ~~this~~ chapter
31

1 414. Support services shall include, but need not be limited
2 to:

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

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

28 (b) Transportation disadvantaged funds as defined in
29 chapter 427 do not include ~~WAGES~~ support services funds or
30 funds appropriated to assist persons eligible under the Job
31 Training Partnership Act. It is the intent of the Legislature

1 that ~~local WAGES coalitions and~~ regional workforce development
2 boards consult with local community transportation
3 coordinators designated under chapter 427 regarding the
4 availability and cost of transportation services through the
5 coordinated transportation system prior to contracting for
6 comparable transportation services outside the coordinated
7 system.

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

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

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

28 Section 36. Section 414.1525, Florida Statutes, is
29 transferred, renumbered as section 445.026, Florida Statutes,
30 and amended to read:

31

1 445.026 ~~414.1525~~ Cash assistance severance benefit
2 ~~WAGES early exit diversion program.~~--An individual who meets
3 the criteria listed in this section may choose to receive a
4 lump-sum payment in lieu of ongoing cash assistance payments,
5 provided the individual:
6 (1) Is employed and is receiving earnings, ~~and would~~
7 ~~be eligible to receive cash assistance in an amount less than~~
8 ~~\$100 per month given the WAGES earnings disregard.~~
9 (2) Has received cash assistance for at least 6 ~~3~~
10 consecutive months.
11 (3) Expects to remain employed for at least 6 months.
12 (4) Chooses to receive a one-time, lump-sum payment in
13 lieu of ongoing monthly payments.
14 (5) Provides employment and earnings information to
15 the regional workforce board department, so that the regional
16 workforce board department can ensure that the family's
17 eligibility for severance ~~transitional~~ benefits can be
18 evaluated.
19 (6) Signs an agreement not to apply for or accept cash
20 assistance for 6 months after receipt of the one-time payment.
21 In the event of an emergency, such agreement shall provide for
22 an exception to this restriction, provided that the one-time
23 payment shall be deducted from any cash assistance for which
24 the family subsequently is approved. This deduction may be
25 prorated over an 8-month period. The board of directors of
26 Workforce Florida, Inc., department shall adopt criteria rules
27 defining the conditions under which a family may receive cash
28 assistance due to such emergency.
29
30 Such individual may choose to accept a one-time, lump-sum
31 payment of \$1,000 in lieu of receiving ongoing cash

1 assistance. Such payment shall only count toward the time
2 limitation for the month in which the payment is made in lieu
3 of cash assistance. A participant choosing to accept such
4 payment shall be terminated from cash assistance. However,
5 eligibility for Medicaid, food stamps, or child care shall
6 continue, subject to the eligibility requirements of those
7 programs.

8 Section 37. Section 445.028, Florida Statutes, is
9 created to read:

10 445.028 Transitional benefits and services.--In
11 cooperation with Workforce Florida, Inc., the Department of
12 Children and Family Services shall develop procedures to
13 ensure that families leaving the temporary cash assistance
14 program receive transitional benefits and services that will
15 assist the family in moving toward self-sufficiency. At a
16 minimum, such procedures must include, but are not limited to,
17 the following:

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

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

29 (3) The department, in consultation with the board of
30 directors of Workforce Florida, Inc., shall develop
31 informational material, including posters and brochures, to

1 better inform families about the availability of transitional
2 benefits and services.

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

8 Section 38. Section 414.21, Florida Statutes, is
9 transferred, renumbered as section 445.029, Florida Statutes,
10 and amended to read:

11 445.029 ~~414.21~~ Transitional medical benefits.--

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

17 (a) The family shall be denied Medicaid during the
18 12-month period for any month in which the family does not
19 include a dependent child.

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

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

30
31

1 Section 39. Section 414.22, Florida Statutes, is
2 transferred, renumbered as section 445.030, Florida Statutes,
3 and amended to read:

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

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

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

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

1 training to prepare a participant for employment in another
2 occupation.

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

10 Section 40. Section 414.225, Florida Statutes, is
11 transferred, renumbered as section 445.031, Florida Statutes,
12 and amended to read:

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

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

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

30 Section 41. Section 445.032, Florida Statutes, is
31 created to read:

1 445.032 Transitional child care.--In order to assist
2 former recipients of temporary cash assistance in maintaining
3 and sustaining employment or educational opportunities, child
4 care services may be provided, pursuant to s. 402.3015(3), for
5 up to 2 years after the family is no longer receiving
6 temporary cash assistance. This does not constitute an
7 entitlement to transitional child care services. If funds are
8 not sufficient to provide services under this section,
9 regional workforce boards may limit or prioritize child care
10 services.

11 Section 42. Section 414.23, Florida Statutes, is
12 transferred, renumbered as section 445.033, Florida Statutes,
13 and amended to read:

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

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

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

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

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

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

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

1 respect to the state, district, or county, or other substate
2 area.

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

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

9 Section 43. Section 445.034, Florida Statutes, is
10 created to read:

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

25 Section 44. Section 414.44, Florida Statutes, is
26 transferred, renumbered as section 445.035, Florida Statutes,
27 and amended to read:

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

1 and make the reports required under federal law to the United
2 States Department of Health and Human Services and the United
3 States Department of Agriculture.

4 Section 45. Section 414.025, Florida Statutes, is
5 amended to read:

6 414.025 Legislative intent.--

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

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

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

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

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

27 Section 46. Section 414.0252, Florida Statutes, is
28 amended to read:

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

31

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

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

6 (3) "Department" means the Department of Children and
7 Family Services.

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

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

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

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

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

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

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

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

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

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

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

28 ~~(12) "Services and one-time payments" or "services,"~~
29 ~~when used in reference to individuals who are not receiving~~
30 ~~temporary cash assistance, means nonrecurrent, short-term~~
31 ~~benefits designed to deal with a specific crisis situation or~~

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

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

15 Section 47. Section 414.045, Florida Statutes, is
16 amended to read:

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

25 (1) For reporting purposes, families receiving cash
26 assistance shall be grouped in the following categories. The
27 department may develop additional groupings in order to comply
28 with federal reporting requirements, to comply with the
29 data-reporting needs of the ~~WAGES Program State~~ board of
30 directors of Workforce Florida, Inc., or to better inform the
31 public of program progress. Program reporting data shall

1 include, but not necessarily be limited to, the following
2 groupings:

3 (a) Work-eligible ~~WAGES~~ cases.--Work-eligible ~~WAGES~~
4 cases shall include:

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

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

16 3. Families participating in transition assistance
17 programs.

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

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

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

29 2. Families in the Relative Caregiver Program as
30 provided in s. 39.5085.

31

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

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

24
25 Families described in subparagraph 1., subparagraph 2., or
26 subparagraph 3. may receive child care assistance or other
27 supports or services so that the children may continue to be
28 cared for in their own homes or the homes of relatives. Such
29 assistance or services may be funded from the temporary
30 assistance for needy families block grant to the extent
31

1 permitted under federal law and to the extent permitted by
2 appropriation of funds.

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

14 Section 48. Section 414.065, Florida Statutes, is
15 amended to read:

16 414.065 Noncompliance with work requirements.--

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

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

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

31

1 ~~1. Work supplementation.--A work supplementation~~
2 ~~subsidy diverts a participant's temporary cash assistance~~
3 ~~under the program to the employer. The employer must pay the~~
4 ~~participant wages that equal or exceed the applicable federal~~
5 ~~minimum wage. Work supplementation may not exceed 6 months. At~~
6 ~~the end of the supplementation period, the employer is~~
7 ~~expected to retain the participant as a regular employee~~
8 ~~without receiving a subsidy. A work supplementation agreement~~
9 ~~may not be continued with any employer who exhibits a pattern~~
10 ~~of failing to provide participants with continued employment~~
11 ~~after the period of work supplementation ends.~~

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

25 ~~3. Incentive payments.--The department and local WAGES~~
26 ~~coalitions may provide additional incentive payments to~~
27 ~~encourage employers to employ program participants. Incentive~~
28 ~~payments may include payments to encourage the employment of~~
29 ~~hard-to-place participants, in which case the amount of the~~
30 ~~payment shall be weighted proportionally to the extent to~~
31 ~~which the participant has limitations associated with the~~

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

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

25 ~~5. WAGES training bonus.--An employer who hires a~~
26 ~~WAGES participant who has less than 6 months of eligibility~~
27 ~~for temporary cash assistance remaining and who pays the~~
28 ~~participant a wage that precludes the participant's~~
29 ~~eligibility for temporary cash assistance may receive \$240 for~~
30 ~~each full month of employment for a period that may not exceed~~
31 ~~3 months. An employer who receives a WAGES training bonus for~~

1 ~~an employee may not receive a work supplementation subsidy for~~
2 ~~the same employee. Employment is defined as 35 hours per week~~
3 ~~at a wage of no less than minimum wage.~~

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

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

31

1 ~~solving, and by learning to attain a balance between job and~~
2 ~~personal responsibilities. Community service is intended to:~~

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

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

7 ~~3. Fulfill a clinical practicum or internship~~
8 ~~requirement related to employment; or~~

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

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

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

31

1 ~~(f) Job search and job readiness assistance. Job~~
2 ~~search assistance may include supervised or unsupervised~~
3 ~~job-seeking activities. Job readiness assistance provides~~
4 ~~support for job-seeking activities, which may include:~~

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

7 ~~2. Instruction in completing an application for~~
8 ~~employment and writing a resume.~~

9 ~~3. Instruction in conducting oneself during a job~~
10 ~~interview, including appropriate dress.~~

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

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

22 ~~(g) Vocational education or training. Vocational~~
23 ~~education or training is education or training designed to~~
24 ~~provide participants with the skills and certification~~
25 ~~necessary for employment in an occupational area. Vocational~~
26 ~~education or training may be used as a primary program~~
27 ~~activity for participants when it has been determined that the~~
28 ~~individual has demonstrated compliance with other phases of~~
29 ~~program participation and successful completion of the~~
30 ~~vocational education or training is likely to result in~~
31 ~~employment entry at a higher wage than the participant would~~

1 ~~have been likely to attain without completion of the~~
2 ~~vocational education or training. Vocational education or~~
3 ~~training may be combined with other program activities and~~
4 ~~also may be used to upgrade skills or prepare for a higher~~
5 ~~paying occupational area for a participant who is employed.~~

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

21 ~~2. When possible, a provider of vocational education~~
22 ~~or training shall use funds provided by funding sources other~~
23 ~~than the department or the local WAGES coalition. Either~~
24 ~~department may provide additional funds to a vocational~~
25 ~~education or training provider only if payment is made~~
26 ~~pursuant to a performance-based contract. Under a~~
27 ~~performance-based contract, the provider may be partially paid~~
28 ~~when a participant completes education or training, but the~~
29 ~~majority of payment shall be made following the participant's~~
30 ~~employment at a specific wage or job retention for a specific~~
31 ~~duration. Performance-based payments made under this~~

1 ~~subparagraph are limited to education or training for targeted~~
2 ~~occupations identified by the Occupational Forecasting~~
3 ~~Conference under s. 216.136, or other programs identified by~~
4 ~~the Workforce Development Board as beneficial to meet the~~
5 ~~needs of designated groups, such as WAGES participants, who~~
6 ~~are hard to place. If the contract pays the full cost of~~
7 ~~training, the community college or school district may not~~
8 ~~report the participants for other state funding, except that~~
9 ~~the college or school district may report WAGES clients for~~
10 ~~performance incentives or bonuses authorized for student~~
11 ~~enrollment, completion, and placement.~~

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

22 ~~(i) Education services related to employment for~~
23 ~~participants 19 years of age or younger.--Education services~~
24 ~~provided under this paragraph are designed to prepare a~~
25 ~~participant for employment in an occupation. The department~~
26 ~~shall coordinate education services with the school-to-work~~
27 ~~activities provided under s. 229.595. Activities provided~~
28 ~~under this paragraph are restricted to participants 19 years~~
29 ~~of age or younger who have not completed high school or~~
30 ~~obtained a high school equivalency diploma.~~

31

1 ~~(j) School attendance.--Attendance at a high school or~~
2 ~~attendance at a program designed to prepare the participant to~~
3 ~~receive a high school equivalency diploma is a required~~
4 ~~program activity for each participant 19 years of age or~~
5 ~~younger who:~~

6 1. ~~Has not completed high school or obtained a high~~
7 ~~school equivalency diploma;~~

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

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

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

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

31

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

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

25 ~~(b) WAGES Program funds may be used, as available, to~~
26 ~~support the efforts of a participant who meets the work~~
27 ~~activity requirements and who wishes to enroll in or continue~~
28 ~~enrollment in an adult general education program or a career~~
29 ~~education program.~~

30
31

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

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

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

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

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

19 (1)(4) PENALTIES FOR NONPARTICIPATION IN WORK
20 REQUIREMENTS AND FAILURE TO COMPLY WITH ALTERNATIVE
21 REQUIREMENT PLANS.--The department shall establish procedures
22 for administering penalties for nonparticipation in work
23 requirements and failure to comply with the alternative
24 requirement plan. If an individual in a family receiving
25 temporary cash assistance fails to engage in work activities
26 required in accordance with s. 445.024 ~~this section~~, the
27 following penalties shall apply. Prior to the imposition of a
28 sanction, the participant shall be notified orally or in
29 writing that the participant is subject to sanction and that
30 action will be taken to impose the sanction unless the
31 participant complies with the work activity requirements. The

1 participant shall be counseled as to the consequences of
2 noncompliance and, if appropriate, shall be referred for
3 services that could assist the participant to fully comply
4 with program requirements. If the participant has good cause
5 for noncompliance or demonstrates satisfactory compliance, the
6 sanction shall not be imposed. If the participant has
7 subsequently obtained employment, the participant shall be
8 counseled regarding the transitional benefits that may be
9 available and provided information about how to access such
10 benefits. Notwithstanding provisions of this section to the
11 contrary, if the Federal Government does not allow food stamps
12 to be treated under sanction as provided in this section, the
13 department shall attempt to secure a waiver that provides for
14 procedures as similar as possible to those provided in this
15 section and shall administer sanctions related to food stamps
16 consistent with federal regulations.

17 (a)1. First noncompliance: temporary cash assistance
18 shall be terminated for the family until the individual who
19 failed to comply does so, and food stamp benefits shall not be
20 increased as a result of the loss of temporary cash
21 assistance.

22 2. Second noncompliance: temporary cash assistance
23 and food stamps shall be terminated for the family until the
24 individual demonstrates compliance in the required work
25 activity for a period of 30 days. Upon compliance, temporary
26 cash assistance and food stamps shall be reinstated to the
27 date of compliance.

28 3. Third noncompliance: temporary cash assistance and
29 food stamps shall be terminated for the family for 3 months.
30 The individual shall be required to demonstrate compliance in
31 the work activity upon completion of the 3-month penalty

1 period, before reinstatement of temporary cash assistance and
2 food stamps.

3 (b) If a participant receiving temporary cash
4 assistance who is otherwise exempted from noncompliance
5 penalties fails to comply with the alternative requirement
6 plan required in accordance with this section, the penalties
7 provided in paragraph (a) shall apply.

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

14 (2)~~(5)~~ CONTINUATION OF TEMPORARY CASH ASSISTANCE FOR
15 CHILDREN; PROTECTIVE PAYEES.--

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

24 (b) Protective payees shall be designated by the
25 department and may include:

26 1. A relative or other individual who is interested in
27 or concerned with the welfare of the child or children and
28 agrees in writing to utilize the assistance in the best
29 interest of the child or children.

30 2. A member of the community affiliated with a
31 religious, community, neighborhood, or charitable organization

1 who agrees in writing to utilize the assistance in the best
2 interest of the child or children.

3 3. A volunteer or member of an organization who agrees
4 in writing to fulfill the role of protective payee and to
5 utilize the assistance in the best interest of the child or
6 children.

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

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

25 (e) The department may pay incidental expenses or
26 travel expenses for costs directly related to performance of
27 the duties of a protective payee as necessary to implement the
28 provisions of this subsection.

29 (f) If the department is unable to designate a
30 qualified protective payee or authorized representative, a
31

1 referral shall be made under the provisions of chapter 39 for
2 protective intervention.

3 (3)~~(6)~~ PROPORTIONAL REDUCTION OF TEMPORARY CASH
4 ASSISTANCE RELATED TO PAY AFTER PERFORMANCE.--Notwithstanding
5 the provisions of subsection(1)~~(4)~~, if an individual is
6 receiving temporary cash assistance under a
7 pay-after-performance arrangement and the individual
8 participates, but fails to meet the full participation
9 requirement, then the temporary cash assistance received shall
10 be reduced and shall be proportional to the actual
11 participation. Food stamps may be included in a
12 pay-after-performance arrangement if permitted under federal
13 law.

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

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

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

29 2. Unavailability or unsuitability of informal child
30 care by a relative or under other arrangements.

31

1 3. Unavailability of appropriate and affordable formal
2 child care arrangements.

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

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

1 participation. The need for treatment and the expected
2 duration of such treatment must be verified by a physician
3 licensed under chapter 458 or chapter 459; a psychologist
4 licensed under s. 490.005(1), s. 490.006, or the provision
5 identified as s. 490.013(2) in s. 1, chapter 81-235, Laws of
6 Florida; a therapist as defined in s. 491.003(2) or (6); or a
7 treatment professional who is registered under s. 39.905(1)(g)
8 ~~s. 415.605(1)(g)~~, is authorized to maintain confidentiality
9 under s. 90.5036(1)(d), and has a minimum of 2 years
10 experience at a certified domestic violence center. An
11 exception granted under this paragraph does not constitute an
12 exception from the time limitations on benefits specified
13 under s. 414.105.

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

1 in medical or vocational assessment necessary to evaluate the
2 individual's ability to participate in a work activity.

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

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

22 (5)~~(8)~~ WORK ACTIVITY REQUIREMENTS FOR NONCUSTODIAL
23 PARENTS.--

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

31

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

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

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

12
13 If a noncustodial parent fails to comply with the case plan,
14 the noncustodial parent may be removed from program
15 participation.

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

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

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

31

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

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

7
8 ~~Local WAGES coalitions may limit a participant's weekly work~~
9 ~~requirement to the minimum required to meet federal work~~
10 ~~activity requirements in lieu of the level defined in~~
11 ~~subsection (2). The department and local WAGES coalitions may~~
12 ~~develop screening and prioritization procedures within service~~
13 ~~districts or within counties based on the allocation of~~
14 ~~resources, the availability of community resources, or the~~
15 ~~work activity needs of the service district.~~

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

21 ~~(a) All education and training provided under the~~
22 ~~WAGES Program shall be provided through agreements with~~
23 ~~regional workforce development boards.~~

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

30 ~~(c) A contract may include performance-based incentive~~
31 ~~payments that may vary according to the extent to which the~~

1 ~~participant is more difficult to place. Contract payments may~~
2 ~~be weighted proportionally to reflect the extent to which the~~
3 ~~participant has limitations associated with the long-term~~
4 ~~receipt of welfare and difficulty in sustaining employment.~~
5 ~~The factors may include the extent of prior receipt of~~
6 ~~welfare, lack of employment experience, lack of education,~~
7 ~~lack of job skills, and other factors determined appropriate~~
8 ~~by the department.~~

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

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

22 ~~(f) The administrative costs associated with a~~
23 ~~contract for services provided under this section may not~~
24 ~~exceed the applicable administrative cost ceiling established~~
25 ~~in federal law. An agency or entity that is awarded a contract~~
26 ~~under this section may not charge more than 7 percent of the~~
27 ~~value of the contract for administration, unless an exception~~
28 ~~is approved by the local WAGES coalition. A list of any~~
29 ~~exceptions approved must be submitted to the WAGES Program~~
30 ~~State Board of Directors for review, and the board may rescind~~
31 ~~approval of the exception. The WAGES Program State Board of~~

1 ~~Directors may also approve exceptions for any statewide~~
2 ~~contract for services provided under this section.~~

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

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

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

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

26 ~~(13) CONTRACTS FOR VOCATIONAL ASSESSMENTS AND WORK~~
27 ~~EVALUATIONS.--Vocational assessments or work evaluations by~~
28 ~~the Division of Vocational Rehabilitation pursuant to this~~
29 ~~section shall be performed under contract with the local WAGES~~
30 ~~coalitions.~~

31

1 Section 49. Section 414.085, Florida Statutes, is
2 amended to read:

3 414.085 Income eligibility standards.--For purposes of
4 program simplification and effective program management,
5 certain income definitions, as outlined in the food stamp
6 regulations at 7 C.F.R. s. 273.9, shall be applied to the
7 temporary cash assistance ~~WAGES~~ program as determined by the
8 department to be consistent with federal law regarding
9 temporary cash assistance and Medicaid for needy families,
10 except as to the following:

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

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

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

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

30 Section 50. Section 414.095, Florida Statutes, is
31 amended to read:

1 414.095 Determining eligibility for temporary cash
2 assistance ~~the WAGES Program~~.--

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

24 (2) ADDITIONAL ELIGIBILITY REQUIREMENTS.--

25 (a) To be eligible for services or temporary cash
26 assistance and Medicaid ~~under the WAGES Program~~:

- 27 1. An applicant must be a United States citizen, or a
28 qualified noncitizen, as defined in this section.
- 29 2. An applicant must be a legal resident of the state.
- 30 3. Each member of a family must provide to the
31 department the member's social security number or shall

1 provide proof of application for a social security number. An
2 individual who fails to provide to the department a social
3 security number, or proof of application for a social security
4 number, is not eligible to participate in the program.

5 4. A minor child must reside with a custodial parent
6 or parents or with a relative caretaker who is within the
7 specified degree of blood relationship as defined under this
8 chapter ~~the WAGES Program~~, or in a setting approved by the
9 department.

10 5. Each family must have a minor child and meet the
11 income and resource requirements of the program. All minor
12 children who live in the family, as well as the parents of the
13 minor children, shall be included in the eligibility
14 determination unless specifically excluded.

15 (b) The following members of a family are eligible to
16 participate in the program if all eligibility requirements are
17 met:

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

20 2. The parent of a minor child with whom the child
21 resides.

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

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

29 5. A pregnant woman.

30 (3) ELIGIBILITY FOR NONCITIZENS.--A "qualified
31 noncitizen" is an individual who is admitted to lawfully

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

1 (a) A child who is a qualified noncitizen or who was
2 born in the United States to an illegal or ineligible
3 noncitizen alien is eligible for temporary cash assistance
4 under this chapter if the family meets all eligibility
5 requirements.

6 (b) If the parent may legally work in this country,
7 the parent must participate in the work activity requirements
8 provided in s. 445.024 ~~s. 414.065~~, to the extent permitted
9 under federal law.

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

16 (d) The income of an illegal noncitizen alien or
17 ineligible noncitizen who is a mandatory member of a family
18 ~~alien~~, less a pro rata share for the illegal noncitizen alien
19 or ineligible noncitizen alien, counts in determining a
20 family's eligibility to participate in the program.

21 (e) The entire assets of an ineligible noncitizen
22 ~~alien~~ or a disqualified individual who is a mandatory member
23 of a family shall be included in determining the family's
24 eligibility.

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

28 (a) A family that does not contain a mutual minor
29 child has the option to include or exclude a stepparent in
30 determining eligibility if the stepparent's monthly gross
31

1 income is less than 185 percent of the federal poverty level
2 for a two-person family.

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

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

19 (b) A family that contains a mutual minor child does
20 not have the option to exclude a stepparent from the family,
21 and the income and resources from the stepparent shall be
22 included in determining eligibility.

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

28 (5) CARETAKER RELATIVES.--A family that contains a
29 caretaker relative of a minor child has the option to include
30 or exclude the caretaker relative in determining eligibility.
31 If the caretaker relative chooses to be included in the

1 family, the caretaker relative must meet all eligibility
2 requirements, including resource and income requirements, and
3 must comply with work activity requirements as provided in s.
4 445.024 ~~s. 414.065~~. If the caretaker relative chooses to be
5 excluded from the family, eligibility shall be determined for
6 the minor child based on the child's income and resources. The
7 level of temporary cash assistance for the minor child shall
8 be based on the shelter obligation paid to the caretaker
9 relative.

10 (6) PREGNANT WOMAN WITH NO OTHER CHILD.--Temporary
11 cash assistance for a pregnant woman is not available until
12 the last month of pregnancy. However, if the department
13 determines that a woman is restricted from work activities by
14 orders of a physician, temporary cash assistance shall be
15 available during the last trimester of pregnancy.

16 (7) CHILD SUPPORT ENFORCEMENT.--As a condition of
17 eligibility for public assistance, the family must cooperate
18 with the state agency responsible for administering the child
19 support enforcement program in establishing the paternity of
20 the child, if the child is born out of wedlock, and in
21 obtaining support for the child or for the parent or caretaker
22 relative and the child. Cooperation is defined as:

23 (a) Assisting in identifying and locating a
24 noncustodial parent and providing complete and accurate
25 information on that parent;

26 (b) Assisting in establishing paternity; and

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

29
30 This subsection does not apply if the state agency that
31 administers the child support enforcement program determines

1 that the parent or caretaker relative has good cause for
2 failing to cooperate.

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

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

20 (a) The beginning date of eligibility for temporary
21 cash assistance is the date on which the application is
22 approved or 30 days after the date of application, whichever
23 is earlier.

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

26 (c) The add date for all other individuals is the date
27 on which the client contacts the department to request that
28 the individual be included in the grant for temporary cash
29 assistance.

30 (d) Medicaid coverage for a recipient of temporary
31 cash assistance begins on the first day of the first month of

1 eligibility for temporary cash assistance, and such coverage
2 shall include any eligibility required by federal law which is
3 prior to the month of application.

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

7 (a) To participate in establishing eligibility by
8 providing facts with respect to circumstances that affect
9 eligibility and by obtaining, or authorizing the department
10 ~~and the Department of Labor and Employment Security~~ to obtain,
11 documents or information from others in order to establish
12 eligibility.

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

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

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

21 (e) To keep the department ~~and the Department of Labor~~
22 ~~and Employment Security~~ informed of any changes that could
23 affect eligibility.

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

26 (g) To receive information regarding services
27 available from certified domestic violence centers or
28 organizations that provide counseling and supportive services
29 to individuals who are past or present victims of domestic
30 violence or who are at risk of domestic violence and, upon
31

1 request, to be referred to such organizations in a manner
 2 which protects the individual's confidentiality.

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

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

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

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

14

15 The following chart depicts the levels of temporary cash
 16 assistance for implementation purposes:

17

18 THREE-TIER SHELTER PAYMENT STANDARD

19

20 Family	21 Zero Shelter	22 Greater than Zero	23 Greater than \$50
24 Size	25 Obligation	26 Less than or	27 Shelter
		28 Equal to \$50	29 Obligation
30 1	\$95	\$153	\$180
31 2	\$158	\$205	\$241
3 3	\$198	\$258	\$303
4 4	\$254	\$309	\$364
5 5	\$289	\$362	\$426
6 6	\$346	\$414	\$487
7 7	\$392	\$467	\$549
8 8	\$438	\$519	\$610

1	9	\$485	\$570	\$671
2	10	\$534	\$623	\$733
3	11	\$582	\$676	\$795
4	12	\$630	\$728	\$857
5	13	\$678	\$781	\$919

6
7 (12) DISREGARDS.--

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

- 12 1. A current participant in the program; or
13 2. Eligible for participation in the program without
14 the earnings disregard.

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

18 (13) CALCULATION OF LEVELS OF TEMPORARY CASH
19 ASSISTANCE.--

20 (a) Temporary cash assistance shall be calculated
21 based on average monthly gross family income, earned and
22 unearned, less any applicable disregards. The resulting
23 monthly net income amount shall be subtracted from the
24 applicable payment standard to determine the monthly amount of
25 temporary cash assistance.

26 (b) A deduction may not be allowed for child care
27 payments.

28 (14) METHODS OF PAYMENT OF TEMPORARY CASH

29 ASSISTANCE.--Temporary cash assistance may be paid as follows:

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

1 (b) Payment to an alternative payee.

2 (c) Payment for subsidized employment.

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

5 (15) PROHIBITIONS AND RESTRICTIONS.--

6 (a) A family without a minor child living in the home
7 is not eligible to receive temporary cash assistance or
8 services under this chapter. However, a pregnant woman is
9 eligible for temporary cash assistance in the ninth month of
10 pregnancy if all eligibility requirements are otherwise
11 satisfied.

12 (b) Temporary cash assistance, without shelter
13 expense, may be available for a teen parent who is a minor
14 child and for the child. Temporary cash assistance may not be
15 paid directly to the teen parent but must be paid, on behalf
16 of the teen parent and child, to an alternative payee who is
17 designated by the department. The alternative payee may not
18 use the temporary cash assistance for any purpose other than
19 paying for food, clothing, shelter, and medical care for the
20 teen parent and child and for other necessities required to
21 enable the teen parent to attend school or a training program.
22 In order for the child of the teen parent and the teen parent
23 to be eligible for temporary cash assistance, the teen parent
24 must:

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

28 2. Reside with a parent, legal guardian, or other
29 adult caretaker relative. The income and resources of the
30 parent shall be included in calculating the temporary cash
31 assistance available to the teen parent since the parent is

1 responsible for providing support and care for the child
2 living in the home.

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

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

9 1. The teen parent has suffered or might suffer harm
10 in the home of the parent, legal guardian, or adult caretaker
11 relative.

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

22
23 The department may not delay providing temporary cash
24 assistance to the teen parent through the alternative payee
25 designated by the department pending a determination as to
26 where the teen parent should live and sufficient time for the
27 move itself. A teen parent determined to need placement that
28 is unavailable shall continue to be eligible for temporary
29 cash assistance so long as the teen parent cooperates with the
30 department, ~~the local WAGES coalition,~~ and the Department of
31 Health. The teen parent shall be provided with counseling to

1 make the transition from independence to supervised living and
2 with a choice of living arrangements.

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

21 (e) If a parent or caretaker relative does not assign
22 any rights a family member may have to support from any other
23 person as required by subsection (8), temporary cash
24 assistance to the entire family shall be denied until the
25 parent or caretaker relative assigns the rights to the
26 department.

27 (f) An individual who is convicted in federal or state
28 court of receiving benefits under this chapter, Title XIX, the
29 Food Stamp Act of 1977, or Title XVI (Supplemental Security
30 Income), in two or more states simultaneously may not receive
31

1 temporary cash assistance or services under this chapter for
2 10 years following the date of conviction.

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

11 (h) The parent or other caretaker relative must report
12 to the department by the end of the 5-day period that begins
13 on the date it becomes clear to the parent or caretaker
14 relative that a minor child will be absent from the home for
15 30 or more consecutive days. A parent or caretaker relative
16 who fails to report this information to the department shall
17 be disqualified from receiving temporary cash assistance for
18 30 days for the first occurrence, 60 days for the second
19 occurrence, and 90 days for the third or subsequent
20 occurrence.

21 (i) If the parents of a minor child live apart and
22 equally share custody and control of the child, a parent is
23 ineligible for temporary cash assistance unless the parent
24 clearly demonstrates to the department that the parent
25 provides primary day-to-day custody.

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

31

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

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

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

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

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

28 (16)~~(17)~~ PREELIGIBILITY FRAUD SCREENING.--An applicant
29 who meets an error-prone profile, as determined by the
30 department, is subject to preeligibility fraud screening as a
31 means of reducing misspent funds and preventing fraud. The

1 department shall create an error-prone or fraud-prone case
2 profile within its public assistance information system and
3 shall screen each application for temporary cash assistance
4 ~~the WAGES Program~~ against the profile to identify cases that
5 have a potential for error or fraud. Each case so identified
6 shall be subjected to preeligibility fraud screening.

7 (17)~~(18)~~ PROPORTIONAL REDUCTION.--If the Social
8 Services Estimating Conference forecasts an increase in the
9 temporary cash assistance caseload and there is insufficient
10 funding, a proportional reduction as determined by the
11 department shall be applied to the levels of temporary cash
12 assistance in subsection (11).

13 (18)~~(19)~~ ADDITIONAL FUNDING.--When warranted by
14 economic circumstances, the department, in consultation with
15 the Social Services Estimating Conference, shall apply for
16 additional federal funding available from the Contingency Fund
17 for State Welfare Programs.

18 Section 51. Section 414.105, Florida Statutes, is
19 amended to read:

20 414.105 Time limitations of temporary cash
21 assistance.--Unless otherwise expressly provided in this
22 chapter, an applicant or current participant shall receive
23 temporary cash assistance for episodes of not more than 24
24 cumulative months in any consecutive 60-month period that
25 begins with the first month of participation and for not more
26 than a lifetime cumulative total of 48 months as an adult.

27 (1) The time limitation for episodes of temporary cash
28 assistance may not exceed 36 cumulative months in any
29 consecutive 72-month period that begins with the first month
30 of participation and may not exceed a lifetime cumulative
31

1 total of 48 months of temporary cash assistance as an adult,
2 for cases in which the participant:

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

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

7 1. Has not completed a high school education or its
8 equivalent; or

9 2. Had little or no work experience in the preceding
10 year.

11 (2) A participant who is not exempt from work activity
12 requirements may earn 1 month of eligibility for extended
13 temporary cash assistance, up to maximum of 12 additional
14 months, for each month in which the participant is fully
15 complying with ~~the work requirements activities of the WAGES~~
16 ~~Program~~ through subsidized or unsubsidized public or private
17 sector employment. The period for which extended temporary
18 cash assistance is granted shall be based upon compliance with
19 ~~WAGES Program~~ requirements of the temporary cash assistance
20 program beginning October 1, 1996. A participant may not
21 receive temporary cash assistance under this subsection, in
22 combination with other periods of temporary cash assistance
23 for longer than a lifetime limit of 48 months.

24 (3) Hardship exemptions to the time limitations of
25 this chapter shall be limited to 20 percent of the average
26 monthly caseload participants in all subsequent years, as
27 determined by the department in cooperation with Workforce
28 Florida, Inc. and approved by the WAGES Program State Board of
29 ~~Directors~~. Criteria for hardship exemptions include:

30 (a) Diligent participation in activities, combined
31 with inability to obtain employment.

1 (b) Diligent participation in activities, combined
2 with extraordinary barriers to employment, including the
3 conditions which may result in an exemption to work
4 requirements.

5 (c) Significant barriers to employment, combined with
6 a need for additional time.

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

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

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

29 (4)~~(3)~~ In addition to the exemptions listed in
30 subsection (3)~~(2)~~, a victim of domestic violence may be
31 granted a hardship exemption if the effects of such domestic

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

5 (5)(4) The department, in cooperation with Workforce
6 Florida, Inc., shall establish a procedure for reviewing and
7 approving hardship exemptions and for reviewing hardship cases
8 at least once every 3 years. Regional workforce boards, and
9 ~~the local WAGES coalitions~~ may assist in making these
10 determinations. The composition of any review panel must
11 generally reflect the racial, gender, and ethnic diversity of
12 the community as a whole. Members of a review panel shall
13 serve without compensation but are entitled to receive
14 reimbursement for per diem and travel expenses as provided in
15 s. 112.016.

16 ~~(5)~~ ~~The cumulative total of all hardship exemptions~~
17 ~~may not exceed 12 months, may include reduced benefits at the~~
18 ~~option of the community review panel, and shall, in~~
19 ~~combination with other periods of temporary cash assistance as~~
20 ~~an adult, total no more than 48 months of temporary cash~~
21 ~~assistance. If an individual fails to comply with program~~
22 ~~requirements during a hardship exemption period, the hardship~~
23 ~~exemption shall be removed.~~

24 (6) For individuals who have moved from another state,
25 ~~the and have legally resided in this state for less than 12~~
26 ~~months, the time limitation for temporary cash assistance~~
27 ~~shall be the shorter of the respective time limitations used~~
28 ~~in the two states, and months in which temporary cash~~
29 ~~assistance was received under a block grant program that~~
30 ~~provided temporary assistance for needy families in any state~~
31

1 shall count towards the cumulative 48-month benefit limit for
2 temporary cash assistance.

3 (7) For individuals subject to a time limitation under
4 the Family Transition Act of 1993, that time limitation shall
5 continue to apply. Months in which temporary cash assistance
6 was received through the family transition program shall count
7 towards the time limitations under this chapter.

8 (8) Except when temporary cash assistance was received
9 through the family transition program, the calculation of the
10 time limitation for temporary cash assistance shall begin with
11 the first month of receipt of temporary cash assistance after
12 the effective date of this act.

13 (9) Child-only cases are not subject to time
14 limitations, and temporary cash assistance received while an
15 individual is a minor child shall not count towards time
16 limitations.

17 (10) An individual who receives benefits under the
18 Supplemental Security Income(SSI)program or the Social
19 Security Disability Insurance(SSDI)program is not subject to
20 time limitations. An individual who has applied for
21 supplemental security income (SSI) or supplemental security
22 disability income (SSDI), but has not yet received a
23 determination must be granted an extension of time limits
24 until the individual receives a final determination on the SSI
25 application. Determination shall be considered final once all
26 appeals have been exhausted, benefits have been received, or
27 denial has been accepted without any appeal. While awaiting a
28 final determination, such individual must continue to meet all
29 program requirements assigned to the participant based on
30 medical ability to comply. If a final determination results in
31 the denial of benefits for supplemental security income (SSI)

1 or supplemental security disability income (SSDI), any period
2 during which the recipient received assistance under this
3 chapter shall count against ~~Extensions of time limits shall be~~
4 ~~within~~ the recipient's 48-month lifetime limit. ~~Hardship~~
5 ~~exemptions granted under this subsection shall not be subject~~
6 ~~to the percentage limitations in subsection (2).~~

7 (11) A person who is totally responsible for the
8 personal care of a disabled family member is not subject to
9 time limitations if the need for the care is verified and
10 alternative care is not available for the family member. The
11 department shall annually evaluate an individual's
12 qualifications for this exemption.

13 (12) A member of the ~~WAGES Program~~ staff of the
14 regional workforce board shall interview and assess the
15 employment prospects and barriers of each participant who is
16 within 6 months of reaching the 24-month time limit. The
17 staff member shall assist the participant in identifying
18 actions necessary to become employed prior to reaching the
19 benefit time limit for temporary cash assistance and, if
20 appropriate, shall refer the participant for services that
21 could facilitate employment.

22 Section 52. Section 414.157, Florida Statutes, is
23 amended to read:

24 414.157 Diversion program for victims of domestic
25 violence.--

26 (1) The diversion program for victims of domestic
27 violence is intended to provide services and one-time payments
28 to assist victims of domestic violence and their children in
29 making the transition to independence.
30
31

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

4 (a) The applicant family includes a pregnant woman or
5 a parent with one or more minor children or a caretaker
6 relative with one or more minor children.

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

9 (3) Notwithstanding any provision to the contrary in
10 ss. 414.075, 414.085, and 414.095, a family meeting the
11 criteria of subsection (2) who is determined by the domestic
12 violence program to be in need of services or one-time payment
13 due to domestic violence shall be considered a needy family
14 and is ~~shall be deemed~~ eligible under this section for
15 services through a certified domestic violence shelter.

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

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

23 Section 53. Section 414.158, Florida Statutes, is
24 amended to read:

25 414.158 Diversion program to prevent or reduce child
26 abuse and neglect ~~strengthen Florida's families.--~~

27 (1) The diversion program to prevent or reduce child
28 abuse and neglect ~~strengthen Florida's families~~ is intended to
29 provide services and one-time payments to assist families in
30 avoiding welfare dependency and to strengthen families so that
31

1 children can be cared for in their own homes or in the homes
2 of relatives and so that families can be self-sufficient.

3 (2) Before finding a family eligible for the diversion
4 program created under this section, a determination must be
5 made that:

6 (a) The family includes a pregnant woman or a parent
7 with one or more minor children or a caretaker relative with
8 one or more minor children.

9 (b) The family meets the criteria of a voluntary
10 assessment performed by Healthy Families Florida; the family
11 meets the criteria established by the department for
12 determining that one or more children in the family are at
13 risk of abuse, neglect, or threatened harm; or the family is
14 homeless or living in a facility that provides shelter to
15 homeless families.

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

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

22 (4) The department, in consultation with Healthy
23 Families Florida, may establish additional requirements
24 related to services or one-time payments, and the department
25 is authorized to adopt rules relating to maximum amounts of
26 such one-time payments.

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

30 Section 54. Subsection (1) of section 414.35, Florida
31 Statutes, is amended to read:

1 414.35 Emergency relief.--

2 (1) The department shall, ~~by October 1, 1978,~~ adopt
3 rules for the administration of emergency assistance programs
4 delegated to the department either by executive order in
5 accordance with the Disaster Relief Act of 1974 or pursuant to
6 the Food Stamp Act of 1977.

7 Section 55. Subsection (1) of section 414.36, Florida
8 Statutes, is amended to read:

9 414.36 Public assistance overpayment recovery program;
10 contracts.--

11 (1) The department shall develop and implement a plan
12 for the statewide privatization of activities relating to the
13 recovery of public assistance overpayment claims. These
14 activities shall include, at a minimum, voluntary cash
15 collections functions for recovery of fraudulent and
16 nonfraudulent benefits paid to recipients of temporary cash
17 assistance ~~under the WAGES Program~~, food stamps, and aid to
18 families with dependent children.

19 Section 56. Subsection (10) of section 414.39, Florida
20 Statutes, is amended to read:

21 414.39 Fraud.--

22 (10) The department shall create an error-prone or
23 fraud-prone case profile within its public assistance
24 information system and shall screen each application for
25 public assistance, including food stamps, Medicaid, and
26 temporary cash assistance ~~under the WAGES Program~~, against the
27 profile to identify cases that have a potential for error or
28 fraud. Each case so identified shall be subjected to
29 preeligibility fraud screening.

30 Section 57. Subsection (3) of section 414.41, Florida
31 Statutes, is amended to read:

1 414.41 Recovery of payments made due to mistake or
2 fraud.--

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

9 Section 58. Section 414.55, Florida Statutes, is
10 amended to read:

11 414.55 Implementation of ~~ss.~~
12 ~~414.015-414.55.--Following the effective date of ss.~~
13 ~~414.015-414.55+.~~

14 ~~(1)(a) The Governor may delay implementation of ss.~~
15 ~~414.015-414.55 in order to provide the department, the~~
16 ~~Department of Labor and Employment Security, the Department of~~
17 ~~Revenue, and the Department of Health with the time necessary~~
18 ~~to prepare to implement new programs.~~

19 ~~(b) The Governor may also delay implementation of~~
20 ~~portions of ss. 414.015-414.55 in order to allow savings~~
21 ~~resulting from the enactment of ss. 414.015-414.55 to pay for~~
22 ~~provisions implemented later. If the Governor determines that~~
23 ~~portions of ss. 414.015-414.55 should be delayed, the priority~~
24 ~~in implementing ss. 414.015-414.55 shall be, in order of~~
25 ~~priority+.~~

26 ~~1. Provisions that provide savings in the first year~~
27 ~~of implementation.~~

28 ~~2. Provisions necessary to the implementation of work~~
29 ~~activity requirements, time limits, and sanctions.~~

30
31

1 3. ~~Provisions related to removing marriage penalties~~
2 ~~and expanding temporary cash assistance to stepparent and~~
3 ~~two-parent families.~~

4 4. ~~Provisions related to the reduction of teen~~
5 ~~pregnancy and out-of-wedlock births.~~

6 5. ~~Other provisions.~~

7 (2) ~~The programs affected by ss. 414.015-414.55 shall~~
8 ~~continue to operate under the provisions of law that would be~~
9 ~~in effect in the absence of ss. 414.015-414.55, until such~~
10 ~~time as the Governor informs the Speaker of the House of~~
11 ~~Representatives and the President of the Senate of his or her~~
12 ~~intention to implement provisions of ss. 414.015-414.55.~~
13 ~~Notice of intent to implement ss. 414.015-414.55 shall be~~
14 ~~given to the Speaker of the House of Representatives and the~~
15 ~~President of the Senate in writing and shall be delivered at~~
16 ~~least 14 consecutive days prior to such action.~~

17 (3) ~~Any changes to a program, activity, or function~~
18 ~~taken pursuant to this section shall be considered a type two~~
19 ~~transfer pursuant to the provisions of s. 20.06(2).~~

20 (4) ~~In implementing ss. 414.015-414.55,~~The Governor
21 shall minimize the liability of the state by opting out of the
22 special provision related to community work, as described in
23 s. 402(a)(1)(B)(iv) of the Social Security Act, as amended by
24 Pub. L. No. 104-193. The department and Workforce Florida,
25 Inc., ~~the Department of Labor and Employment Security~~ shall
26 implement the community work program in accordance with s.
27 445.024 ~~ss. 414.015-414.55.~~

28 Section 59. Section 414.70, Florida Statutes, is
29 amended to read:

30 414.70 Drug-testing and drug-screening program;
31 procedures.--

1 (1) DEMONSTRATION PROJECT.--The Department of Children
2 and Family Services, in consultation with the regional
3 workforce boards in service areas ~~local WAGES coalitions~~ 3 and
4 8, shall develop and, ~~as soon as possible after January 1,~~
5 ~~1999,~~ implement a demonstration project in service areas ~~WAGES~~
6 ~~regions~~ 3 and 8 to screen each applicant and test applicants
7 for temporary cash assistance provided under this chapter, who
8 the department has reasonable cause to believe, based on the
9 screening, engage in illegal use of controlled substances.
10 Unless reauthorized by the Legislature, this demonstration
11 project expires June 30, 2001. As used in this section ~~act~~,
12 the term "applicant" means an individual who first applies for
13 temporary cash assistance ~~or services~~ under this chapter ~~the~~
14 ~~WAGES Program~~. Screening and testing for the illegal use of
15 controlled substances is not required if the individual
16 reapplies during any continuous period in which the individual
17 receives assistance ~~or services~~. However, an individual may
18 volunteer for drug testing and treatment if funding is
19 available.

20 (a) Applicants subject to the requirements of this
21 section include any parent or caretaker relative who is
22 included in the cash assistance group, including individuals
23 who may be exempt from work activity requirements due to the
24 age of the youngest child or who may be excepted from work
25 activity requirements under s. 414.065(4) ~~s. 414.065(7)~~.

26 (b) Applicants not subject to the requirements of this
27 section include applicants for food stamps or Medicaid who are
28 not applying for cash assistance, applicants who, if eligible,
29 would be exempt from the time limitation and work activity
30 requirements due to receipt of social security disability
31 income, and applicants who, if eligible, would be excluded

1 from the assistance group due to receipt of supplemental
2 security income.

3 (2) PROCEDURES.--Under the demonstration project, the
4 Department of Children and Family Services shall:

5 (a) Provide notice of drug screening and the potential
6 for possible drug testing to each applicant at the time of
7 application. The notice must advise the applicant that drug
8 screening and possibly drug testing will be conducted as a
9 condition for receiving temporary assistance ~~or services~~ under
10 this chapter, and shall specify the assistance ~~or services~~
11 that are subject to this requirement. The notice must also
12 advise the applicant that a prospective employer may require
13 the applicant to submit to a preemployment drug test. The
14 applicant shall be advised that the required drug screening
15 and possible drug testing may be avoided if the applicant does
16 not apply for or receive assistance ~~or services~~. The
17 drug-screening and drug-testing program is not applicable in
18 child-only cases.

19 (b) Develop a procedure for drug screening and
20 conducting drug testing of applicants for temporary cash
21 assistance ~~or services under the WAGES Program~~. For two-parent
22 families, both parents must comply with the drug screening and
23 testing requirements of this section.

24 (c) Provide a procedure to advise each person to be
25 tested, before the test is conducted, that he or she may, but
26 is not required to, advise the agent administering the test of
27 any prescription or over-the-counter medication he or she is
28 taking.

29 (d) Require each person to be tested to sign a written
30 acknowledgment that he or she has received and understood the
31 notice and advice provided under paragraphs (a) and (c).

1 (e) Provide a procedure to assure each person being
2 tested a reasonable degree of dignity while producing and
3 submitting a sample for drug testing, consistent with the
4 state's need to ensure the reliability of the sample.

5 (f) Specify circumstances under which a person who
6 fails a drug test has the right to take one or more additional
7 tests.

8 (g) Provide a procedure for appealing the results of a
9 drug test by a person who fails a test and for advising the
10 appellant that he or she may, but is not required to, advise
11 appropriate staff of any prescription or over-the-counter
12 medication he or she has been taking.

13 (h) Notify each person who fails a drug test of the
14 local substance abuse treatment programs that may be available
15 to such person.

16 (3) CHILDREN.--

17 (a) If a parent is deemed ineligible for cash
18 assistance due to refusal to comply with the provisions of
19 this section, his or her dependent child's eligibility for
20 cash assistance is not affected. A parent who is ineligible
21 for cash assistance due to refusal or failure to comply with
22 the provisions of this section shall be subject to the work
23 activity requirements of s. 445.024 ~~s. 414.065~~, and shall be
24 subject to the penalties under s. 414.065(1) ~~s. 414.065(4)~~
25 upon failure to comply with such requirements.

26 (b) If a parent is deemed ineligible for cash
27 assistance due to the failure of a drug test, an appropriate
28 protective payee will be established for the benefit of the
29 child.

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1 (c) If the parent refuses to cooperate in establishing
2 an appropriate protective payee for the child, the Department
3 of Children and Family Services will appoint one.

4 (4) TREATMENT.--

5 (a) Subject to the availability of funding, the
6 Department of Children and Family Services shall provide a
7 substance abuse treatment program for a person who fails a
8 drug test conducted under this section act and is eligible to
9 receive temporary cash assistance ~~or services~~ under this
10 chapter the WAGES Program. The department shall provide for a
11 retest at the end of the treatment period. Failure to pass the
12 retest will result in the termination of temporary cash
13 assistance ~~or services~~ provided under this chapter and of any
14 right to appeal the termination.

15 (b) The Department of Children and Family Services
16 shall develop rules regarding the disclosure of information
17 concerning applicants who enter treatment, including the
18 requirement that applicants sign a consent to release
19 information to the Department of Children and Family Services
20 ~~or the Department of Labor and Employment Security, as~~
21 ~~necessary~~, as a condition of entering the treatment program.

22 (c) The Department of Children and Family Services may
23 develop rules for assessing the status of persons formerly
24 treated under this section act who reapply for assistance ~~or~~
25 ~~services under the WAGES act~~ as well as the need for drug
26 testing as a part of the reapplication process.

27 (5) EVALUATIONS AND RECOMMENDATIONS.--

28 (a) The Department of Children and Family Services, in
29 conjunction with the regional workforce boards ~~local WAGES~~
30 ~~coalitions~~ in service areas 3 and 8, shall conduct a
31 comprehensive evaluation of the demonstration projects

1 operated under this section act. ~~By January 1, 2000, the~~
2 ~~department, in conjunction with the local WAGES coalitions~~
3 ~~involved, shall report to the WAGES Program State Board of~~
4 ~~Directors and to the Legislature on the status of the initial~~
5 ~~implementation of the demonstration projects and shall~~
6 ~~specifically describe the problems encountered and the funds~~
7 ~~expended during the first year of operation.~~

8 (b) By January 1, 2001, the department, in conjunction
9 with the regional workforce boards ~~local WAGES coalitions~~
10 involved, shall provide a comprehensive evaluation ~~to the~~
11 ~~WAGES Program State Board of Directors~~ and to the Legislature,
12 which must include:

13 1. The impact of the drug-screening and drug-testing
14 program on employability, job placement, job retention, and
15 salary levels of program participants.

16 2. Recommendations, based in part on a cost and
17 benefit analysis, as to the feasibility of expanding the
18 program to other ~~local WAGES~~ service areas, including specific
19 recommendations for implementing such expansion of the
20 program.

21 (6) CONFLICTS.--In the event of a conflict between the
22 implementation procedures described in this program and
23 federal requirements and regulations, federal requirements and
24 regulations shall control.

25 Section 60. Sections 239.249, 288.9950, 288.9954,
26 288.9957, 288.9958, 288.9959, 414.015, 414.026, 414.0267,
27 414.027, 414.028, 414.029, 414.030, 414.055, 414.125, 414.25,
28 and 414.38, Florida Statutes, are repealed.

29 Section 61. Subsection (2) of section 14.2015, Florida
30 Statutes, is amended to read:

31

1 14.2015 Office of Tourism, Trade, and Economic
2 Development; creation; powers and duties.--

3 (2) The purpose of the Office of Tourism, Trade, and
4 Economic Development is to assist the Governor in working with
5 the Legislature, state agencies, business leaders, and
6 economic development professionals to formulate and implement
7 coherent and consistent policies and strategies designed to
8 provide economic opportunities for all Floridians. To
9 accomplish such purposes, the Office of Tourism, Trade, and
10 Economic Development shall:

11 (a) Contract, notwithstanding the provisions of part I
12 of chapter 287, with the direct-support organization created
13 under s. 288.1229 to guide, stimulate, and promote the sports
14 industry in the state, to promote the participation of
15 Florida's citizens in amateur athletic competition, and to
16 promote Florida as a host for national and international
17 amateur athletic competitions.

18 (b) Monitor the activities of public-private
19 partnerships and state agencies in order to avoid duplication
20 and promote coordinated and consistent implementation of
21 programs in areas including, but not limited to, tourism;
22 international trade and investment; business recruitment,
23 creation, retention, and expansion; workforce development;
24 minority and small business development; and rural community
25 development. As part of its responsibilities under this
26 paragraph, the office shall work with Enterprise Florida,
27 Inc., and Workforce Florida, Inc., to ensure that, to the
28 maximum extent possible, there are direct linkages between the
29 economic development and workforce development goals and
30 strategies of the state.

31

1 (c) Facilitate the direct involvement of the Governor
2 and the Lieutenant Governor in economic development and
3 workforce development projects designed to create, expand, and
4 retain Florida businesses and to recruit worldwide business,
5 as well as in other job-creating efforts.

6 (d) Assist the Governor, in cooperation with
7 Enterprise Florida, Inc., Workforce Florida, Inc., and the
8 Florida Commission on Tourism, in preparing an annual report
9 to the Legislature on the state of the business climate in
10 Florida and on the state of economic development in Florida
11 which will include the identification of problems and the
12 recommendation of solutions. This report shall be submitted
13 to the President of the Senate, the Speaker of the House of
14 Representatives, the Senate Minority Leader, and the House
15 Minority Leader by January 1 of each year, and it shall be in
16 addition to the Governor's message to the Legislature under
17 the State Constitution and any other economic reports required
18 by law.

19 (e) Plan and conduct at least one meeting per calendar
20 year of leaders in business, government, education, workforce
21 development, and economic development called by the Governor
22 to address the business climate in the state, develop a common
23 vision for the economic future of the state, and identify
24 economic development efforts to fulfill that vision.

25 (f)1. Administer the Florida Enterprise Zone Act under
26 ss. 290.001-290.016, the community contribution tax credit
27 program under ss. 220.183 and 624.5105, the tax refund program
28 for qualified target industry businesses under s. 288.106, the
29 tax-refund program for qualified defense contractors under s.
30 288.1045, contracts for transportation projects under s.
31 288.063, the sports franchise facility program under s.

1 288.1162, the professional golf hall of fame facility program
2 under s. 288.1168, the expedited permitting process under s.
3 403.973, the Rural Community Development Revolving Loan Fund
4 under s. 288.065, the Regional Rural Development Grants
5 Program under s. 288.018, the Certified Capital Company Act
6 under s. 288.99, the Florida State Rural Development Council,
7 the Rural Economic Development Initiative, and other programs
8 that are specifically assigned to the office by law, by the
9 appropriations process, or by the Governor. Notwithstanding
10 any other provisions of law, the office may expend interest
11 earned from the investment of program funds deposited in the
12 Economic Development Trust Fund, the Grants and Donations
13 Trust Fund, the Brownfield Property Ownership Clearance
14 Assistance Revolving Loan Trust Fund, and the Economic
15 Development Transportation Trust Fund to contract for the
16 administration of the programs, or portions of the programs,
17 enumerated in this paragraph or assigned to the office by law,
18 by the appropriations process, or by the Governor. Such
19 expenditures shall be subject to review under chapter 216.

20 2. The office may enter into contracts in connection
21 with the fulfillment of its duties concerning the Florida
22 First Business Bond Pool under chapter 159, tax incentives
23 under chapters 212 and 220, tax incentives under the Certified
24 Capital Company Act in chapter 288, foreign offices under
25 chapter 288, the Enterprise Zone program under chapter 290,
26 the Seaport Employment Training program under chapter 311, the
27 Florida Professional Sports Team License Plates under chapter
28 320, Spaceport Florida under chapter 331, Expedited Permitting
29 under chapter 403, and in carrying out other functions that
30 are specifically assigned to the office by law, by the
31 appropriations process, or by the Governor.

1 (g) Serve as contract administrator for the state with
2 respect to contracts with Enterprise Florida, Inc., Workforce
3 Florida, Inc., the Florida Commission on Tourism, and all
4 direct-support organizations under this act, excluding those
5 relating to tourism. To accomplish the provisions of this act
6 and applicable provisions of chapter 288, and notwithstanding
7 the provisions of part I of chapter 287, the office shall
8 enter into specific contracts with Enterprise Florida, Inc.,
9 Workforce Florida, Inc., the Florida Commission on Tourism,
10 and other appropriate direct-support organizations. Such
11 contracts may be multiyear and shall include specific
12 performance measures for each year.

13 (h) Provide administrative oversight for the Office of
14 the Film Commissioner, created under s. 288.1251, to develop,
15 promote, and provide services to the state's entertainment
16 industry and to administratively house the Florida Film
17 Advisory Council created under s. 288.1252.

18 (i) Prepare and submit as a separate budget entity a
19 unified budget request for tourism, trade, and economic
20 development in accordance with chapter 216 for, and in
21 conjunction with, Enterprise Florida, Inc., and its boards,
22 Workforce Florida, Inc., and its board, the Florida Commission
23 on Tourism and its direct-support organization, the Florida
24 Black Business Investment Board, the Office of the Film
25 Commissioner, and the direct-support organization created to
26 promote the sports industry.

27 (j) Adopt rules, as necessary, to carry out its
28 functions in connection with the administration of the
29 Qualified Target Industry program, the Qualified Defense
30 Contractor program, the Certified Capital Company Act, the
31

1 Enterprise Zone program, and the Florida First Business Bond
2 pool.

3 Section 62. Effective October 1, 2000, subsections (4)
4 and (5) of section 20.171, Florida Statutes, are amended to
5 read:

6 20.171 Department of Labor and Employment
7 Security.--There is created a Department of Labor and
8 Employment Security. The department shall operate its programs
9 in a decentralized fashion.

10 (4)(a) The Assistant Secretary for Programs and
11 Operations must possess a broad knowledge of the
12 administrative, financial, and technical aspects of the
13 divisions within the department.

14 (b) The assistant secretary is responsible for
15 developing, monitoring, and enforcing policy and managing
16 major technical programs and supervising the Bureau of Appeals
17 of the Division of Unemployment Compensation. The
18 responsibilities and duties of the position include, but are
19 not limited to, the following functional areas:

20 1. Workers' compensation management and policy
21 implementation.

22 ~~2. Jobs and benefits management and policy~~
23 ~~information.~~

24 ~~2.3.~~ Unemployment compensation management and policy
25 implementation.

26 ~~3.4.~~ Blind services management and policy
27 implementation.

28 ~~4.5.~~ Oversight of the five field offices and any local
29 offices.

30 (5) The following divisions are established and shall
31 be headed by division directors who shall be supervised by and

1 shall be responsible to the Assistant Secretary for Programs
2 and Operations:

3 ~~(a) Division of Workforce and Employment~~
4 ~~Opportunities.~~

5 (a)~~(b)~~ Division of Unemployment Compensation.

6 (b)~~(c)~~ Division of Workers' Compensation.

7 (c)~~(d)~~ Division of Blind Services.

8 (d)~~(e)~~ Division of Safety, which is repealed July 1,
9 2000.

10 (e)~~(f)~~ Division of Vocational Rehabilitation.

11 Section 63. Section 20.50, Florida Statutes, is
12 created to read:

13 20.50 Agency for Workforce Innovation.--There is
14 created the Agency for Workforce Innovation within the
15 Department of Management Services. The agency shall be a
16 separate budget entity, and the director of the agency shall
17 be the agency head for all purposes. The agency shall not be
18 subject to control, supervision, or direction by the
19 Department of Management Services in any manner, including,
20 but not limited to, personnel, purchasing, transactions
21 involving real or personal property, and budgetary matters.

22 (1) The Agency for Workforce Innovation shall ensure
23 that the state appropriately administers federal and state
24 workforce funding by administering plans and policies of
25 Workforce Florida, Inc., under contract with Workforce
26 Florida, Inc. The operating budget and mid-year amendments
27 thereto must be part of such contract.

28 (a) All program and fiscal instructions to regional
29 workforce boards shall emanate from the agency pursuant to
30 plans and policies of Workforce Florida, Inc. Workforce
31

1 Florida, Inc., shall be responsible for all policy directions
2 to the regional boards.

3 (b) Unless otherwise provided by agreement with
4 Workforce Florida, Inc., administrative and personnel policies
5 of the Agency for Workforce Innovation shall apply.

6 (2) The Agency for Workforce Innovation shall be the
7 designated administrative agency for receipt of federal
8 workforce-development grants and other federal funds, and
9 shall carry out the duties and responsibilities assigned by
10 the Governor under each federal grant assigned to the agency.
11 The agency shall be a separate budget entity and shall expend
12 each revenue source as provided by federal and state law and
13 as provided in plans developed by and agreements with
14 Workforce Florida, Inc. The head of the agency is the Director
15 of Workforce Innovation, who shall be appointed by the
16 Governor from nominees submitted by Workforce Florida, Inc.
17 The agency shall be organized as follows:

18 (a) The Office of One-Stop Workforce Services shall
19 administer the state merit system staff who provide services
20 in the one-stop delivery system, pursuant to policies of
21 Workforce Florida, Inc. The office shall be directed by the
22 Deputy Director for One-Stop Workforce Services, who shall be
23 appointed by and serve at the pleasure of the director.

24 (b) The Office of Workforce Accountability shall be
25 responsible for procurement, contracting, financial
26 management, accounting, audits, and verification. The office
27 shall be directed by the Deputy Director for Workforce
28 Investment and Accountability, who shall be appointed by and
29 serve at the pleasure of the director.

30 (c) The Office of Workforce Information Services shall
31 deliver information on labor markets, employment, occupations,

1 and performance, and shall implement and maintain information
2 systems that are required for the effective operation of the
3 one-stop delivery system, including, but not limited to, those
4 systems described in s. 445.009. The office will be under the
5 direction of the Deputy Director for Workforce Information
6 Services, who shall be appointed by and serve at the pleasure
7 of the director.

8 (3) The Agency for Workforce Innovation shall serve as
9 the designated agency for purposes of each federal workforce
10 development grant assigned to it for administration. The
11 agency shall carry out the duties assigned to it by the
12 Governor, under the terms and conditions of each grant. The
13 agency shall have the level of authority and autonomy
14 necessary to be the designated recipient of each federal grant
15 assigned to it, and shall disperse such grants pursuant to the
16 plans and policies of Workforce Florida, Inc. The director
17 may, upon delegation from the Governor and pursuant to
18 agreement with Workforce Florida, Inc., sign contracts,
19 grants, and other instruments as necessary to execute
20 functions assigned to the agency. The assignment of powers and
21 duties to the agency does not limit the authority and
22 responsibilities of the Secretary of Management Services as
23 provided in s. 20.05(1)(a). Notwithstanding other provisions
24 of law, the following federal grants and other funds are
25 assigned for administration to the Agency for Workforce
26 Innovation:

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. Business firms whose employees
18 receive the customized training must provide 50 percent of the
19 cost of the training. Balances remaining in the response fund
20 at the end of the fiscal year shall not revert to the general
21 fund, but shall be carried over for 1 additional year and used
22 for the purpose of serving incumbent worker training needs of
23 area businesses with fewer than 100 employees. Priority shall
24 be given to businesses that must increase or upgrade their use
25 of technology to remain competitive.

26 (9) The Department of Education, the State Board of
27 Community Colleges, and Workforce Florida, Inc., ~~the Jobs and~~
28 ~~Education Partnership~~ shall provide the Legislature with
29 recommended formulas, criteria, timeframes, and mechanisms for
30 distributing performance funds. The commissioner shall
31 consolidate the recommendations and develop a consensus

1 proposal for funding. The Legislature shall adopt a formula
2 and distribute the performance funds to the Division of
3 Community Colleges and the Division of Workforce Development
4 through the General Appropriations Act. These recommendations
5 shall be based on formulas that would discourage
6 low-performing or low-demand programs and encourage through
7 performance-funding awards:

8 (a) Programs that prepare people to enter high-wage
9 occupations identified by the Workforce Estimating
10 ~~Occupational Forecasting~~ Conference created by s. 216.136 and
11 other programs as approved by the Jobs and Education
12 Partnership. At a minimum, performance incentives shall be
13 calculated for adults who reach completion points or complete
14 programs that lead to specified high-wage employment and to
15 their placement in that employment.

16 (b) Programs that successfully prepare adults who are
17 eligible for public assistance, economically disadvantaged,
18 disabled, not proficient in English, or dislocated workers for
19 high-wage occupations. At a minimum, performance incentives
20 shall be calculated at an enhanced value for the completion of
21 adults identified in this paragraph and job placement of such
22 adults upon completion. In addition, adjustments may be made
23 in payments for job placements for areas of high unemployment.

24 (c) Programs that are specifically designed to be
25 consistent with the workforce needs of private enterprise and
26 regional economic-development strategies, as defined in
27 guidelines set by Workforce Florida, Inc. Workforce Florida,
28 Inc., shall develop guidelines to identify such needs and
29 strategies based on localized research of private employers
30 and economic-development practitioners.

31

1 (d)~~(c)~~ Programs identified by Workforce Florida, Inc.,
2 ~~the Jobs and Education Partnership~~ as increasing the
3 effectiveness and cost efficiency of education.

4 Section 76. Paragraph (d) of subsection (4) of section
5 239.117, Florida Statutes, is amended to read:

6 239.117 Workforce development postsecondary student
7 fees.--

8 (4) The following students are exempt from the payment
9 of registration, matriculation, and laboratory fees:

10 (d) A student enrolled in an employment and training
11 program under the welfare-transition ~~WAGES~~ program. The
12 regional workforce board ~~local WAGES coalition~~ shall pay the
13 community college or school district for costs incurred for
14 welfare-transition program participants ~~WAGES clients~~.

15 Section 77. Paragraph (c) of subsection (2) of section
16 239.229, Florida Statutes, is amended to read:

17 239.229 Vocational standards.--

18 (2)

19 (c) Department of Education accountability for career
20 education includes, but is not limited to:

21 1. The provision of timely, accurate technical
22 assistance to school districts and community colleges.

23 2. The provision of timely, accurate information to
24 the State Board for Career Education, the Legislature, and the
25 public.

26 3. The development of policies, rules, and procedures
27 that facilitate institutional attainment of the accountability
28 standards and coordinate the efforts of all divisions within
29 the department.

30 4. The development of program standards and
31 industry-driven benchmarks for vocational, adult, and

1 community education programs, which must be updated every 3
2 years. The standards must include technical, academic, and
3 workplace skills; viability of distance learning for
4 instruction; and work/learn cycles that are responsive to
5 business and industry.

6 5. Overseeing school district and community college
7 compliance with the provisions of this chapter.

8 6. Ensuring that the educational outcomes for the
9 technical component of workforce development programs and
10 secondary vocational job-preparatory programs are uniform and
11 designed to provide a graduate of high quality who is capable
12 of entering the workforce on an equally competitive basis
13 regardless of the institution of choice.

14 Section 78. Paragraph (a) of subsection (3) and
15 paragraph (e) of subsection (4) of section 239.301, Florida
16 Statutes, are amended to read:

17 239.301 Adult general education.--

18 (3)(a) Each school board or community college board of
19 trustees shall negotiate with the regional workforce board
20 ~~local personnel of the Department of Children and Family~~
21 ~~Services~~ for basic and functional literacy skills assessments
22 for participants in the welfare-transition employment and
23 training programs ~~under the WAGES Program~~. Such assessments
24 shall be conducted at a site mutually acceptable to the school
25 board or community college board of trustees and the regional
26 workforce board ~~Department of Children and Family Services~~.

27 (4)

28 (e) A district school board or a community college
29 board of trustees may negotiate a contract with the regional
30 workforce board ~~local WAGES coalition~~ for specialized services
31 for participants in the welfare-transition program ~~WAGES~~

1 ~~clients~~, beyond what is routinely provided for the general
2 public, to be funded by the regional workforce board ~~WAGES~~
3 ~~coalition pursuant to s. 414.065.~~

4 Section 79. Subsection (3) of section 239.514, Florida
5 Statutes, is amended to read:

6 239.514 Workforce Development Capitalization Incentive
7 Grant Program.--The Legislature recognizes that the need for
8 school districts and community colleges to be able to respond
9 to emerging local or statewide economic development needs is
10 critical to the workforce development system. The Workforce
11 Development Capitalization Incentive Grant Program is created
12 to provide grants to school districts and community colleges
13 on a competitive basis to fund some or all of the costs
14 associated with the creation or expansion of workforce
15 development programs that serve specific employment workforce
16 needs.

17 (3) The commission shall give highest priority to
18 programs that train people to enter high-skill, high-wage
19 occupations identified by the Workforce Estimating
20 ~~occupational forecasting~~ Conference and other programs
21 approved by the Jobs and Education Partnership; programs that
22 train people to enter occupations under the welfare-transition
23 program ~~on the WAGES list~~; or programs that train for the
24 workforce adults who are eligible for public assistance,
25 economically disadvantaged, disabled, not proficient in
26 English, or dislocated workers. The commission shall consider
27 the statewide geographic dispersion of grant funds in ranking
28 the applications and shall give priority to applications from
29 education agencies that are making maximum use of their
30 workforce development funding by offering high-performing,
31 high-demand programs.

1 Section 80. Paragraph (b) of subsection (5) of section
2 240.209, Florida Statutes, is amended to read:

3 240.209 Board of Regents; powers and duties.--

4 (5) The Board of Regents is responsible for:

5 (b) Coordinating with the Postsecondary Education
6 Planning Commission the programs, including doctoral programs,
7 to be reviewed every 5 years or whenever the board determines
8 that the effectiveness or efficiency of a program is
9 jeopardized. The board shall define the indicators of quality
10 and the criteria for program review for every program. Such
11 indicators shall include need, student demand, industry-driven
12 competencies for advanced technology and related programs, and
13 resources available to support continuation. The results of
14 the program reviews shall be tied to the university budget
15 requests.

16 Section 81. Section 240.312, Florida Statutes, is
17 amended to read:

18 240.312 Community colleges; program review.--Program
19 reviews for the community college system shall be coordinated
20 with the Postsecondary Education Planning Commission every
21 year. Every major program shall be reviewed every 5 years or
22 whenever the effectiveness or efficiency of a program is
23 jeopardized, except that certificate career education programs
24 and programs leading to an associate in science degree shall
25 be reviewed every 3 years. Indicators of quality and criteria
26 for the program reviews shall be defined. The results of
27 these program reviews shall be tied to the budget request for
28 the community college system.

29 Section 82. Subsection (3) of section 240.35, Florida
30 Statutes, is amended to read:

31

1 240.35 Student fees.--Unless otherwise provided, the
2 provisions of this section apply only to fees charged for
3 college credit instruction leading to an associate in arts
4 degree, an associate in applied science degree, or an
5 associate in science degree and noncollege credit
6 college-preparatory courses defined in s. 239.105.

7 (3) Students enrolled in dual enrollment and early
8 admission programs under s. 240.116 and students enrolled in
9 employment and training programs under the welfare-transition
10 ~~WAGES~~ program are exempt from the payment of registration,
11 matriculation, and laboratory fees; however, such students may
12 not be included within calculations of fee-waived enrollments.
13 The regional workforce board ~~local WAGES coalition~~ shall pay
14 the community college for costs incurred by that ~~WAGES~~
15 participant related to that person's classes or program. Other
16 fee-exempt instruction provided under this subsection
17 generates an additional one-fourth full-time equivalent
18 enrollment.

19 Section 83. Paragraph (a) of subsection (1) of section
20 240.40207, Florida Statutes, is amended to read:

21 240.40207 Florida Gold Seal Vocational Scholars
22 award.--The Florida Gold Seal Vocational Scholars award is
23 created within the Florida Bright Futures Scholarship Program
24 to recognize and reward academic achievement and vocational
25 preparation by high school students who wish to continue their
26 education.

27 (1) A student is eligible for a Florida Gold Seal
28 Vocational Scholars award if the student meets the general
29 eligibility requirements for the Florida Bright Futures
30 Scholarship Program and the student:
31

1 (a) Completes the secondary school portion of a
2 sequential program of studies that requires at least three
3 secondary school vocational credits taken over at least 2
4 academic years, and is continued in a planned, related
5 postsecondary education program. If the student's school does
6 not offer such a two-plus-two or tech-prep program, the
7 student must complete a job-preparatory career education
8 program selected by the Workforce Estimating Occupational
9 Forecasting Conference or the Workforce Florida, Inc.,
10 ~~Development Board of Enterprise Florida~~ for its ability to
11 provide high-wage employment in an occupation with high
12 potential for employment opportunities. On-the-job training
13 may not be substituted for any of the three required
14 vocational credits.

15 Section 84. Section 240.40685, Florida Statutes, is
16 amended to read:

17 240.40685 Certified Education Paraprofessional Welfare
18 Transition Program.--

19 (1) There is created the Certified Education
20 Paraprofessional Welfare Transition Program to provide
21 education and employment for recipients of public assistance
22 who are certified to work in schools that, because of the high
23 proportion of economically disadvantaged children enrolled,
24 are at risk of poor performance on traditional measures of
25 achievement. The program is designed to enable such schools
26 to increase the number of adults working with the school
27 children. However, the increase in personnel working at
28 certain schools is intended to supplement and not to supplant
29 the school staff and should not affect current school board
30 employment and staffing policies, including those contained in
31 collective bargaining agreements. The program is intended to

1 be supported by local, state, and federal program funds for
2 which the participants may be eligible. Further, the program
3 is designed to provide its participants not only with
4 entry-level employment but also with a marketable credential,
5 a career option, and encouragement to advance.

6 (2) The Commissioner of Education, the Executive
7 Director of the State Board of Community Colleges, the
8 secretary of the Department of Children and Family Services,
9 and the Secretary of Labor and Employment Security have joint
10 responsibility for planning and conducting the program.

11 (3) The agencies responsible may make recommendations
12 to the State Board of Education and the Legislature if they
13 find that implementation or operation of the program would
14 benefit from the adoption or waiver of state or federal
15 policy, rule, or law, including recommendations regarding
16 program budgeting.

17 (4) The agencies shall complete an implementation plan
18 that addresses at least the following recommended components
19 of the program:

20 (a) A method of selecting participants. The method
21 must not duplicate services provided by those assigned to
22 screen participants of the welfare-transition ~~WAGES~~ program,
23 but must assure that screening personnel are trained to
24 identify recipients of public assistance whose personal
25 aptitudes and motivation make them most likely to succeed in
26 the program and advance in a career related to the school
27 community.

28 (b) A budget for use of incentive funding to provide
29 motivation to participants to succeed and excel. The budget
30 for incentive funding includes:

31

1 1. Funds allocated by the Legislature directly for the
2 program.

3 2. Funds that may be made available from the federal
4 Job Training Partnership Act based on client eligibility or
5 requested waivers to make the clients eligible.

6 3. Funds made available by implementation strategies
7 that would make maximum use of work supplementation funds
8 authorized by federal law.

9 4. Funds authorized by strategies to lengthen
10 participants' eligibility for federal programs such as
11 Medicaid, subsidized child care, and transportation.

12

13 Incentives may include a stipend during periods of college
14 classroom training, a bonus and recognition for a high
15 grade-point average, child care and prekindergarten services
16 for children of participants, and services to increase a
17 participant's ability to advance to higher levels of
18 employment. Nonfinancial incentives should include providing a
19 mentor or tutor, and service incentives should continue and
20 increase for any participant who plans to complete the
21 baccalaureate degree and become a certified teacher. Services
22 may be provided in accordance with family choice by community
23 colleges and school district technical centers, through family
24 service centers and full-service schools, or under contract
25 with providers through central agencies.

26 (5) The agencies shall select Department of Children
27 and Family Services districts to participate in the program. A
28 district that wishes to participate must demonstrate that a
29 district school board, a community college board of trustees,
30 an economic services program administrator, and a regional
31 workforce board ~~private industry council~~ are willing to

1 coordinate to provide the educational program, support
2 services, employment opportunities, and incentives required to
3 fulfill the intent of this section.

4 (6)(a) A community college or school district
5 technical center is eligible to participate if it provides a
6 technical certificate program in Child Development Early
7 Intervention as approved by Workforce Florida, Inc., ~~the Jobs~~
8 ~~and Education Partnership~~ and it is participating in the
9 Performance Based Incentive Funding program authorized in s.
10 239.249. Priority programs provide an option and incentives
11 to articulate with an associate in science degree program or a
12 baccalaureate degree program.

13 (b) A participating educational agency may earn funds
14 appropriated for performance-based incentive funding for
15 successful outcomes of enrollment and placement of recipients
16 of public assistance who are in the program. In addition, an
17 educational agency is eligible for an incentive award
18 determined by Workforce Florida, Inc., ~~the Jobs and Education~~
19 ~~Partnership~~ for each recipient of public assistance who
20 successfully completes a program leading to the award of a
21 General Education Development credential.

22 (c) Historically black colleges or universities that
23 have established programs that serve participants in the
24 welfare-transition ~~of the WAGES~~ program are eligible to
25 participate in the Performance Based Incentive Funding Program
26 and may earn an incentive award determined by Workforce
27 Florida, Inc., ~~the Jobs and Education Partnership~~ for
28 successful placement of program completers in jobs as
29 education paraprofessionals in at-risk schools.

30 (7)(a) A participating school district shall identify
31 at-risk schools in which the program participants will work

1 during the practicum part of their education. For purposes of
2 this act, an at-risk school is a school with grades K-3 in
3 which 50 percent or more of the students enrolled at the
4 school are eligible for free lunches or reduced-price lunches.
5 Priority schools are schools whose service zones include the
6 participants' own communities.

7 (b) A participating school district may use funds
8 appropriated by the Legislature from Job Training Partnership
9 Act service delivery area allotments to provide at least 6
10 months of on-the-job training to participants in the Certified
11 Education Paraprofessional Welfare Transition Program.
12 Participating school districts may also use funds provided by
13 grant diversion of funds from the welfare-transition ~~WAGES~~
14 program for the participants during the practicum portion of
15 their training to earn the certificate required for their
16 employment.

17 (8) The agencies shall give priority for funding to
18 those programs that provide maximum security for the
19 long-range employment and career opportunities of the program
20 participants. Security is enhanced if employment is provided
21 through a governmental or nongovernmental agency other than
22 the school board, or if the plans assure in another way that
23 the participants will supplement, rather than supplant, the
24 workforce available to the school board. It is the intent of
25 the Legislature that, when a program participant succeeds in
26 becoming a certified education paraprofessional after working
27 successfully in a school during the practicum or on-the-job
28 training supported by the program, the participant shall have
29 the opportunity to continue in full-time employment at the
30 school that provided the training or at another school in the
31 district.

1 Section 85. Subsection (2) of section 240.61, Florida
2 Statutes, is amended to read:

3 240.61 College reach-out program.--

4 (2) In developing the definition for "low-income
5 educationally disadvantaged student," the State Board of
6 Education shall include such factors as: the family's taxable
7 income; family receipt of temporary cash assistance ~~under the~~
8 ~~WAGES Program~~ in the preceding year; family receipt of public
9 assistance in the preceding year; the student's cumulative
10 grade point average; the student's promotion and attendance
11 patterns; the student's performance on state standardized
12 tests; the student's enrollment in mathematics and science
13 courses; and the student's participation in a dropout
14 prevention program.

15 Section 86. Section 246.50, Florida Statutes, is
16 amended to read:

17 246.50 Certified Teacher-Aide Welfare Transition
18 Program; participation by independent postsecondary
19 schools.--An independent postsecondary school may participate
20 in the Certified Teacher-Aide Welfare Transition Program and
21 may receive incentives for successful performance from the
22 Performance Based Incentive Funding Program if:

23 (1) The school is accredited by the Southern
24 Association of Colleges and Schools and licensed by the State
25 Board of Nonpublic Career Education;

26 (2) The school serves recipients of temporary cash
27 assistance ~~under the WAGES Program~~ in a certified teacher-aide
28 program;

29 (3) A participating school district recommends the
30 school to Workforce Florida, Inc.~~the Jobs and Education~~
31 ~~Partnership~~; and

1 (4) Workforce Florida, Inc., ~~The Jobs and Education~~
2 ~~Partnership~~ approves.

3 Section 87. Section 288.046, Florida Statutes, is
4 amended to read:

5 288.046 Quick-response training; legislative
6 intent.--The Legislature recognizes the importance of
7 providing a skilled workforce for attracting new industries
8 and retaining and expanding existing businesses and industries
9 in this state. It is the intent of the Legislature that a
10 program exist to meet the short-term, immediate,
11 workforce-skill needs of such businesses and industries. It
12 is further the intent of the Legislature that funds provided
13 for the purposes of s. 288.047 be expended on businesses and
14 industries that support the state's economic development
15 goals, particularly high value-added businesses ~~in Florida's~~
16 ~~Targeted Industrial Clusters~~ or businesses that locate in and
17 provide jobs in the state's distressed urban and rural areas,
18 and that instruction funded pursuant to s. 288.047 lead to
19 permanent, quality employment opportunities.

20 Section 88. Section 288.047, Florida Statutes, is
21 amended to read:

22 288.047 Quick-response training for economic
23 development.--

24 (1) The Quick-Response Training Program is created to
25 meet the workforce-skill needs of existing, new, and expanding
26 industries. The program shall be administered by Workforce
27 ~~Enterprise~~ Florida, Inc., in conjunction with Enterprise
28 Florida, Inc., and the Department of Education. Workforce
29 ~~Enterprise~~ Florida, Inc., shall adopt guidelines for the
30 administration of this program. Workforce ~~Enterprise~~ Florida,
31 Inc., shall provide technical services and shall identify

1 businesses that seek services through the program. The
2 ~~Department of Education shall provide services related to the~~
3 ~~development and implementation of instructional programs.~~

4 ~~(2)(a) A Quick-Response Advisory Committee, composed~~
5 ~~of the director of the Division of Workforce Development of~~
6 ~~the Department of Education; the director of the Division of~~
7 ~~Community Colleges of the Department of Education; and the~~
8 ~~director of the Division of Jobs and Benefits of the~~
9 ~~Department of Labor and Employment Security, or their~~
10 ~~respective designees, and four private sector members, shall~~
11 ~~review training funded through this program and shall provide~~
12 ~~policy advice to Enterprise Florida, Inc., in the~~
13 ~~implementation of this program. The committee shall elect a~~
14 ~~chair from among its members. Members of the committee may~~
15 ~~receive reimbursement for per diem and travel expenses as~~
16 ~~provided in s. 112.061.~~

17 ~~(b) The four private sector members appointed to the~~
18 ~~Quick-Response Advisory Committee must be selected from a~~
19 ~~slate of nominees submitted by the board of directors of~~
20 ~~Enterprise Florida, Inc. The president of Enterprise Florida,~~
21 ~~Inc., shall appoint private sector members from this slate for~~
22 ~~terms of 4 years, except that in making the initial~~
23 ~~appointments, the president shall appoint members for~~
24 ~~staggered terms, one for 1 year, 2 years, 3 years, and 4~~
25 ~~years, respectively. To the maximum extent possible, the~~
26 ~~president shall select private sector members who are~~
27 ~~representative of diverse industries and regions of the state.~~
28 ~~The importance of minority representation must be considered~~
29 ~~when making appointments for each private sector position.~~
30 ~~Private sector members may be removed for cause. Absence from~~
31

1 ~~three consecutive meetings results in the automatic removal of~~
2 ~~a private sector member.~~

3 ~~(c) The Quick-Response Advisory Committee shall meet~~
4 ~~at the call of its chair, at the request of a majority of the~~
5 ~~membership, at the request of Enterprise Florida, Inc., or at~~
6 ~~times prescribed by its rules. The committee shall serve to~~
7 ~~advise Enterprise Florida, Inc., regarding the administration~~
8 ~~of the Quick-Response Training Program.~~

9 ~~(2)(3)~~ Workforce ~~Enterprise~~ Florida, Inc., shall
10 ensure that instruction funded pursuant to this section is not
11 available through the local community college or ~~school~~
12 ~~district, or private industry council~~ and that the instruction
13 promotes economic development by providing specialized
14 training entry-level skills to new workers or retraining for
15 supplemental skills to current employees to meet changing
16 skill requirements caused by new technology or new product
17 lines and to prevent potential layoffs whose job descriptions
18 are changing. Such funds may not be expended to ~~subsidize the~~
19 ~~ongoing staff development program of any business or industry~~
20 ~~or~~ to provide training for instruction related to retail
21 businesses or to reimburse businesses for trainee wages. Funds
22 made available pursuant to this section may not be expended in
23 connection with the relocation of a business from one
24 community to another community in this state unless Workforce
25 ~~Enterprise~~ Florida, Inc., determines that without such
26 relocation the business will move outside this state or
27 determines that the business has a compelling economic
28 rationale for the relocation which creates additional jobs.

29 ~~(3)(4)~~ Requests for funding through the Quick-Response
30 Training Program may be produced through inquiries from a
31 specific business or industry, inquiries from a school

1 district director of career education or community college
2 occupational dean on behalf of a business or industry, or
3 through official state or local economic development efforts.
4 In allocating funds for the purposes of the program, Workforce
5 ~~Enterprise~~ Florida, Inc., shall establish criteria for
6 approval of requests for funding and shall select the entity
7 that provides the most efficient, cost-effective instruction
8 meeting such criteria. Program funds may be allocated to any
9 area technical center, community college, or state university.
10 Program funds may be allocated to private postsecondary
11 institutions only upon a review that includes, but is not
12 limited to, accreditation and licensure documentation and
13 prior approval by Workforce Florida, Inc. ~~a majority of the~~
14 ~~advisory committee.~~ Instruction funded through the program
15 must terminate when participants demonstrate competence at the
16 level specified in the request; however, the grant term
17 ~~instruction~~ may not exceed 24 ~~18~~ months. Costs and
18 expenditures for the Quick-Response Training Program must be
19 documented and separated from those incurred by the training
20 provider.

21 ~~(4)(5)~~ For the first 6 months of each fiscal year,
22 Workforce ~~Enterprise~~ Florida, Inc., shall set aside 30 percent
23 of the amount appropriated for the Quick-Response Training
24 Program by the Legislature to fund instructional programs for
25 businesses located in an enterprise zone or brownfield area ~~to~~
26 ~~instruct residents of an enterprise zone.~~ Any unencumbered
27 funds remaining undisbursed from this set-aside at the end of
28 the 6-month period may be used to provide funding for any
29 program qualifying for funding pursuant to this section.

30 ~~(5)(6)~~ Prior to the allocation of funds for any
31 request pursuant to this section, Workforce ~~Enterprise~~

1 Florida, Inc., shall prepare a grant agreement between the
2 business or industry requesting funds, the educational
3 institution receiving funding through the program, and
4 Workforce Enterprise Florida, Inc. Such agreement must
5 include, but is not limited to:

6 ~~(a) An identification of the facility in which the~~
7 ~~instruction will be conducted and the respective~~
8 ~~responsibilities of the parties for paying costs associated~~
9 ~~with facility use.~~

10 ~~(b) An identification of the equipment necessary to~~
11 ~~conduct the program, the respective responsibilities of the~~
12 ~~parties for paying costs associated with equipment purchase,~~
13 ~~maintenance, and repair, as well as an identification of which~~
14 ~~party owns the equipment upon completion of the instruction.~~

15 ~~(a)(c)~~ An identification of the personnel necessary to
16 conduct the instructional program, the qualifications of such
17 personnel, and the respective responsibilities of the parties
18 for paying costs associated with the employment of such
19 personnel.

20 ~~(b)(d)~~ An identification of the estimated length of
21 the instructional program. Such program may not exceed 12
22 months of full-time instruction or 18 months of total
23 instruction.

24 (c) An identification of all direct, training-related
25 costs, including tuition and fees, curriculum development,
26 books and classroom materials, and overhead or indirect costs,
27 not to exceed 5 percent of the grant amount.

28 ~~(d)(e)~~ An identification of special program
29 requirements that are not addressed otherwise in the
30 agreement.

31

1 (e)~~(f)~~ Permission to access information specific to
2 the wages and performance of participants upon the completion
3 of instruction for evaluation purposes. Information which, if
4 released, would disclose the identity of the person to whom
5 the information pertains or disclose the identity of the
6 person's employer is confidential and exempt from the
7 provisions of s. 119.07(1). The agreement must specify that
8 any evaluations published subsequent to the instruction may
9 not identify the employer or any individual participant.

10 (6)~~(7)~~ For the purposes of this section, Workforce
11 ~~Enterprise~~ Florida, Inc., may accept grants of money,
12 materials, services, or property of any kind from any agency,
13 corporation, or individual.

14 ~~(8) Enterprise Florida, Inc., may procure equipment as~~
15 ~~necessary to meet the purposes of this section. Title to and~~
16 ~~control of such equipment is vested in the Department of~~
17 ~~Education. Upon the conclusion of instruction, the Department~~
18 ~~of Education may transfer title to the district school board,~~
19 ~~community college district board of trustees, or Board of~~
20 ~~Regents on behalf of a specific state university, where the~~
21 ~~equipment is physically located. The department may also~~
22 ~~lease such equipment to the district school board, community~~
23 ~~college district board of trustees, or Board of Regents for a~~
24 ~~maximum of 1 year. Such lease may provide for automatic~~
25 ~~renewal. Either party to a lease has the right to cancel the~~
26 ~~lease upon a 60-day notice in writing. Any equipment for which~~
27 ~~no title transfer or lease exists must be returned to a~~
28 ~~warehouse reserve and be available for use by an instructional~~
29 ~~program in any area of the state.~~

30 (7)~~(9)~~ In providing instruction pursuant to this
31 section, materials that relate to methods of manufacture or

1 production, potential trade secrets, business transactions, or
2 proprietary information received, produced, ascertained, or
3 discovered by employees of the respective departments,
4 district school boards, community college district boards of
5 trustees, or other personnel employed for the purposes of this
6 section is confidential and exempt from the provisions of s.
7 119.07(1). The state may seek copyright protection for all
8 instructional materials and ancillary written documents
9 developed wholly or partially with state funds as a result of
10 instruction provided pursuant to this section, except for
11 materials that are confidential and exempt from the provisions
12 of s. 119.07(1).

13 (8)(10) There is created a Quick-Response Training
14 Program for ~~Work and Gain Economic Self-sufficiency (WAGES)~~
15 participants in the welfare-transition program. Workforce
16 ~~Enterprise Florida, Inc., may, at the discretion of the State~~
17 ~~WAGES Emergency Response Team,~~ award quick-response training
18 grants and develop applicable guidelines for the training of
19 participants in the welfare-transition ~~WAGES~~ program. In
20 addition to a local economic development organization, grants
21 must be endorsed by the applicable ~~local WAGES coalition and~~
22 regional workforce ~~development~~ board.

23 (a) Training funded pursuant to this subsection may
24 not exceed 12 months, and may be provided by the local
25 community college, school district, regional workforce
26 ~~development~~ board, or the business employing the participant,
27 including on-the-job training. Training will provide
28 entry-level skills to new workers, including those employed in
29 retail, who are participants in the welfare-transition ~~WAGES~~
30 program.
31

1 (b) ~~WAGES~~ Participants trained pursuant to this
2 subsection must be employed at a wage not less than ~~\$6\$6.00~~
3 per hour.

4 (c) Funds made available pursuant to this subsection
5 may be expended in connection with the relocation of a
6 business from one community to another community if approved
7 by Workforce Florida, Inc. ~~the State WAGES Emergency Response~~
8 ~~Team.~~

9 (9) Notwithstanding any other provision of law,
10 eligible matching contributions received under the
11 Quick-Response Training Program under this section may be
12 counted toward the private-sector support of Enterprise
13 Florida, Inc., under s. 288.90151(5)(d).

14 (10) Workforce Florida, Inc., and Enterprise Florida,
15 Inc., shall ensure maximum coordination and cooperation in
16 administering this section, in such a manner that any division
17 of responsibility between the two organizations which relates
18 to marketing or administering the Quick-Response Training
19 Program is not apparent to a business that inquires about or
20 applies for funding under this section. The organizations
21 shall provide such a business with a single point of contact
22 for information and assistance.

23 Section 89. Subsection (7) of section 288.0656,
24 Florida Statutes, is amended to read:

25 288.0656 Rural Economic Development Initiative.--

26 (7) REDI may recommend to the Governor up to three
27 rural areas of critical economic concern. A rural area of
28 critical economic concern must be a rural community, or a
29 region composed of such, that has been adversely affected by
30 an extraordinary economic event or a natural disaster or that
31 presents a unique economic development opportunity of regional

1 impact that will create more than 1,000 jobs over a 5-year
2 period. The Governor may by executive order designate up to
3 three rural areas of critical economic concern which will
4 establish these areas as priority assignments for REDI as well
5 as to allow the Governor, acting through REDI, to waive
6 criteria, requirements, or similar provisions of any economic
7 development incentive. Such incentives shall include, but not
8 be limited to: the Qualified Target Industry Tax Refund
9 Program under s. 288.106, the Quick Response Training Program
10 under s. 288.047, the ~~WAGES~~ Quick Response Training Program
11 for participants in the welfare-transition program under s.
12 288.047(8)~~s. 288.047(10)~~, transportation projects under s.
13 288.063, the brownfield redevelopment bonus refund under s.
14 288.107, and the rural job tax credit program under ss.
15 212.098 and 220.1895. Designation as a rural area of critical
16 economic concern under this subsection shall be contingent
17 upon the execution of a memorandum of agreement among the
18 Office of Tourism, Trade, and Economic Development; the
19 governing body of the county; and the governing bodies of any
20 municipalities to be included within a rural area of critical
21 economic concern. Such agreement shall specify the terms and
22 conditions of the designation, including, but not limited to,
23 the duties and responsibilities of the county and any
24 participating municipalities to take actions designed to
25 facilitate the retention and expansion of existing businesses
26 in the area, as well as the recruitment of new businesses to
27 the area.

28 Section 90. Paragraph (f) of subsection (3) of section
29 288.901, Florida Statutes, is amended to read:

30 288.901 Enterprise Florida, Inc.; creation;
31 membership; organization; meetings; disclosure.--

1 (3) Enterprise Florida, Inc., shall be governed by a
2 board of directors. The board of directors shall consist of
3 the following members:

4 (f) The chairperson of the board of directors of ~~the~~
5 Workforce Florida, Inc. ~~Development Board.~~

6 Section 91. Paragraph (i) of subsection (1) of section
7 288.904, Florida Statutes, is amended to read:

8 288.904 Powers of the board of directors of Enterprise
9 Florida, Inc.--

10 (1) The board of directors of Enterprise Florida,
11 Inc., shall have the power to:

12 (i) Use the state seal, notwithstanding the provisions
13 of s. 15.03, when appropriate, to establish that Enterprise
14 Florida, Inc., is the principal economic, ~~workforce,~~ and trade
15 development organization for the state, and for other standard
16 corporate identity applications. Use of the state seal is not
17 to replace use of a corporate seal as provided in this
18 section.

19 Section 92. Subsections (1) and (3) of section
20 288.905, Florida Statutes, are amended to read:

21 288.905 Duties of the board of directors of Enterprise
22 Florida, Inc.--

23 (1) In the performance of its functions and duties,
24 the board of directors may establish, implement, and manage
25 policies, strategies, and programs for Enterprise Florida,
26 Inc., and its boards. These policies, strategies, and programs
27 shall promote business formation, expansion, recruitment, and
28 retention through aggressive marketing and international
29 development and export assistance; ~~and workforce development,~~
30 which together lead to more and better jobs with higher wages
31 for all geographic regions and communities of the state,

1 including rural areas and urban core areas, and for all
2 residents, including minorities. In developing such policies,
3 strategies, and programs, the board of directors shall solicit
4 advice from and consider the recommendations of its boards,
5 any advisory committees or similar groups created by
6 Enterprise Florida, Inc., and local and regional partners.

7 (3)(a) The strategic plan required under this section
8 shall include, but is not limited to, strategies for the
9 promotion of business formation, expansion, recruitment, and
10 retention through aggressive marketing, international
11 development, and export assistance, ~~and workforce development~~
12 ~~programs~~ which lead to more and better jobs and higher wages
13 for all geographic regions and disadvantaged communities and
14 populations of the state, including rural areas, minority
15 businesses, and urban core areas. Further, the strategic plan
16 shall give consideration to the economic diversity of the
17 state and its regions and their associated industrial clusters
18 and develop realistic policies and programs to further their
19 development.

20 (b)1. The strategic plan required under this section
21 shall include specific provisions for the stimulation of
22 economic development and job creation in rural areas and
23 midsize cities and counties of the state.

24 2. Enterprise Florida, Inc., shall involve local
25 governments, local and regional economic development
26 organizations, and other local, state, and federal economic,
27 international, and workforce development entities, both public
28 and private, in developing and carrying out policies,
29 strategies, and programs, seeking to partner and collaborate
30 to produce enhanced public benefit at a lesser cost.

31

1 3. Enterprise Florida, Inc., shall involve rural,
2 urban, small-business, and minority-business development
3 agencies and organizations, both public and private, in
4 developing and carrying out policies, strategies, and
5 programs.

6 ~~(c) The strategic plan required under this section~~
7 ~~shall include the creation of workforce training programs that~~
8 ~~lead to better employment opportunities and higher wages.~~

9 (c)~~(d)~~ The strategic plan required under this section
10 shall include the promotion of the successful long-term
11 economic development of the state with increased emphasis in
12 market research and information to local economic development
13 entities and generation of foreign investment in the state
14 that creates jobs with above-average wages,
15 internationalization of this state, with strong emphasis in
16 reverse investment that creates high wage jobs for the state
17 and its many regions, including programs that establish viable
18 overseas markets, generate foreign investment, assist in
19 meeting the financing requirements of export-ready firms,
20 broaden opportunities for international joint venture
21 relationships, use the resources of academic and other
22 institutions, coordinate trade assistance and facilitation
23 services, and facilitate availability of and access to
24 education and training programs which will assure requisite
25 skills and competencies necessary to compete successfully in
26 the global marketplace.

27 (d)~~(e)~~ The strategic plan required under this section
28 shall include the identification of business sectors that are
29 of current or future importance to the state's economy and to
30 the state's worldwide business image, and development of
31

1 specific strategies to promote the development of such
2 sectors.

3 Section 93. Paragraph (f) of subsection (1) of section
4 288.906, Florida Statutes, is amended to read:

5 288.906 Annual report of Enterprise Florida, Inc.;
6 audits; confidentiality.--

7 (1) Prior to December 1 of each year, Enterprise
8 Florida, Inc., shall submit to the Governor, the President of
9 the Senate, the Speaker of the House of Representatives, the
10 Senate Minority Leader, and the House Minority Leader a
11 complete and detailed report including, but not limited to:

12 (f) An assessment of ~~employee training and job~~
13 creation that directly benefits participants in the
14 welfare-transition ~~WAGES~~ program.

15
16 The detailed report required by this subsection shall also
17 include the information identified in paragraphs (a)-(g), if
18 applicable, for any board established within the corporate
19 structure of Enterprise Florida, Inc.

20 Section 94. Subsection (4) of section 320.20, Florida
21 Statutes, is amended to read:

22 320.20 Disposition of license tax moneys.--The revenue
23 derived from the registration of motor vehicles, including any
24 delinquent fees and excluding those revenues collected and
25 distributed under the provisions of s. 320.081, must be
26 distributed monthly, as collected, as follows:

27 (4) Notwithstanding any other provision of law except
28 subsections (1), (2), and (3), on July 1, 1999, and annually
29 thereafter, \$10 million shall be deposited in the State
30 Transportation Trust Fund solely for the purposes of funding
31 the Florida Seaport Transportation and Economic Development

1 Program as provided in chapter 311 and for funding seaport
2 intermodal access projects of statewide significance as
3 provided in s. 341.053. Such revenues shall be distributed to
4 any port listed in s. 311.09(1), to be used for funding
5 projects as follows:

6 (a) For any seaport intermodal access projects that
7 are identified in the 1997-1998 Tentative Work Program of the
8 Department of Transportation, up to the amounts needed to
9 offset the funding requirements of this section; ~~and~~

10 (b) For seaport intermodal access projects as
11 described in s. 341.053(5) that are identified in the 5-year
12 Florida Seaport Mission Plan as provided in s. 311.09(3).
13 Funding for such projects shall be on a matching basis as
14 mutually determined by the Florida Seaport Transportation and
15 Economic Development Council and the Department of
16 Transportation, provided a minimum of 25 percent of total
17 project funds shall come from any port funds, local funds,
18 private funds, or specifically earmarked federal funds; ~~or~~

19 (c) On a 50-50 matching basis for projects as
20 described in s. 311.07(3)(b); or-

21 (d) For seaport intermodal access projects that
22 involve the dredging or deepening of channels, turning basins,
23 or harbors; or the rehabilitation of wharves, docks, or
24 similar structures. Funding for such projects shall require a
25 25 percent match of the funds received pursuant to this
26 subsection. Matching funds shall come from any port funds,
27 federal funds, local funds, or private funds.

28
29 Such revenues may be assigned, pledged, or set aside as a
30 trust for the payment of principal or interest on bonds, tax
31 anticipation certificates, or any other form of indebtedness

1 issued by an individual port or appropriate local government
2 having jurisdiction thereof, or collectively by interlocal
3 agreement among any of the ports, or used to purchase credit
4 support to permit such borrowings. However, such debt shall
5 not constitute a general obligation of the state. This state
6 does hereby covenant with holders of such revenue bonds or
7 other instruments of indebtedness issued hereunder that it
8 will not repeal or impair or amend this subsection in any
9 manner which will materially and adversely affect the rights
10 of holders so long as bonds authorized by this subsection are
11 outstanding. Any revenues that are not pledged to the
12 repayment of bonds as authorized by this section may be
13 utilized for purposes authorized under the Florida Seaport
14 Transportation and Economic Development Program. This revenue
15 source is in addition to any amounts provided for and
16 appropriated in accordance with s. 311.07 and subsection (3).
17 The Florida Seaport Transportation and Economic Development
18 Council shall approve distribution of funds to ports for
19 projects that have been approved pursuant to s. 311.09(5)-(9),
20 or for seaport intermodal access projects identified in the
21 5-year Florida Seaport Mission Plan as provided in s.
22 311.09(3) and mutually agreed upon by the FSTED Council and
23 the Department of Transportation. All contracts for actual
24 construction of projects authorized by this subsection must
25 include a provision encouraging employment of ~~WAGES~~
26 participants in the welfare-transition program. The goal for
27 employment of ~~WAGES~~ participants in the welfare-transition
28 program is 25 percent of all new employees employed
29 specifically for the project, unless the Department of
30 Transportation and the Florida Seaport Transportation and
31 Economic Development Council demonstrates ~~can demonstrate to~~

1 ~~the satisfaction of the Secretary of Labor and Employment~~
2 ~~Security~~ that such a requirement would severely hamper the
3 successful completion of the project. In such an instance,
4 Workforce Florida, Inc., ~~the Secretary of Labor and Employment~~
5 ~~Security~~ shall establish an appropriate percentage of
6 employees that must be ~~WAGES~~ participants in the
7 welfare-transition program. The council and the Department of
8 Transportation are authorized to perform such acts as are
9 required to facilitate and implement the provisions of this
10 subsection. To better enable the ports to cooperate to their
11 mutual advantage, the governing body of each port may exercise
12 powers provided to municipalities or counties in s.
13 163.01(7)(d) subject to the provisions of chapter 311 and
14 special acts, if any, pertaining to a port. The use of funds
15 provided pursuant to this subsection is limited to eligible
16 projects listed in this subsection. The provisions of s.
17 311.07(4) do not apply to any funds received pursuant to this
18 subsection.

19 Section 95. Paragraph (c) of subsection (9) of section
20 322.34, Florida Statutes, is amended to read:

21 322.34 Driving while license suspended, revoked,
22 canceled, or disqualified.--

23 (9)

24 (c) Notwithstanding s. 932.703(1)(c) or s. 932.7055,
25 when the seizing agency obtains a final judgment granting
26 forfeiture of the motor vehicle under this section, 30 percent
27 of the net proceeds from the sale of the motor vehicle shall
28 be retained by the seizing law enforcement agency and 70
29 percent shall be deposited in the General Revenue Fund for use
30 by regional workforce boards ~~local WAGES coalitions~~ in
31 providing transportation services for participants of the

1 welfare-transition ~~WAGES~~ program. In a forfeiture proceeding
2 under this section, the court may consider the extent that the
3 family of the owner has other public or private means of
4 transportation.

5 Section 96. Subsection (1) of section 341.052, Florida
6 Statutes, is amended to read:

7 341.052 Public transit block grant program;
8 administration; eligible projects; limitation.--

9 (1) There is created a public transit block grant
10 program which shall be administered by the department. Block
11 grant funds shall only be provided to "Section 9" providers
12 and "Section 18" providers designated by the United States
13 Department of Transportation and community transportation
14 coordinators as defined in chapter 427. Eligible providers
15 must establish public transportation development plans
16 consistent, to the maximum extent feasible, with approved
17 local government comprehensive plans of the units of local
18 government in which the provider is located. In developing
19 public transportation development plans, eligible providers
20 must solicit comments from regional workforce boards ~~local~~
21 ~~WAGES coalitions~~ established under chapter ~~445~~ 414. The
22 development plans must address how the public transit provider
23 will work with the appropriate regional workforce board ~~local~~
24 ~~WAGES coalition~~ to provide services to ~~WAGES~~ participants in
25 the welfare-transition program. Eligible providers must ~~review~~
26 ~~program and financial plans established under s. 414.028 and~~
27 provide information to the regional workforce board ~~local~~
28 ~~WAGES coalition~~ serving the county in which the provider is
29 located regarding the availability of transportation services
30 to assist ~~WAGES~~ program participants.

31

1 Section 97. Subsections (1) and (8) of section
2 402.3015, Florida Statutes, are amended, and subsection (10)
3 is added to that section, to read:

4 402.3015 Subsidized child care program; purpose; fees;
5 contracts.--

6 (1) The purpose of the subsidized child care program
7 is to provide quality child care to enhance the development,
8 including language, cognitive, motor, social, and self-help
9 skills of children who are at risk of abuse or neglect and
10 children of low-income families, and to promote financial
11 self-sufficiency and life skills for the families of these
12 children, unless prohibited by federal law. Priority for
13 participation in the subsidized child care program shall be
14 accorded to children under 13 years of age who are:

15 (a) Determined to be at risk of abuse, neglect, or
16 exploitation and who are currently clients of the department's
17 Children and Families Program Office;

18 (b) Children at risk of welfare dependency, including
19 children of participants in the welfare-transition ~~WAGES~~
20 program, children of migrant farmworkers, children of teen
21 parents, and children from other families at risk of welfare
22 dependency due to a family income of less than 100 percent of
23 the federal poverty level;

24 (c) Children of working families whose family income
25 is equal to or greater than 100 percent, but does not exceed
26 150 percent, of the federal poverty level; ~~and~~

27 (d) Children of working families enrolled in the Child
28 Care Executive Partnership Program whose family income does
29 not exceed 200 percent of the federal poverty level; and—
30
31

1 (e) Children of working families who participate in
2 the diversion program to strengthen Florida's families under
3 s. 445.018.

4 (8) The community child care coordinating agencies
5 shall assist participants in the welfare-transition ~~WAGES~~
6 program and former participants of the program who are
7 eligible for subsidized child care in developing cooperative
8 child care arrangements whereby participants support and
9 assist one another in meeting child care needs at minimal cost
10 to the individual participant.

11 (10) A family that is eligible to participate in the
12 subsidized child care program shall be considered a needy
13 family for purposes of the program funded through the federal
14 Temporary Assistance for Needy Families (TANF) block grant, to
15 the extent permitted by the appropriation of funds.

16 Section 98. Paragraph (g) of subsection (1) of section
17 402.33, Florida Statutes, is amended to read:

18 402.33 Department authority to charge fees for
19 services provided.--

20 (1) As used in this section, the term:

21 (g) "State and federal aid" means cash assistance or
22 cash equivalent benefits based on an individual's proof of
23 financial need, including, but not limited to, temporary cash
24 assistance ~~under the WAGES Program~~ and food stamps.

25 Section 99. Paragraph (a) of subsection (3) of section
26 402.40, Florida Statutes, is amended to read:

27 402.40 Child welfare training academies established;
28 Child Welfare Standards and Training Council created;
29 responsibilities of council; Child Welfare Training Trust Fund
30 created.--

31 (3) CHILD WELFARE STANDARDS AND TRAINING COUNCIL.--

1 (a) There is created within the Department of Children
2 and Family Services the Child Welfare Training Council,
3 hereinafter referred to as the council. The 21-member council
4 shall consist of the Commissioner of Education or his or her
5 designee; a member of the judiciary who has experience in the
6 area of dependency and has served at least 3 years in the
7 Juvenile Division of the circuit court, to be appointed by the
8 Chief Justice of the Supreme Court; and 19 members to be
9 appointed by the Secretary of Children and Family Services as
10 follows:

11 1. Nine members shall be dependency program staff:

12 a. An intake supervisor or counselor, a protective
13 services supervisor or counselor, a foster care supervisor or
14 counselor, and an adoption and related services supervisor or
15 counselor. Each such member shall have at least 5 years'
16 experience working with children and families, at least two
17 members shall each have a master's degree in social work, and
18 any member not having a master's degree in social work shall
19 have at least a bachelor's degree in social work, child
20 development, behavioral psychology, or any other discipline
21 directly related to providing care or counseling for families.

22 b. A representative from a licensed, residential
23 child-caring agency contracted with by the state; a
24 representative from a runaway shelter or similar program
25 primarily serving adolescents, which shelter or program must
26 be contracted with by the state; and a representative from a
27 licensed child-placing agency contracted with by the state.

28 At least two of these members shall each have a master's
29 degree in social work, and any member not having a master's
30 degree in social work shall have a degree as cited in
31

1 sub-subparagraph a. All three members shall have at least 5
2 years' experience working with children and families.

3 c. A family foster home parent and an emergency
4 shelter home parent, both of whom shall have been providing
5 such care for at least 5 years and shall have participated in
6 training for foster parents or shelter parents on an ongoing
7 basis.

8 2. One member shall be a supervisor or counselor from
9 the temporary cash assistance ~~WAGES~~ program.

10 3. Two members shall be educators from the state's
11 university and community college programs of social work,
12 child development, psychology, sociology, or other field of
13 study pertinent to the training of dependency program staff.

14 4. One member shall be a pediatrician with expertise
15 in the area of child abuse and neglect.

16 5. One member shall be a psychiatrist or licensed
17 clinical psychologist with extensive experience in counseling
18 children and families.

19 6. One member shall be an attorney with extensive
20 experience in the practice of family law.

21 7. One member shall be a guardian ad litem or a child
22 welfare attorney, either of whom shall have extensive
23 experience in the representation of children.

24 8. One member shall be a state attorney with
25 experience and expertise in the area of dependency and family
26 law.

27 9. One member shall be a representative from a local
28 law enforcement unit specializing in child abuse and neglect.

29 10. One member shall be a lay citizen who is a member
30 of a child advocacy organization.

31

1 The initial members of the council shall be appointed within
2 30 days of the effective date of this section. Of the initial
3 appointments, the member appointed by the Chief Justice of the
4 Supreme Court, three members appointed pursuant to
5 subparagraph 1., one member appointed pursuant to subparagraph
6 3., and the members specified in subparagraphs 4. and 5. shall
7 be appointed to terms of 3 years each; three members appointed
8 pursuant to subparagraph 1., one of the members appointed
9 pursuant to subparagraph 3., and the members specified in
10 subparagraphs 2., 6., and 7. shall be appointed for terms of 2
11 years each; and three members appointed pursuant to
12 subparagraph 1., and the members specified in subparagraphs
13 8., 9., and 10. shall be appointed to terms of 1 year each.
14 Thereafter, all appointed members shall serve terms of 3 years
15 each. No person shall serve more than two consecutive terms.

16 Section 100. Subsection (4) of section 402.45, Florida
17 Statutes, is amended to read:

18 402.45 Community resource mother or father program.--

19 (4) A community resource mother or father shall be an
20 individual who by residence and resources is able to identify
21 with the target population, and meets the following minimum
22 criteria:

23 (a) Is at least 25 years of age.

24 (b) Is a mother or father.

25 (c) Is a recipient of temporary cash assistance ~~under~~
26 ~~the WAGES Program~~ or a person with an income below the federal
27 poverty level, or has an income equivalent to community
28 clients.

29 Section 101. Subsection (3) of section 403.973,
30 Florida Statutes, is amended to read:

31

1 403.973 Expedited permitting; comprehensive plan
2 amendments.--

3 (3)(a) The Governor, through the office, shall direct
4 the creation of regional permit action teams, for the purpose
5 of expediting review of permit applications and local
6 comprehensive plan amendments submitted by:

- 7 1. Businesses creating at least 100 jobs, or
- 8 2. Businesses creating at least 50 jobs if the project
9 is located in an enterprise zone, or in a county having a
10 population of less than 75,000 or in a county having a
11 population of less than 100,000 which is contiguous to a
12 county having a population of less than 75,000, as determined
13 by the most recent decennial census, residing in incorporated
14 and unincorporated areas of the county, or

15 (b) On a case-by-case basis and at the request of a
16 county or municipal government, the office may certify as
17 eligible for expedited review a project not meeting the
18 minimum job creation thresholds but creating a minimum of 10
19 jobs. The recommendation from the governing body of the county
20 or municipality in which the project may be located is
21 required in order for the office to certify that any project
22 is eligible for expedited review under this paragraph. When
23 considering projects that do not meet the minimum job creation
24 thresholds but that are recommended by the governing body in
25 which the project may be located, the office shall consider
26 economic impact factors that include, but are not limited to:

- 27 1. The proposed wage and skill levels relative to
28 those existing in the area in which the project may be
29 located;
- 30 2. The project's potential to diversify and strengthen
31 the area's economy;

- 1 3. The amount of capital investment; and
2 4. The number of jobs that will be made available for
3 persons served by the welfare-transition ~~WAGES~~ program.

4 (c) At the request of a county or municipal
5 government, the office or a Quick Permitting County may
6 certify projects located in counties where the ratio of new
7 jobs per participant in the welfare-transition program ~~WAGES~~
8 ~~client~~, as determined by ~~the~~ Workforce Florida, Inc.
9 ~~Development Board of Enterprise Florida~~, is less than one or
10 otherwise critical, as eligible for the expedited permitting
11 process. Such projects must meet the numerical job creation
12 criteria of this subsection, but the jobs created by the
13 project do not have to be high-wage jobs that diversify the
14 state's economy.

15 Section 102. Subsection (7) of section 409.2554,
16 Florida Statutes, is amended to read:

17 409.2554 Definitions.--As used in ss.
18 409.2551-409.2598, the term:

19 (7) "Public assistance" means food stamps, money
20 assistance paid on the basis of Title IV-E and Title XIX of
21 the Social Security Act, or temporary cash assistance ~~paid~~
22 ~~under the WAGES Program~~.

23 Section 103. Subsection (1) of section 409.259,
24 Florida Statutes, is amended to read:

25 409.259 Partial payment of filing fees.--

26 (1) Notwithstanding s. 28.241, each clerk of the
27 circuit court shall only be reimbursed at the prevailing rate
28 of federal financial participation on the amount of \$40 for
29 each civil action, suit, or proceeding for support instituted
30 in the circuit court in which the parent is not receiving
31 temporary cash assistance ~~under the WAGES Program~~. The

1 prevailing rate of the state match shall be paid by the local
2 government in the form of a certified public expenditure. The
3 clerk of the circuit court shall bill the department monthly.
4 The clerk of the circuit court and the department shall
5 maintain a monthly log of the number of civil actions, suits,
6 or proceedings filed in which the parent does not receive
7 temporary assistance. These monthly logs will be used to
8 determine the number of \$40 filings the clerk of court may
9 submit for reimbursement at the prevailing rate of federal
10 financial participation.

11 Section 104. Paragraph (c) of subsection (1) of
12 section 409.903, Florida Statutes, is amended to read:

13 409.903 Mandatory payments for eligible persons.--The
14 agency shall make payments for medical assistance and related
15 services on behalf of the following persons who the agency
16 determines to be eligible, subject to the income, assets, and
17 categorical eligibility tests set forth in federal and state
18 law. Payment on behalf of these Medicaid eligible persons is
19 subject to the availability of moneys and any limitations
20 established by the General Appropriations Act or chapter 216.

21 (1) Low-income families with children are eligible for
22 Medicaid provided they meet the following requirements:

23 (c) The family's countable income and resources do not
24 exceed the applicable Aid to Families with Dependent Children
25 (AFDC) income and resource standards under the AFDC state plan
26 in effect in July 1996, except as amended in the Medicaid
27 state plan to conform as closely as possible to the
28 requirements of the welfare-transition ~~WAGES~~ program ~~as~~
29 ~~created in s. 414.015~~, to the extent permitted by federal law.

30 Section 105. Section 409.942, Florida Statutes, is
31 amended to read:

1 409.942 Electronic benefit transfer program.--

2 (1) The Department of Children and Family Services
3 shall establish an electronic benefit transfer program for the
4 dissemination of food stamp benefits and temporary assistance
5 payments, including refugee cash assistance payments, asylum
6 applicant payments, and child support disregard payments. If
7 the Federal Government does not enact legislation or
8 regulations providing for dissemination of supplemental
9 security income by electronic benefit transfer, the state may
10 include supplemental security income in the electronic benefit
11 transfer program.

12 (2) The department shall, in accordance with
13 applicable federal laws and regulations, develop minimum
14 program requirements and other policy initiatives for the
15 electronic benefit transfer program ~~and shall have at least~~
16 ~~one operational pilot program in place by July 1, 1996.~~

17 (3) The department shall enter into public-private
18 contracts for all provisions of electronic transfer of public
19 assistance benefits, including, but not limited to, the
20 necessary electronic equipment and technical support for the
21 electronic benefit transfer pilot program.

22 (4) Workforce Florida, Inc., through the Agency for
23 Workforce Innovation, shall establish an electronic benefit
24 transfer program for the use and management of education,
25 training, childcare, transportation, and other program
26 benefits under its direction. The workforce electronic benefit
27 transfer program shall fulfill all federal and state
28 requirements for Individual Training Accounts, Retention
29 Incentive Training Accounts, Individual Development Accounts,
30 and Individual Services Accounts. The workforce electronic
31 benefit transfer program shall be designed to enable an

1 individual who receives an electronic benefit transfer card
2 under subsection (1) to use that card for purposes of benefits
3 provided under the workforce development system as well. The
4 Department of Children and Family Services shall assist
5 Workforce Florida, Inc., in developing an electronic benefit
6 transfer program for the workforce development system that is
7 fully compatible with the department's electronic benefit
8 transfer program. The agency shall reimburse the department
9 for all costs incurred in providing such assistance and shall
10 pay all costs for the development of the workforce electronic
11 benefit transfer program.

12 Section 106. Paragraph (b) of subsection (4) and
13 paragraph (a) of subsection (6) of section 411.01, Florida
14 Statutes, are amended to read:

15 411.01 Florida Partnership for School Readiness;
16 school readiness coalitions.--

17 (4) FLORIDA PARTNERSHIP FOR SCHOOL READINESS.--

18 (b)1. The Florida Partnership for School Readiness
19 shall include the Lieutenant Governor or his or her designee,
20 the Commissioner of Education, the Secretary of Children and
21 Family Services, the Secretary of Health, the chair of the
22 Child Care Executive Partnership Board, and the chairperson of
23 the ~~WAGES Program State~~ board of directors of Workforce
24 Florida, Inc.

25 2. The partnership shall also include 10 members of
26 the public who shall be business, community, and civic leaders
27 in the state who are not elected to public office. These
28 members and their families must not be providers in the early
29 education and child care industry. The members must be
30 geographically and demographically representative of the
31 state. Each member shall be appointed by the Governor. Eight

1 of the members shall be appointed from a list of 10 nominees,
2 of which five must be submitted by the President of the Senate
3 and five must be submitted by the Speaker of the House of
4 Representatives. Members shall be appointed to 4-year terms of
5 office. However, of the initial appointees, two shall be
6 appointed to 1-year terms, two shall be appointed to 2-year
7 terms, three shall be appointed to 3-year terms, and three
8 shall be appointed to 4-year terms. The members of the
9 partnership shall elect a chairperson annually from the
10 nongovernmental members of the partnership. Any vacancy on the
11 partnership shall be filled in the same manner as the original
12 appointment.

13

14 To ensure that the system for measuring school readiness is
15 comprehensive and appropriate statewide, as the system is
16 developed and implemented, the partnership must consult with
17 representatives of district school systems, providers of
18 public and private child care, health care providers, large
19 and small employers, experts in education for children with
20 disabilities, and experts in child development.

21 (6) PROGRAM ELIGIBILITY.--The school readiness program
22 shall be established for children under the age of
23 kindergarten eligibility. Priority for participation in the
24 school readiness program shall be given to children who meet
25 one or more of the following criteria:

26 (a) Children under the age of kindergarten eligibility
27 who are:

28 1. Children determined to be at risk of abuse,
29 neglect, or exploitation and who are currently clients of the
30 Children and Family Services Program Office of the Department
31 of Children and Family Services.

1 2. Children at risk of welfare dependency, including
2 economically disadvantaged children, children of participants
3 in the welfare-transition ~~WAGES~~ program, children of migrant
4 farmworkers, and children of teen parents.

5 3. Children of working families whose family income
6 does not exceed 150 percent of the federal poverty level.

7
8 An "economically disadvantaged" child means a child whose
9 family income is below 150 percent of the federal poverty
10 level. Notwithstanding any change in a family's economic
11 status, but subject to additional family contributions in
12 accordance with the sliding fee scale, a child who meets the
13 eligibility requirements upon initial registration for the
14 program shall be considered eligible until the child reaches
15 kindergarten age.

16 Section 107. Paragraph (a) of subsection (3) of
17 section 411.232, Florida Statutes, is amended to read:

18 411.232 Children's Early Investment Program.--

19 (3) ESSENTIAL ELEMENTS.--

20 (a) Initially, the program shall be directed to
21 geographic areas where at-risk young children and their
22 families are in greatest need because of an unfavorable
23 combination of economic, social, environmental, and health
24 factors, including, without limitation, extensive poverty,
25 high crime rate, great incidence of low birthweight babies,
26 high incidence of alcohol and drug abuse, and high rates of
27 teenage pregnancy. The selection of a geographic site shall
28 also consider the incidence of young children within these
29 at-risk geographic areas who are cocaine babies, children of
30 single mothers who receive temporary cash assistance
31 ~~participate in the WAGES Program~~, children of teenage parents,

1 low birthweight babies, and very young foster children. To
2 receive funding under this section, an agency, board, council,
3 or provider must demonstrate:

4 1. Its capacity to administer and coordinate the
5 programs and services in a comprehensive manner and provide a
6 flexible range of services;

7 2. Its capacity to identify and serve those children
8 least able to access existing programs and case management
9 services;

10 3. Its capacity to administer and coordinate the
11 programs and services in an intensive and continuous manner;

12 4. The proximity of its facilities to young children,
13 parents, and other family members to be served by the program,
14 or its ability to provide offsite services;

15 5. Its ability to use existing federal, state, and
16 local governmental programs and services in implementing the
17 investment program;

18 6. Its ability to coordinate activities and services
19 with existing public and private, state and local agencies and
20 programs such as those responsible for health, education,
21 social support, mental health, child care, respite care,
22 housing, transportation, alcohol and drug abuse treatment and
23 prevention, income assistance, employment training and
24 placement, nutrition, and other relevant services, all the
25 foregoing intended to assist children and families at risk;

26 7. How its plan will involve project participants and
27 community representatives in the planning and operation of the
28 investment program;

29 8. Its ability to participate in the evaluation
30 component required in this section; and

31

1 9. Its consistency with the strategic plan pursuant to
2 s. 411.221.

3 Section 108. Paragraph (a) of subsection (3) of
4 section 411.242, Florida Statutes, is amended to read:

5 411.242 Florida Education Now and Babies Later (ENABL)
6 program.--

7 (3) ESSENTIAL ELEMENTS.--

8 (a) The ENABL program should be directed to geographic
9 areas in the state where the childhood birth rate is higher
10 than the state average and where the children and their
11 families are in greatest need because of an unfavorable
12 combination of economic, social, environmental, and health
13 factors, including, without limitation, extensive poverty,
14 high crime rate, great incidence of low birthweight babies,
15 high incidence of alcohol and drug abuse, and high rates of
16 childhood pregnancy. The selection of a geographic site shall
17 also consider the incidence of young children within these
18 at-risk geographic areas who are cocaine babies, children of
19 single mothers who receive temporary cash assistance
20 ~~participate in the WAGES Program~~, children of teenage parents,
21 low birthweight babies, and very young foster children. To
22 receive funding under this section, a community-based local
23 contractor must demonstrate:

24 1. Its capacity to administer and coordinate the ENABL
25 pregnancy prevention public education program and services for
26 children and their families in a comprehensive manner and to
27 provide a flexible range of age-appropriate educational
28 services.

29 2. Its capacity to identify and serve those children
30 least able to access existing pregnancy prevention public
31 education programs.

1 3. Its capacity to administer and coordinate the ENABL
2 programs and services in an intensive and continuous manner.

3 4. The proximity of its program to young children,
4 parents, and other family members to be served by the ENABL
5 program, or its ability to provide offsite educational
6 services.

7 5. Its ability to incorporate existing federal, state,
8 and local governmental educational programs and services in
9 implementing the ENABL program.

10 6. Its ability to coordinate its activities and
11 educational services with existing public and private state
12 and local agencies and programs, such as those responsible for
13 health, education, social support, mental health, child care,
14 respite care, housing, transportation, alcohol and drug abuse
15 treatment and prevention, income assistance, employment
16 training and placement, nutrition, and other relevant
17 services, all of the foregoing intended to assist children and
18 families at risk.

19 7. How its plan will involve project participants and
20 community representatives in the planning and operation of the
21 ENABL program.

22 8. Its ability to participate in the evaluation
23 component required in this section.

24 9. Its consistency with the strategic plan pursuant to
25 s. 411.221.

26 10. Its capacity to match state funding for the ENABL
27 program at the rate of \$1 in cash or in matching services for
28 each dollar funded by the state.

29 Section 109. Subsection (6) of section 413.82, Florida
30 Statutes, is amended to read:

31

1 413.82 Definitions.--As used in ss. 413.81-413.93, the
2 term:

3 (6) "Region" means a service area for a regional
4 workforce development board established by ~~the~~ Workforce
5 Florida Inc. Development Board.

6 Section 110. Paragraph (d) of subsection (1) of
7 section 421.10, Florida Statutes, is amended to read:

8 421.10 Rentals and tenant selection.--

9 (1) In the operation or management of housing projects
10 an authority shall at all times observe the following duties
11 with respect to rentals and tenants selection:

12 (d) The Department of Children and Family Services,
13 pursuant to 45 C.F.R. s. 233.20(a)(3)(vii)(c), may not
14 consider as income for recipients of temporary cash assistance
15 any participants in the WAGES Program assistance received by
16 recipients from other agencies or organizations such as public
17 housing authorities.

18 Section 111. Subsection (27) of section 427.013,
19 Florida Statutes, is amended to read:

20 427.013 The Commission for the Transportation
21 Disadvantaged; purpose and responsibilities.--The purpose of
22 the commission is to accomplish the coordination of
23 transportation services provided to the transportation
24 disadvantaged. The goal of this coordination shall be to
25 assure the cost-effective provision of transportation by
26 qualified community transportation coordinators or
27 transportation operators for the transportation disadvantaged
28 without any bias or presumption in favor of multioperator
29 systems or not-for-profit transportation operators over single
30 operator systems or for-profit transportation operators. In
31 carrying out this purpose, the commission shall:

1 (27) Ensure that local community transportation
2 coordinators work cooperatively with regional workforce boards
3 ~~local WAGES coalitions~~ established in chapter 445 ~~414~~ to
4 provide assistance in the development of innovative
5 transportation services for ~~WAGES~~ participants in the
6 welfare-transition program.

7 Section 112. Subsection (9) of section 427.0155,
8 Florida Statutes, is amended to read:

9 427.0155 Community transportation coordinators; powers
10 and duties.--Community transportation coordinators shall have
11 the following powers and duties:

12 (9) Work cooperatively with regional workforce boards
13 ~~local WAGES coalitions~~ established in chapter 445 ~~414~~ to
14 provide assistance in the development of innovative
15 transportation services for ~~WAGES~~ participants in the
16 welfare-transition program.

17 Section 113. Subsection (7) of section 427.0157,
18 Florida Statutes, is amended to read:

19 427.0157 Coordinating boards; powers and duties.--The
20 purpose of each coordinating board is to develop local service
21 needs and to provide information, advice, and direction to the
22 community transportation coordinators on the coordination of
23 services to be provided to the transportation disadvantaged.
24 The commission shall, by rule, establish the membership of
25 coordinating boards. The members of each board shall be
26 appointed by the metropolitan planning organization or
27 designated official planning agency. The appointing authority
28 shall provide each board with sufficient staff support and
29 resources to enable the board to fulfill its responsibilities
30 under this section. Each board shall meet at least quarterly
31 and shall:

1 (7) Work cooperatively with regional workforce boards
2 ~~local WAGES coalitions~~ established in chapter ~~445 414~~ to
3 provide assistance in the development of innovative
4 transportation services for ~~WAGES~~ participants in the
5 welfare-transition program.

6 Section 114. Paragraph (b) of subsection (1) of
7 section 443.091, Florida Statutes, is amended to read:

8 443.091 Benefit eligibility conditions.--

9 (1) An unemployed individual shall be eligible to
10 receive benefits with respect to any week only if the division
11 finds that:

12 (b) She or he has registered for work at, and
13 thereafter continued to report at, the division, which shall
14 be responsible for notification of the Agency for Workforce
15 Innovation ~~Division of Jobs and Benefits~~ in accordance with
16 such rules as the division may prescribe; except that the
17 division may, by rule not inconsistent with the purposes of
18 this law, waive or alter either or both of the requirements of
19 this subsection as to individuals attached to regular jobs;
20 but no such rule shall conflict with s. 443.111(1).

21 Section 115. Subsection (8) of section 443.151,
22 Florida Statutes, is amended to read:

23 443.151 Procedure concerning claims.--

24 (8) BILINGUAL REQUIREMENTS.--

25 (a) Based on the estimated total number of households
26 in a county which speak the same non-English language, a
27 single-language minority, the division shall provide printed
28 bilingual instructional and educational materials in the
29 appropriate language in those counties in which 5 percent or
30 more of the households in the county are classified as a
31 single-language minority.

1 (b) The division shall ensure that one-stop career
2 centers ~~jobs and benefits offices~~ and appeals bureaus in
3 counties subject to the requirements of paragraph (c)
4 prominently post notices in the appropriate languages that
5 translators are available in those centers ~~offices~~ and
6 bureaus.

7 (c) Single-language minority refers to households
8 which speak the same non-English language and which do not
9 contain an adult fluent in English. The division shall develop
10 estimates of the percentages of single-language minority
11 households for each county by using data made available by the
12 United States Bureau of the Census.

13 Section 116. Section 443.181, Florida Statutes, is
14 amended to read:

15 443.181 State Employment Service.--

16 (1) A state public employment service is ~~hereby~~
17 established in the Agency for Workforce Innovation, under
18 policy direction from Workforce Florida, Inc. ~~Division of Jobs~~
19 ~~and Benefits.~~ The agency division shall establish and maintain
20 free public employment offices in such number and in such
21 places as may be necessary for the proper administration of
22 this chapter and for the purposes of performing such duties as
23 are within the purview of the Act of Congress entitled "An Act
24 to provide for the establishment of a national employment
25 system and for cooperation with the states in the promotion of
26 such system and for other purposes," approved June 6, 1933 (48
27 Stat. 113; 29 U.S.C. s. 49(c)), as amended. Notwithstanding
28 any provisions in this section to the contrary, the one-stop
29 delivery system shall be the primary method for delivering
30 services under this section, consistent with Pub. L. No.
31 105-220 and chapter 445. It shall be the duty of the agency

1 ~~division~~ to cooperate with any official or agency of the
2 United States having power or duties under the provisions of
3 the Act of Congress, as amended, and to do and perform all
4 things necessary to secure to this state the benefits of said
5 Act of Congress, as amended, in the promotion and maintenance
6 of a system of public employment offices. The provisions of
7 the said Act of Congress, as amended, are hereby accepted by
8 this state, in conformity with s. 4 of that act, and this
9 state will observe and comply with the requirements thereof.
10 The Agency for Workforce Innovation ~~Division of Jobs and~~
11 ~~Benefits of the Department of Labor and Employment Security~~ is
12 hereby designated and constituted the agency of this state for
13 the purpose of that act. The agency division is authorized
14 and directed to appoint sufficient employees to carry out the
15 purposes of this section. The agency division may cooperate
16 with or enter into agreements with the Railroad Retirement
17 Board with respect to the establishment, maintenance, and use
18 of free employment service facilities.

19 (2) FINANCING.--All moneys received by this state
20 under the said Act of Congress, as amended, shall be paid into
21 the Employment Security Administration Trust Fund, and such
22 moneys are hereby made available to the agency division to be
23 expended as provided by this chapter and by said Act of
24 Congress. For the purpose of establishing and maintaining
25 free public employment offices, the agency division is
26 authorized to enter into agreements with the Railroad
27 Retirement Board or any other agency of the United States
28 charged with the administration of an unemployment
29 compensation law, with any political subdivision of this
30 state, or with any private, nonprofit organization, and as a
31 part of any such agreement the agency division may accept

1 moneys, services, or quarters as a contribution to the
2 Employment Security Administration Trust Fund.

3 (3) References to "the agency division" in this
4 section mean the Agency for Workforce Innovation ~~Division of~~
5 ~~Jobs and 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 Agency for Workforce Innovation ~~Division~~
18 ~~of Jobs and Benefits~~ for the payment of costs of
19 administration which are found not to have been properly and
20 validly chargeable against funds obtained from federal
21 sources. All moneys in the Special Employment Security
22 Administration Trust Fund shall be continuously available to
23 the division for expenditure in accordance with the provisions
24 of this chapter and shall not lapse at any time. All payments
25 from the Special Employment Security Administration Trust Fund
26 shall be approved by the division or by a duly authorized
27 agent thereof and shall be made by the Treasurer upon warrants
28 issued by the Comptroller. The moneys in this fund are hereby
29 specifically made available to replace, as contemplated by
30 subsection (3), expenditures from the Employment Security
31 Administration Trust Fund, established by subsection (1),

1 which have been found by the Bureau of Employment Security, or
2 other authorized federal agency or authority, because of any
3 action or contingency, to have been lost or improperly
4 expended. The Treasurer shall be liable on her or his
5 official bond for the faithful performance of her or his
6 duties in connection with the Special Employment Security
7 Administration Trust Fund.

8 (5) In connection with its duties under s. 443.181,
9 the Agency for Workforce Innovation ~~Division of Jobs and~~
10 ~~Benefits~~ shall have several authority and responsibility for
11 deposit, requisition, expenditure, approval of payment,
12 reimbursement, and reporting in regard to the trust funds
13 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 the Agency for Workforce Innovation ~~Division of Jobs and~~
28 ~~Benefits~~ are each, therefore, authorized to make such
29 investigations, secure and transmit such information, make
30 available such services and facilities, and exercise such of
31 the other powers provided herein with respect to the

1 administration of this chapter as each deems necessary or
2 appropriate to facilitate the administration of any such
3 unemployment compensation or public employment service law
4 and, in like manner, to accept and utilize information,
5 services, and facilities made available to this state by the
6 agency charged with the administration of any such other
7 unemployment compensation or 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 Development ~~Jobs and Benefits~~ of the
19 Department of Education ~~Labor and Employment Security~~ have
20 responsibility for the development of the apprenticeship and
21 preapprenticeship uniform minimum standards for the
22 apprenticeable trades and that the Division of Workforce
23 Development of the Department of Education have responsibility
24 for assisting district school boards and community college
25 district boards of trustees in developing preapprenticeship
26 programs ~~in compliance with the standards established by the~~
27 ~~Division of Jobs and Benefits~~.

28 (3) It is the further intent of ss. 446.011-446.092
29 ~~this act~~ that the Division of Workforce Development ~~Jobs and~~
30 ~~Benefits~~ ensure quality training through the adoption and
31 enforcement of uniform minimum standards and that the ~~Bureau~~

1 ~~of Apprenticeship of the division of Jobs and Benefits~~
2 promote, register, monitor, and service apprenticeship and
3 training programs and ensure that such programs adhere to the
4 standards.

5 Section 121. Workforce Florida, Inc., shall submit a
6 report to the Legislature by January 1, 2001, regarding joint
7 programs, nonjoint programs, and other programs that provide
8 formalized on-the-job training for skilled trades. The report
9 must include recommendations for improving the efficiency of
10 the programs, decreasing the cost of the programs, improving
11 or retaining current practices regarding admission
12 requirements, reducing the duration of the programs, and
13 increasing the number of persons who successfully complete the
14 programs.

15 Section 122. Subsections (1), (5), (12), and (13) of
16 section 446.021, Florida Statutes, are amended to read:

17 446.021 Definitions of terms used in ss.
18 446.011-446.092.--As used in ss. 446.011-446.092, the
19 following words and terms shall have the following meanings
20 unless the context clearly indicates otherwise:

21 (1) "Preapprentice" means any person 16 years of age
22 or over engaged in any course of instruction in the public
23 school system or elsewhere, which course is registered as a
24 preapprenticeship program with the Division of Workforce
25 Development ~~Jobs and Benefits~~ of the Department of Education
26 ~~Labor and Employment Security~~.

27 (5) "Preapprenticeship program" means an organized
28 course of instruction in the public school system or
29 elsewhere, which course is designed to prepare a person 16
30 years of age or older to become an apprentice and which course
31 is approved by and registered with ~~the Bureau of~~

1 ~~Apprenticeship~~ of the Division of Workforce Development ~~Jobs~~
2 ~~and Benefits~~ and sponsored by a registered apprenticeship
3 program.

4 (12) "Division" means the Division of Workforce
5 Development ~~Jobs and Benefits~~ of the Department of Education
6 ~~Labor and Employment Security~~.

7 (13) "Director" means the director of the Division of
8 Workforce Development ~~Jobs and Benefits~~.

9 Section 123. Section 446.032, Florida Statutes, is
10 amended to read:

11 446.032 General duties of division with respect to
12 apprenticeship training.--The Division of Workforce
13 Development ~~Jobs and Benefits~~ shall:

14 (1) Establish uniform minimum standards and policies
15 governing apprentice programs and agreements. Such standards
16 and policies shall govern the terms and conditions of the
17 apprentice's employment and training, including the quality
18 training of the apprentice with respect to, but not limited
19 to, such matters as ratios of apprentices to journeymen,
20 safety, related instruction, and on-the-job training; but such
21 standards and policies shall not include rules, standards, or
22 guidelines that require the use of apprentices and job
23 trainees on state, county, or municipal contracts. The
24 division may adopt rules as necessary to carry out such
25 standards and policies.

26 (2) Establish ~~by rule~~ procedures to be used ~~utilized~~
27 by the State Apprenticeship Advisory Council ~~in accordance~~
28 ~~with the provisions of s. 446.045~~.

29 ~~(3) Establish a Bureau of Apprenticeship pursuant to~~
30 ~~the instructions of the Secretary of Labor and Employment~~
31 ~~Security~~.

1 Section 124. Section 446.041, Florida Statutes, is
2 amended to read:

3 446.041 Apprenticeship program, duties of
4 division.--The Division of Workforce Development ~~Jobs and~~
5 ~~Benefits~~ shall:

6 (1) Administer the provisions of ss. 446.011-446.092.

7 (2) Administer the standards established by the
8 division.

9 (3) Register in accordance with this chapter any
10 apprenticeship or preapprenticeship program, regardless of
11 affiliation, which meets standards established by the
12 division.

13 (4) Investigate complaints concerning the failure of
14 any registered program to meet the standards established by
15 the division.

16 (5) Cancel the registration of any program that ~~which~~
17 fails to comply with the standards and policies of the
18 division or that ~~which~~ unreasonably fails or refuses to
19 cooperate with the division in monitoring and enforcing
20 compliance with such standards.

21 (6) Develop and encourage apprenticeship programs.

22 (7) Cooperate with and assist local apprenticeship
23 sponsors in the development of their apprenticeship standards
24 and training requirements.

25 ~~(8) Cooperate with and assist the Division of~~
26 ~~Workforce Development of the Department of Education and~~
27 ~~appropriate education institutions in the development of~~
28 ~~viable apprenticeship and preapprenticeship programs.~~

29 (8)(9) Encourage registered apprenticeship programs to
30 grant consideration and credit to individuals completing
31 registered preapprenticeship programs.

1 ~~(9)(10)~~ Monitor registered apprenticeship programs to
2 ensure that they are being operated in compliance with all
3 applicable standards.

4 ~~(10)(11)~~ Supervise all apprenticeship programs which
5 are registered with the division.

6 (11) Ensure that minority and gender diversity are
7 considered in administering this program.

8 (12) Adopt rules as required to implement ss.
9 446.011-446.092 ~~the provisions of this act.~~

10 Section 125. Section 446.045, Florida Statutes, is
11 amended to read:

12 446.045 State Apprenticeship Advisory Council.--

13 (1) For the purposes of this section, the term:

14 (a) "Joint employee organization" means an
15 apprenticeship sponsor who participates in a collective
16 bargaining agreement and represents employees.

17 (b) "Nonjoint employer organization" means an
18 apprenticeship sponsor who does not participate in a
19 collective bargaining agreement and who represents management.

20 (2)(a) There is created a State Apprenticeship
21 Advisory Council to be composed of 13 members, which shall be
22 advisory to the Division of Workforce Development. ~~Jobs and~~
23 ~~Benefits of the Department of Labor and Employment Security.~~
24 The purpose of the advisory council is to advise the division
25 and the council on matters relating to apprenticeship. The
26 advisory council may not establish policy, adopt rules, or
27 consider whether particular apprenticeship programs should be
28 approved by the division ~~or bureau.~~ ~~Only those matters~~
29 ~~contained in the notice of meeting provided by the division~~
30 ~~shall be considered by the council at council meetings.~~

31

1 (b) The division director or the division director's
2 designee shall be ex officio chair of the State Apprenticeship
3 Advisory Council, but may not vote. The ~~administrator of~~
4 ~~industrial education of the Department of Education and the~~
5 state director of the Bureau of Apprenticeship and Training of
6 the United States Department of Labor shall be appointed a
7 nonvoting member ~~members~~ of the council. The Governor shall
8 appoint two three-member committees for the purpose of
9 nominating candidates for appointment to the council. One
10 nominating committee shall be composed of joint employee
11 organization representatives, and the other nominating
12 committee shall be composed of nonjoint employer organization
13 representatives. The joint employee organization nominating
14 committee shall submit to the Governor the names of three
15 persons for each vacancy occurring among the joint employee
16 organization members on the council, and the nonjoint employer
17 organization nominating committee likewise shall submit to the
18 Governor the names of three persons for each vacancy occurring
19 among the nonjoint employer organization members on the
20 council. The Governor shall appoint to the council five
21 members representing joint employee organizations and five
22 members representing nonjoint employer organizations from the
23 candidates nominated for each position by the respective
24 nominating committees. Each member shall represent industries
25 which have registered apprenticeship programs or in which a
26 need for apprenticeship programs has been demonstrated.
27 Initially, the Governor shall appoint four members for terms
28 of 4 years, two members for terms of 3 years, two members for
29 terms of 2 years, and two members for terms of 1 year.
30 Thereafter, members shall be appointed for 4-year terms. A
31

1 vacancy shall be filled for the remainder of the unexpired
2 term.

3 (c) The council shall meet at the call of the chair or
4 at the request of a majority of its membership, but at least
5 twice a year. A majority of the voting members shall
6 constitute a quorum, and the affirmative vote of a majority of
7 a quorum is necessary to take action.

8 (d) The Governor may remove any member for cause.

9 (e) The council shall maintain minutes of each
10 meeting. The division shall keep on file the minutes of each
11 meeting and shall make such minutes available to any
12 interested person.

13 (f) Members of the council shall serve without
14 compensation, but shall be entitled to receive reimbursement
15 for per diem and travel expenses as provided in s. 112.061.

16 Section 126. Subsection (3) of section 446.052,
17 Florida Statutes, is amended to read:

18 446.052 Preapprenticeship program.--

19 (3) The Division of Workforce Development, the
20 district school boards, and the community college district
21 boards of trustees, ~~and the Division of Jobs and Benefits~~
22 shall work together with existing registered apprenticeship
23 programs so that individuals completing such preapprenticeship
24 programs may be able to receive credit towards completing a
25 registered apprenticeship program.

26 Section 127. Section 446.061, Florida Statutes, is
27 amended to read:

28 446.061 Expenditures.--The Division of Workforce
29 Development of the Department of Education ~~Jobs and Benefits~~
30 shall make necessary expenditures from the appropriation
31

1 provided by law for personal services, travel, printing,
2 equipment, office space, and supplies as provided by law.

3 Section 128. Subsection (1) of section 446.071,
4 Florida Statutes, is amended to read:

5 446.071 Apprenticeship sponsors.--

6 (1) One or more local apprenticeship sponsors shall be
7 approved in any trade or group of trades by the Division of
8 Workforce Development of the Department of Education ~~Jobs and~~
9 ~~Benefits~~, upon a determination of need, provided the
10 apprenticeship sponsor meets all of the standards established
11 by the division. "Need" refers to the need of state residents
12 for apprenticeship training. In the absence of proof to the
13 contrary, it shall be presumed that there is need for
14 apprenticeship and preapprenticeship training in each county
15 in this state.

16 Section 129. Section 446.075, Florida Statutes, is
17 amended to read:

18 446.075 Federal and state cooperation.--The Division
19 of Workforce Development of the Department of Education may
20 ~~Jobs and Benefits of the Department of Labor and Employment~~
21 ~~Security is authorized to~~ make and enter into contracts with
22 the United States Department of Labor, and may ~~to~~ assume ~~such~~
23 other functions and duties as are necessary for the division
24 to serve as registration agent for federal apprenticeship
25 registration purposes, except that the division may ~~shall~~ not
26 enforce any federal apprenticeship requirement unless the
27 division first adopts such requirement as a rule. All rules
28 adopted ~~promulgated~~ and administrative hearings afforded by
29 the division under ~~because of~~ this section must ~~shall~~ be in
30 accordance with the requirements of chapter 120.

31

1 Section 130. Section 446.40, Florida Statutes, is
2 amended to read:

3 446.40 Rural Workforce Manpower Services Act; short
4 title.--Sections 446.40-446.44 may ~~shall~~ be cited as the
5 "Rural Workforce Manpower Services Act."

6 Section 131. Section 446.41, Florida Statutes, is
7 amended to read:

8 446.41 Legislative intent with respect to rural
9 workforce manpower training and development; establishment of
10 Rural Workforce Manpower Services Program.--In order that the
11 state may achieve its full economic and social potential,
12 consideration must be given to rural workforce manpower
13 training and development to enable its rural citizens as well
14 as urban citizens to develop their maximum capacities and
15 participate productively in our society. It is, therefore,
16 the policy of the state to make available those services
17 needed to assist individuals and communities in rural areas to
18 improve their quality of life. It is with a great sense of
19 urgency that a Rural Workforce Manpower Services Program is
20 established within the Division of Workforce Administrative
21 Support Jobs and Benefits of the Department of Management
22 Services, under the direction of Workforce Florida, Inc.,
23 ~~Labor and Employment Security~~ to provide equal access to all
24 manpower training programs available to rural as well as urban
25 areas.

26 Section 132. Section 446.42, Florida Statutes, is
27 amended to read:

28 446.42 General purpose of Rural Workforce Manpower
29 Services Program.--A trained labor force is an essential
30 ingredient for industrial as well as agricultural growth.
31 Therefore, it shall be the general responsibility of the Rural

1 Workforce ~~Manpower~~ Services Program to provide rural business
2 and potential rural businesses with the employment and
3 workforce ~~manpower~~ training services and resources necessary
4 to train and retain Florida's rural workforce.

5 Section 133. Section 446.43, Florida Statutes, is
6 amended to read:

7 446.43 Scope and coverage of Rural Workforce ~~Manpower~~
8 Services Program.--The scope of the area to be covered by the
9 Rural Workforce ~~Manpower~~ Services Program will include all
10 counties of the state not classified as standard metropolitan
11 statistical areas (SMSA) by the United States Department of
12 Labor Manpower Administration. Florida's designated SMSA labor
13 areas include: Broward, Dade, Duval, Escambia, Hillsborough,
14 Pinellas, Leon, Orange, and Palm Beach Counties.

15 Section 134. Section 446.44, Florida Statutes, is
16 amended to read:

17 446.44 Duties of Rural Workforce ~~Manpower~~ Services
18 Program.--It shall be the direct responsibility of the Rural
19 Workforce ~~Manpower~~ Services Program to promote and deliver ~~all~~
20 employment and workforce ~~manpower~~ services and resources to
21 the rural undeveloped and underdeveloped counties of the state
22 in an effort to:

23 (1) Slow down out-migration of untrained rural
24 residents to the state's overcrowded large metropolitan
25 centers.

26 (2) Assist Enterprise Florida, Inc., ~~the department's~~
27 ~~Economic Development Division~~ in attracting light,
28 pollution-free industry to the rural counties.

29 (3) Improve the economic status of the impoverished
30 rural residents.

31

1 (4) Provide present and new industry with the
2 workforce ~~manpower~~ training resources necessary for them to
3 train the untrained rural workforce toward gainful employment.

4 (5) Develop rural workforce ~~manpower~~ programs that
5 ~~which~~ will be evaluated, planned, and implemented through
6 communications and planning with appropriate:

7 (a) Departments of state and federal governments.

8 (b) Units of Enterprise Florida, Inc. ~~Divisions,~~
9 ~~bureaus, or sections of the Department of Commerce.~~

10 (c) Agencies and organizations of the public and
11 private sectors at the state, regional, and local levels.

12 Section 135. Section 446.50, Florida Statutes, is
13 amended to read:

14 446.50 Displaced homemakers; multiservice programs;
15 report to the Legislature; Displaced Homemaker Trust Fund
16 created.--

17 (1) INTENT.--It is the intent of the Legislature to
18 require the Agency for Workforce Innovation ~~Division of~~
19 ~~Community Colleges of the Department of Education~~ to enter
20 into contracts with, and make grants to, public and nonprofit
21 private entities for purposes of establishing multipurpose
22 service programs to provide necessary training, counseling,
23 and services for displaced homemakers so that they may enjoy
24 the independence and economic security vital to a productive
25 life.

26 (2) DEFINITIONS.--For the purposes of this section
27 ~~act~~:

28 (a) "Displaced homemaker" means an individual who:

29 1. Is 35 years of age or older;

30 2. Has worked in the home, providing unpaid household
31 services for family members;

1 3. Is not adequately employed, as defined by rule of
2 the division;

3 4. Has had, or would have, difficulty in securing
4 adequate employment; and

5 5. Has been dependent on the income of another family
6 member but is no longer supported by such income, or has been
7 dependent on federal assistance.

8 (b) "~~Agency Division~~" means the Agency for Workforce
9 Innovation ~~Division of Community Colleges of the Department of~~
10 ~~Education.~~

11 (3) AGENCY DIVISION POWERS AND DUTIES.--

12 (a) The agency division, under plans established by
13 Workforce Florida, Inc., shall establish, or contract for the
14 establishment of, programs for displaced homemakers which
15 shall include:

16 1. Job counseling, by professionals and peers,
17 specifically designed for a person entering the job market
18 after a number of years as a homemaker.

19 2. Job training and placement services, including:

20 a. Training programs for available jobs in the public
21 and private sectors, taking into account the skills and job
22 experiences of a homemaker and developed by working with
23 public and private employers.

24 b. Assistance in locating available employment for
25 displaced homemakers, some of whom could be employed in
26 existing job training and placement programs.

27 c. Utilization of the services of the state employment
28 service, ~~which shall cooperate with the division~~ in locating
29 employment opportunities.

30 3. Financial management services providing information
31 and assistance with respect to insurance, including, but not

1 limited to, life, health, home, and automobile insurance, and
2 taxes, estate and probate problems, mortgages, loans, and
3 other related financial matters.

4 4. Educational services, including high school
5 equivalency degree and such other courses as the agency
6 ~~division~~ determines would be of interest and benefit to
7 displaced homemakers.

8 5. Outreach and information services with respect to
9 federal and state employment, education, health, and
10 unemployment assistance programs which the division determines
11 would be of interest and benefit to displaced homemakers.

12 (b)1. The agency ~~division~~ shall enter into contracts
13 with, and make grants to, public and nonprofit private
14 entities for purposes of establishing multipurpose service
15 programs for displaced homemakers under this section ~~act~~.
16 Such grants and contracts shall be awarded pursuant to chapter
17 287 and based on criteria established in the state plan
18 developed pursuant to this section. The agency ~~division~~ shall
19 designate catchment areas which together shall comprise the
20 entire state, and, to the extent possible from revenues in the
21 Displaced Homemaker Trust Fund, the agency ~~division~~ shall
22 contract with, and make grants to, entities which will serve
23 entire catchment areas so that displaced homemaker service
24 programs are available statewide. These catchment areas shall
25 be coterminous with the state's workforce development regions.
26 The agency ~~division~~ may give priority to existing displaced
27 homemaker programs when evaluating bid responses to the
28 agency's ~~division's~~ request for proposals.

29 2. In order to receive funds under this section, and
30 unless specifically prohibited by law from doing so, an entity
31 that provides displaced homemaker service programs must, ~~by~~

1 ~~the 1991-1992 fiscal year~~, receive at least 25 percent of its
2 funding from one or more local, municipal, or county sources
3 or nonprofit private sources. In-kind contributions may be
4 evaluated by the agency division and counted as part of the
5 required local fundi ng.

6 3. The agency division shall require an entity that
7 receives funds under this section to maintain appropriate data
8 to be compiled in an annual report to the division. Such data
9 shall include, but shall not be limited to, the number of
10 clients served, the units of services provided, designated
11 client-specific information including intake and outcome
12 information specific to each client, costs associated with
13 specific services and program administration, total program
14 revenues by source and other appropriate financial data, and
15 client followup information at specified intervals after the
16 placement of a displaced home maker in a job.

17 (c) The agency division shall consult and cooperate
18 with the Commissioner of Education, the United States
19 Commissioner of the Social Security Administration, and such
20 other persons in the executive branch of the state government
21 as the agency division considers appropriate to facilitate the
22 coordination of multipurpose service programs established
23 under this section act with existing programs of a similar
24 nature.

25 (d) Supervisory, technical, and administrative
26 positions relating to pro grams established under this section
27 act shall, to the maximum extent practicable, be filled by
28 displaced homemakers.

29 (e) The agency division shall adopt rules establishing
30 minimum standards necessary for entities that provide
31 displaced homemaker service programs to receive funds from the

1 ~~agency division~~ and any other rules necessary to administer
2 this section.

3 (4) STATE PLAN.--

4 (a) The Agency for Workforce Innovation ~~division~~ shall
5 develop a 3-year state plan for the displaced homemaker
6 program which shall be updated annually. The plan must
7 address, at a minimum, the need for programs specifically
8 designed to serve displaced homemakers, any necessary service
9 components for such programs in addition to those enumerated
10 in this section, goals of the displaced homemaker program with
11 an analysis of the extent to which those goals are being met,
12 and recommendations for ways to address any unmet program
13 goals. Any request for funds for program expansion must be
14 based on the state plan.

15 (b) Each annual update must address any changes in the
16 components of the 3-year state plan and a report which must
17 include, but need not be limited to, the following:

18 1. The scope of the incidence of displaced homemakers;

19 2. A compilation and report, by program, of data
20 submitted to the division pursuant to subparagraph 3. by
21 funded displaced homemaker service programs;

22 3. An identification and description of the programs
23 in the state that receive funding from the division, including
24 funding information; and

25 4. An assessment of the effectiveness of each
26 displaced homemaker service program based on outcome criteria
27 established by rule of the division.

28 (c) The 3-year state plan must be submitted to the
29 President of the Senate, the Speaker of the House of
30 Representatives, and the Governor on or before January 1, 2001

31

1 ~~1989~~, and annual updates of the plan must be submitted by
2 January 1 of each subsequent year.

3 (5) DISPLACED HOME MAKER TRUST FUND.--

4 (a) There is established within the State Treasury a
5 Displaced Homemaker Trust Fund to be used by the agency
6 ~~division~~ for its administration of the displaced homemaker
7 program and to fund displaced homemaker service programs
8 according to criteria established under this section.

9 (b) The trust fund shall receive funds generated from
10 an additional fee on marriage license applications and
11 dissolution of marriage filings as specified in ss. 741.01(3)
12 and 28.101, respectively, and may receive funds from any other
13 public or private source.

14 (c) Funds that are not expended by the agency ~~division~~
15 at the end of the budget cycle or through a supplemental
16 budget approved by the agency ~~division~~ shall revert to the
17 trust fund.

18 Section 136. Subsection (3) of section 447.02, Florida
19 Statutes, is amended to read:

20 447.02 Definitions.--The following terms, when used in
21 this chapter, shall have the meanings ascribed to them in this
22 section:

23 (3) The term "department" ~~"division"~~ means the
24 ~~Division of Jobs and Benefits~~ of the Department of Labor and
25 Employment Security.

26 Section 137. Subsections (2), (3), and (4) of section
27 447.04, Florida Statutes, are amended to read:

28 447.04 Business agents; licenses, permits.--

29 (2)(a) Every person desiring to act as a business
30 agent in this state shall, before doing so, obtain a license
31 or permit by filing an application under oath therefor with

1 ~~the Division of Jobs and Benefits of the department of Labor~~
2 ~~and Employment Security~~, accompanied by a fee of \$25 and a
3 full set of fingerprints of the applicant taken by a law
4 enforcement agency qualified to take fingerprints. There
5 shall accompany the application a statement signed by the
6 president and the secretary of the labor organization for
7 which he or she proposes to act as agent, showing his or her
8 authority to do so. The department ~~division~~ shall hold such
9 application on file for a period of 30 days, during which time
10 any person may file objections to the issuing of such license
11 or permit.

12 (b) The department ~~division~~ may also conduct an
13 independent investigation of the applicant; and, if objections
14 are filed, it may hold, or cause to be held, a hearing in
15 accordance with the requirements of chapter 120. The
16 objectors and the applicant shall be permitted to attend such
17 hearing and present evidence.

18 (3) After the expiration of the 30-day period,
19 regardless of whether or not any objections have been filed,
20 the department ~~division~~ shall review the application, together
21 with all information that it may have, including, but not
22 limited to, any objections that may have been filed to such
23 application, any information that may have been obtained
24 pursuant to an independent investigation, and the results of
25 any hearing on the application. If the department ~~division~~,
26 from a review of the information, finds that the applicant is
27 qualified, pursuant to the terms of this chapter, it shall
28 issue such license or permit; and such license or permit shall
29 run for the calendar year for which issued, unless sooner
30 surrendered, suspended, or revoked.

31

1 (4) Licenses and permits shall expire at midnight,
2 December 31, but may be renewed by the department division on
3 a form prescribed by it; however, if any such license or
4 permit has been surrendered, suspended, or revoked during the
5 year, then such applicant must go through the same formalities
6 as a new applicant.

7 Section 138. Section 447.041, Florida Statutes, is
8 amended to read:

9 447.041 Hearings.--

10 (1) Any person or labor organization denied a license,
11 permit, or registration shall be afforded the opportunity for
12 a hearing by the department division in accordance with the
13 requirements of chapter 120.

14 (2) The department division may, pursuant to the
15 requirements of chapter 120, suspend or revoke the license or
16 permit of any business agent or the registration of any labor
17 organization for the violation of any provision of this
18 chapter.

19 Section 139. Section 447.045, Florida Statutes, is
20 amended to read:

21 447.045 Information confidential.--Neither the
22 department division nor any investigator or employee of the
23 department division shall divulge in any manner the
24 information obtained pursuant to the processing of applicant
25 fingerprint cards, and such information is confidential and
26 exempt from the provisions of s. 119.07(1).

27 Section 140. Section 447.06, Florida Statutes, is
28 amended to read:

29 447.06 Registration of labor organizations required.--

30 (1) Every labor organization operating in the state
31 shall make a report under oath, in writing, to ~~the Division of~~

1 ~~Jobs and Benefits of the department of Labor and Employment~~
2 ~~Security~~ annually, on or before December 31. Such report shall
3 be filed by the secretary or business agent of such labor
4 organization, shall be in such form as the department
5 prescribes ~~division may prescribe~~, and shall show the
6 following facts:

7 (a) The name of the labor organization;
8 (b) The location of its office; and
9 (c) The name and address of the president, secretary,
10 treasurer, and business agent.

11 (2) At the time of filing such report, it shall be the
12 duty of every such labor organization to pay the department
13 ~~division~~ an annual fee therefor in the sum of \$1.

14 Section 141. Section 447.12, Florida Statutes, is
15 amended to read:

16 447.12 Fees for registration.--All fees collected by
17 ~~the Division of Jobs and Benefits of the department under this~~
18 part of Labor and Employment Security hereunder shall be paid
19 to the Treasurer and credited to the General Revenue Fund.

20 Section 142. Section 447.16, Florida Statutes, is
21 amended to read:

22 447.16 Applicability of chapter ~~when effective~~--Any
23 labor business agent licensed on July 1, 1965, may renew such
24 license each year on forms provided by ~~the Division of Jobs~~
25 ~~and Benefits of the department of Labor and Employment~~
26 ~~Security~~ without submitting fingerprints so long as such
27 license or permit has not expired or has not been surrendered,
28 suspended, or revoked. The fingerprinting requirements of
29 this act shall become effective for a new applicant for a
30 labor business agent license immediately upon this act
31 becoming a law.

1 Section 143. Subsection (4) of section 447.305,
2 Florida Statutes, is amended to read:

3 447.305 Registration of employee organization.--
4 (4) Notification of registrations and renewals of
5 registration shall be furnished at regular intervals by the
6 commission to ~~the Division of Jobs and Benefits of the~~
7 Department of Labor and Employment Security.

8 Section 144. Subsection (4) of section 450.012,
9 Florida Statutes, is amended to read:

10 450.012 Definitions.--For the purpose of this chapter,
11 the word, phrase, or term:

12 (4) "Department" ~~"Division"~~ means ~~the Division of Jobs~~
13 ~~and Benefits of the Department of Labor and Employment~~
14 Security.

15 Section 145. Subsection (3) of section 450.061,
16 Florida Statutes, is amended to read:

17 450.061 Hazardous occupations prohibited;
18 exemptions.--

19 (3) No minor under 18 years of age, whether such
20 person's disabilities of nonage have been removed by marriage
21 or otherwise, shall be employed or permitted or suffered to
22 work in any place of employment or at any occupation hazardous
23 or injurious to the life, health, safety, or welfare of such
24 minor, as such places of employment or occupations may be
25 determined and declared by ~~the Division of Jobs and Benefits~~
26 ~~of the department of Labor and Employment Security~~ to be
27 hazardous and injurious to the life, health, safety, or
28 welfare of such minor.

29 Section 146. Paragraph (c) of subsection (5) of
30 section 450.081, Florida Statutes, is amended to read:

31 450.081 Hours of work in certain occupations.--

1 (5) The provisions of subsections (1) through (4)
2 shall not apply to:

3 (c) Minors enrolled in a public educational
4 institution who qualify on a hardship basis such as economic
5 necessity or family emergency. Such determination shall be
6 made by the school superintendent or his or her designee, and
7 a waiver of hours shall be issued to the minor and the
8 employer. The form and contents thereof shall be prescribed by
9 the department ~~division~~.

10 Section 147. Section 450.095, Florida Statutes, is
11 amended to read:

12 450.095 Waivers.--In extenuating circumstances when it
13 clearly appears to be in the best interest of the child, the
14 department ~~division~~ may grant a waiver of the restrictions
15 imposed by the Child Labor Law on the employment of a child.
16 Such waivers shall be granted upon a case-by-case basis and
17 shall be based upon such factors as the department ~~division~~,
18 by rule, establishes as determinative of whether such waiver
19 is in the best interest of a child.

20 Section 148. Subsections (1), (2), and (5) of section
21 450.121, Florida Statutes, are amended to read:

22 450.121 Enforcement of Child Labor Law.--

23 (1) The department ~~Division of Jobs and Benefits~~ shall
24 administer this chapter. It shall employ such help as is
25 necessary to effectuate the purposes of this chapter. Other
26 agencies of the state may cooperate with the department
27 ~~division~~ in the administration and enforcement of this part.
28 To accomplish this joint, cooperative effort, the department
29 ~~division~~ may enter into intergovernmental agreements with
30 other agencies of the state whereby the other agencies may
31 assist the department ~~division~~ in the administration and

1 enforcement of this part. Any action taken by an agency
2 pursuant to an intergovernmental agreement entered into
3 pursuant to this section shall be considered to have been
4 taken by the department ~~division~~.

5 (2) It is the duty of the department ~~division~~ and its
6 agents and all sheriffs or other law enforcement officers of
7 the state or of any municipality of the state to enforce the
8 provisions of this law, to make complaints against persons
9 violating its provisions, and to prosecute violations of the
10 same. The department ~~division~~ and its agents have authority to
11 enter and inspect at any time any place or establishment
12 covered by this law and to have access to age certificates
13 kept on file by the employer and such other records as may aid
14 in the enforcement of this law. A designated school
15 representative acting in accordance with s. 232.17 shall
16 report to the department ~~division~~ all violations of the Child
17 Labor Law that may come to his or her knowledge.

18 (5) The department ~~division~~ may adopt rules:

19 (a) Defining words, phrases, or terms used in the
20 child labor rule or in this part, as long as the word, phrase,
21 or term is not a word, phrase, or term defined in s. 450.012.

22 (b) Prescribing additional documents that may be used
23 to prove the age of a minor and the procedure to be followed
24 before a person who claims his or her disability of nonage has
25 been removed by a court of competent jurisdiction may be
26 employed.

27 (c) Requiring certain safety equipment and a safe
28 workplace environment for employees who are minors.

29 (d) Prescribing the deadlines applicable to a response
30 to a request for records under subsection (2).

31

1 (e) Providing an official address from which child
2 labor forms, rules, laws, and posters may be requested and
3 prescribing the forms to be used in connection with this part.

4 Section 149. Subsections (1), (2), (3), (4), and (5)
5 of section 450.132, Florida Statutes, are amended to read:

6 450.132 Employment of children by the entertainment
7 industry; rules; procedures.--

8 (1) Children within the protection of our child labor
9 statutes may, notwithstanding such statutes, be employed by
10 the entertainment industry in the production of motion
11 pictures, legitimate plays, television shows, still
12 photography, recording, publicity, musical and live
13 performances, circuses, and rodeos, in any work not determined
14 by the department ~~Division of Jobs and Benefits~~ to be
15 hazardous, or detrimental to their health, morals, education,
16 or welfare.

17 (2) The department ~~Division of Jobs and Benefits~~
18 shall, as soon as convenient, and after such investigation as
19 to the department ~~division~~ may seem necessary or advisable,
20 determine what work in connection with the entertainment
21 industry is not hazardous or detrimental to the health,
22 morals, education, or welfare of minors within the purview and
23 protection of our child labor laws. When so adopted, such
24 rules shall have the force and effect of law in this state.

25 (3) Entertainment industry employers or agents wishing
26 to qualify for the employment of minors in work not hazardous
27 or detrimental to their health, morals, or education shall
28 make application to the department ~~division~~ for a permit
29 qualifying them to employ minors in the entertainment
30 industry. The form and contents thereof shall be prescribed by
31 the department ~~division~~.

1 (4) Any duly qualified entertainment industry employer
2 may employ any minor. However, if any entertainment industry
3 employer employing a minor causes, permits, or suffers such
4 minor to be placed under conditions which are dangerous to the
5 life or limb or injurious or detrimental to the health or
6 morals or education of the minor, the right of that
7 entertainment industry employer and its representatives and
8 agents to employ minors as provided herein shall stand
9 revoked, unless otherwise ordered by the department ~~division~~,
10 and the person responsible for such unlawful employment is
11 guilty of a misdemeanor of the second degree, punishable as
12 provided in s. 775.082 or s. 775.083.

13 (5) Any entertainment industry employer and its agents
14 employing minors hereunder are required to notify the
15 department ~~division~~, showing the date of the commencement of
16 work, the number of days worked, the location of the work, and
17 the date of termination.

18 Section 150. Subsections (2) and (3) of section
19 450.141, Florida Statutes, are amended to read:

20 450.141 Employing minor children in violation of law;
21 penalties.--

22 (2) Any person, firm, corporation, or governmental
23 agency, or agent thereof, that has employed minors in
24 violation of this part, or any rule adopted pursuant thereto,
25 may be subject by the department ~~division~~ to fines not to
26 exceed \$2,500 per offense. The department ~~division~~ shall
27 adopt, by rule, disciplinary guidelines specifying a
28 meaningful range of designated penalties based upon the
29 severity and repetition of the offenses, and which distinguish
30 minor violations from those which endanger a minor's health
31 and safety.

1 (3) If the department ~~division~~ has reasonable grounds
2 for believing there has been a violation of this part or any
3 rule adopted pursuant thereto, it shall give written notice to
4 the person alleged to be in violation. Such notice shall
5 include the provision or rule alleged to be violated, the
6 facts alleged to constitute such violation, and requirements
7 for remedial action within a time specified in the notice. No
8 fine may be levied unless the person alleged to be in
9 violation fails to take remedial action within the time
10 specified in the notice.

11 Section 151. Paragraph (j) of subsection (1) of
12 section 450.191, Florida Statutes, is amended to read:

13 450.191 Executive Office of the Governor; powers and
14 duties.--

15 (1) The Executive Office of the Governor is authorized
16 and directed to:

17 (j) Cooperate with the farm labor office of the
18 Department of Labor and Employment Security ~~Florida State~~
19 ~~Employment Service~~ in the recruitment and referral of migrant
20 laborers and other persons for the planting, cultivation, and
21 harvesting of agricultural crops in Florida.

22 Section 152. Subsection (2) of section 450.28, Florida
23 Statutes, is amended to read:

24 450.28 Definitions.--

25 (2) "Department" ~~"Division"~~ means ~~the Division of Jobs~~
26 ~~and Benefits~~ of the Department of Labor and Employment
27 Security.

28 Section 153. Section 450.30, Florida Statutes, is
29 amended to read:

30 450.30 Requirement of certificate of registration;
31 education and examination program.--

1 (1) No person may act as a farm labor contractor until
2 a certificate of registration has been issued to him or her by
3 the department ~~division~~ and unless such certificate is in full
4 force and effect and is in his or her possession.

5 (2) No certificate of registration may be transferred
6 or assigned.

7 (3) Unless sooner revoked, each certificate of
8 registration, regardless of the date of issuance, shall be
9 renewed on the last day of the birth month following the date
10 of issuance and, thereafter, each year on the last day of the
11 birth month of the registrant. The date of incorporation shall
12 be used in lieu of birthdate for registrants that are
13 corporations. Applications for certificates of registration
14 and renewal thereof shall be on a form prescribed by the
15 department ~~division~~.

16 (4) The department ~~division~~ shall provide a program of
17 education and examination for applicants under this part. The
18 program may be provided by the department ~~division~~ or through
19 a contracted agent. The program shall be designed to ensure
20 the competency of those persons to whom the department
21 ~~division~~ issues certificates of registration.

22 (5) The department ~~division~~ shall require each
23 applicant to demonstrate competence by a written or oral
24 examination in the language of the applicant, evidencing that
25 he or she is knowledgeable concerning the duties and
26 responsibilities of a farm labor contractor. The examination
27 shall be prepared, administered, and evaluated by the
28 department ~~division~~ or through a contracted agent.

29 (6) The department ~~division~~ shall require an applicant
30 for renewal of a certificate of registration to retake the
31 examination only if:

1 (a) During the prior certification period, the
2 division issued a final order assessing a civil monetary
3 penalty or revoked or refused to renew or issue a certificate
4 of registration; or

5 (b) The department ~~division~~ determines that new
6 requirements related to the duties and responsibilities of a
7 farm labor contractor necessitate a new examination.

8 (7) The department ~~division~~ shall charge each
9 applicant a \$35 fee for the education and examination program.
10 Such fees shall be deposited in the Crew Chief Registration
11 Trust Fund.

12 (8) The department ~~division~~ may adopt rules
13 prescribing the procedures to be followed to register as a
14 farm labor contractor.

15 Section 154. Subsections (1), (2), and (4) of section
16 450.31, Florida Statutes, are amended to read:

17 450.31 Issuance, revocation, and suspension of, and
18 refusal to issue or renew, certificate of registration.--

19 (1) The department ~~division~~ shall not issue to any
20 person a certificate of registration as a farm labor
21 contractor, nor shall it renew such certificate, until:

22 (a) Such person has executed a written application
23 therefor in a form and pursuant to regulations prescribed by
24 the department ~~division~~ and has submitted such information as
25 the department ~~division~~ may prescribe.

26 (b) Such person has obtained and holds a valid federal
27 certificate of registration as a farm labor contractor, or a
28 farm labor contractor employee, unless exempt by federal law.

29 (c) Such person pays to the department ~~division~~, in
30 cash, certified check, or money order, a nonrefundable
31 application fee of \$75. Fees collected by the department

1 ~~division~~ under this subsection shall be deposited in the State
2 Treasury into the Crew Chief Registration Trust Fund, which is
3 hereby created, and shall be utilized for administration of
4 this part.

5 (d) Such person has successfully taken and passed the
6 farm labor contractor examination.

7 (2) The department ~~division~~ may revoke, suspend, or
8 refuse to renew any certificate of registration when it is
9 shown that the farm labor contractor has:

10 (a) Violated or failed to comply with any provision of
11 this part or the rules adopted pursuant to s. 450.36.

12 (b) Made any misrepresentation or false statement in
13 his or her application for a certificate of registration.

14 (c) Given false or misleading information concerning
15 terms, conditions, or existence of employment to persons who
16 are recruited or hired to work on a farm.

17 (4) The department ~~division~~ may refuse to issue or
18 renew, or may suspend or revoke, a certificate of registration
19 if the applicant or holder is not the real party in interest
20 in the application or certificate of registration and the real
21 party in interest is a person who has been refused issuance or
22 renewal of a certificate, has had a certificate suspended or
23 revoked, or does not qualify under this section for a
24 certificate.

25 Section 155. Subsections (1), (4), (5), (6), (8), (9),
26 and (10) of section 450.33, Florida Statutes, are amended to
27 read:

28 450.33 Duties of farm labor contractor.--Every farm
29 labor contractor must:

30 (1) Carry his or her certificate of registration with
31 him or her at all times and exhibit it to all persons with

1 whom the farm labor contractor intends to deal in his or her
2 capacity as a farm labor contractor prior to so dealing and,
3 upon request, to persons designated by the department
4 ~~division~~.

5 (4) Display prominently, at the site where the work is
6 to be performed and on all vehicles used by the registrant for
7 the transportation of employees, a single posting containing a
8 written statement in English and in the language of the
9 majority of the non-English-speaking employees disclosing the
10 terms and conditions of employment in a form prescribed by the
11 department ~~division~~ or by the United States Department of
12 Labor for this purpose.

13 (5) Take out a policy of insurance with any insurance
14 carrier which policy insures such registrant against liability
15 for damage to persons or property arising out of the operation
16 or ownership of any vehicle or vehicles for the transportation
17 of individuals in connection with his or her business,
18 activities, or operations as a farm labor contractor. In no
19 event may the amount of such liability insurance be less than
20 that required by the provisions of the financial
21 responsibility law of this state. Any insurance carrier that
22 is licensed to operate in this state and that has issued a
23 policy of liability insurance to operate a vehicle used to
24 transport farm workers shall notify the department ~~division~~
25 when it intends to cancel such policy.

26 (6) Maintain such records as may be designated by the
27 department ~~division~~.

28 (8) File, within such time as the department ~~division~~
29 may prescribe, a set of his or her fingerprints.

30 (9) Produce evidence to the department ~~division~~ that
31 each vehicle he or she uses for the transportation of

1 employees complies with the requirements and specifications
2 established in chapter 316, s. 316.620, or Pub. L. No. 93-518
3 as amended by Pub. L. No. 97-470 meeting Department of
4 Transportation requirements or, in lieu thereof, bears a valid
5 inspection sticker showing that the vehicle has passed the
6 inspection in the state in which the vehicle is registered.

7 (10) Comply with all applicable statutes, rules, and
8 regulations of the United States and of the State of Florida
9 for the protection or benefit of labor, including, but not
10 limited to, those providing for wages, hours, fair labor
11 standards, social security, workers' compensation,
12 unemployment compensation, child labor, and transportation.
13 The department ~~division~~ shall not suspend or revoke a
14 certificate of registration pursuant to this subsection
15 unless:

16 (a) A court or agency of competent jurisdiction
17 renders a judgment or other final decision that a violation of
18 one of the laws, rules, or regulations has occurred and, if
19 invoked, the appellate process is exhausted;

20 (b) An administrative hearing pursuant to ss. 120.569
21 and 120.57 is held on the suspension or revocation and the
22 administrative law judge finds that a violation of one of the
23 laws, rules, or regulations has occurred and, if invoked, the
24 appellate process is exhausted; or

25 (c) The holder of a certificate of registration
26 stipulates that a violation has occurred or defaults in the
27 administrative proceedings brought to suspend or revoke his or
28 her registration.

29 Section 156. Section 450.35, Florida Statutes, is
30 amended to read:

31

1 450.35 Certain contracts prohibited.--It is unlawful
2 for any person to contract for the employment of farm workers
3 with any farm labor contractor as defined in this act until
4 the labor contractor displays to him or her a current
5 certificate of registration issued by the department ~~division~~
6 pursuant to the requirements of this part.

7 Section 157. Section 450.36, Florida Statutes, is
8 amended to read:

9 450.36 Rules and regulations.--The department ~~division~~
10 may adopt rules necessary to enforce and administer this part.

11 Section 158. Section 450.37, Florida Statutes, is
12 amended to read:

13 450.37 Cooperation with federal agencies.--The
14 department ~~division~~ shall, whenever appropriate, cooperate
15 with any federal agency.

16 Section 159. Subsections (2), (3), and (4) of section
17 450.38, Florida Statutes, are amended to read:

18 450.38 Enforcement of farm labor contractor laws.--

19 (2) Any person who, on or after June 19, 1985, commits
20 a violation of this part or of any rule adopted thereunder may
21 be assessed a civil penalty of not more than \$1,000 for each
22 such violation. Such assessed penalties shall be paid in cash,
23 certified check, or money order and shall be deposited into
24 the General Revenue Fund. The department ~~division~~ shall not
25 institute or maintain any administrative proceeding to assess
26 a civil penalty under this subsection when the violation is
27 the subject of a criminal indictment or information under this
28 section which results in a criminal penalty being imposed, or
29 of a criminal, civil, or administrative proceeding by the
30 United States government or an agency thereof which results in
31 a criminal or civil penalty being imposed. The department

1 ~~division~~ may adopt rules prescribing the criteria to be used
2 to determine the amount of the civil penalty and to provide
3 notification to persons assessed a civil penalty under this
4 section.

5 (3) Upon a complaint of the department ~~division~~ being
6 filed in the circuit court of the county in which the farm
7 labor contractor may be doing business, any farm labor
8 contractor who fails to obtain a certificate of registration
9 as required by this part may, in addition to such penalties,
10 be enjoined from engaging in any activity which requires the
11 farm labor contractor to possess a certificate of
12 registration.

13 (4) For the purpose of any investigation or proceeding
14 conducted by the department ~~division~~, the secretary of the
15 department or the secretary's designee shall have the power to
16 administer oaths, take depositions, make inspections when
17 authorized by statute, issue subpoenas which shall be
18 supported by affidavit, serve subpoenas and other process, and
19 compel the attendance of witnesses and the production of
20 books, papers, documents, and other evidence. The secretary of
21 the department or the secretary's designee shall exercise this
22 power on the secretary's own initiative.

23 Section 160. Subsection (7) of section 497.419,
24 Florida Statutes, is amended to read:

25 497.419 Cancellation of, or default on, preneed
26 contracts.--

27 (7) All preneed contracts are cancelable and revocable
28 as provided in this section, provided that a preneed contract
29 does not restrict any contract purchaser who is a qualified
30 applicant for, or a recipient of, supplemental security
31

1 income, temporary cash assistance ~~under the WAGES Program~~, or
2 Medicaid from making her or his contract irrevocable.

3 Section 161. (1) For the Careers for Florida's Future
4 Incentive Grant Program established pursuant to sections
5 445.012-445.0125, Florida Statutes, the sum of \$20 million in
6 recurring General Revenue is appropriated to the Agency for
7 Workforce Innovation.

8 (2) For the Small Business Workforce Service
9 Initiative established pursuant to section 445.014, Florida
10 Statutes, the sum of \$1 million in nonrecurring General
11 Revenue is appropriated to the Agency for Workforce
12 Innovation.

13 (3) For the purchase of workforce marketing materials
14 required by section 445.006, Florida Statutes, the sum of
15 \$250,000 in nonrecurring General Revenue is appropriated to
16 the Agency for Workforce Innovation.

17 (4) For the workplace education grant program
18 established pursuant to section 445.0128, Florida Statutes,
19 the sum of \$1 million in nonrecurring General Revenue is
20 appropriated to the Agency for Workforce Innovation.

21 (5) For the workforce information systems required by
22 section 445.011, Florida Statutes, the sum of \$20 million is
23 appropriated from nonrecurring Temporary Assistance for Needy
24 Families funds to the Agency for Workforce Innovation.

25 (6) For grants to support local economic development
26 projects that lead to jobs for needy Florida families
27 authorized by section 445.015, Florida Statutes, the sum of
28 \$10 million is appropriated from nonrecurring Temporary
29 Assistance for Needy Families funds to the Agency for
30 Workforce Innovation.

31

1 (7) For youth internship program grants authorized by
2 section 24 of this act, the sum of \$1 million is appropriated
3 from nonrecurring Temporary Assistance for Needy Families
4 funds to the Agency for Workforce Innovation.

5 (8) For the workforce training institute established
6 pursuant to section 445.008, Florida Statutes, the sum of
7 \$200,000 is appropriated from nonrecurring Temporary
8 Assistance for Needy Families funds to the Agency for
9 Workforce Innovation.

10 (9) For diversion services for needy families
11 authorized by section 445.018, Florida Statutes, the sum of \$8
12 million is appropriated from recurring Temporary Assistance
13 for Needy Families funds to the Agency for Workforce
14 Innovation.

15 (10) For pilot projects established pursuant to
16 section 25 of this act for financially needy incumbent workers
17 with disabilities, the sum of \$450,000 is appropriated from
18 nonrecurring Temporary Assistance for Needy Families funds to
19 the Agency for Workforce Innovation.

20 Section 162. Nothing in this act shall be construed as
21 creating an entitlement to services or benefits authorized by
22 any section of the act.

23 Section 163. Sections 4, 11, 62, 63, and 120 through
24 129 shall expire June 30, 2003.

25 Section 164. If any provision of this act or its
26 application to any person or circumstance is held invalid, the
27 invalidity does not affect other provisions or applications of
28 the act which can be given effect without the invalid
29 provision or application, and to this end the provisions of
30 this act are severable.

31

1 Section 165. Except as otherwise expressly provided in
2 this act, this act shall take effect July 1, 2000.
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