

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; requiring the fiscal agent or
20 administrative entity to administer funds
21 according to certain specifications;
22 transferring duties for overseeing the regional
23 workforce boards to Workforce Florida, Inc.;
24 requiring the workforce boards to establish
25 certain committees; specifying that regional
26 workforce boards and their entities are not
27 state agencies; providing for procurement
28 procedures; creating s. 445.008, F.S.;
29 authorizing Workforce Florida, Inc., to create
30 the Workforce Training Institute; providing for
31 the institute to include Internet-based

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

1 Program and the Workforce Development Board of
2 Enterprise Florida, Inc., to Workforce Florida,
3 Inc., as created by the act; transferring the
4 employees of the Division of Jobs and Benefits
5 to the Agency for Workforce Innovation;
6 providing for a type two transfer of the
7 Division of Unemployment Compensation to the
8 Agency for Workforce Innovation; requiring a
9 contract between the Agency for Workforce
10 Innovation and the Department of Revenue for
11 unemployment tax collection services by the
12 Department of Revenue; providing a limitation
13 on certain administrative support services
14 positions; requiring the Office of Program
15 Policy Analysis and Government Accountability
16 to conduct a study regarding the feasibility of
17 privatizing unemployment tax collection
18 services; transferring the programs and
19 functions of the Division of Workforce and
20 Employment Opportunities and the Office of
21 Labor Market and Performance Information of the
22 Department of Labor and Employment Security to
23 the Agency for Workforce Innovation; providing
24 certain exceptions; transferring certain vacant
25 positions to the Agency for Workforce
26 Innovation for allocation to regional workforce
27 boards; authorizing Workforce Florida, Inc., to
28 contract with the Agency for Workforce
29 Innovation for the lease of employees;
30 requiring the Department of Labor and
31 Employment Security to develop a plan for

1 certain purposes; creating s. 445.010, F.S.;
2 providing principles for developing and
3 managing information technology for the
4 workforce system; requiring the sharing of
5 information between agencies within the
6 workforce system; creating s. 445.011, F.S.;
7 requiring Workforce Florida, Inc., to implement
8 a workforce information system, subject to
9 legislative appropriation; specifying
10 information systems to be included; providing
11 requirements for procurement and validation
12 services; requiring that the system be
13 compatible with the state's information system;
14 creating s. 445.013, F.S.; providing for
15 challenge grants in support of welfare-to-work
16 initiatives; requiring Workforce Florida, Inc.,
17 to establish the grant program, subject to
18 legislative appropriation; specifying types of
19 organizations that are eligible to receive a
20 grant under the program; providing requirements
21 for matching funds; providing requirements for
22 administering and evaluating the grant program;
23 transferring, renumbering, and amending s.
24 288.9955, F.S., relating to the Untried Worker
25 Placement and Employment Incentive Act;
26 conforming provisions to changes made by the
27 act; transferring, renumbering, and amending s.
28 414.15, F.S.; providing certain diversion
29 services under the one-stop delivery system;
30 providing for regional workforce boards to
31 determine eligibility for diversion services;

1 deleting certain limitations on diversion
2 payments; creating s. 445.018, F.S.; providing
3 for a diversion program to strengthen families;
4 specifying services that may be offered under
5 the program; providing that such services are
6 not assistance under federal law or guidelines;
7 requiring families that receive services to
8 agree not to apply for temporary cash
9 assistance for a specified period unless an
10 emergency arises; providing requirements for
11 repaying the value of services provided;
12 transferring, renumbering, and amending s.
13 414.159, F.S., relating to the teen parent and
14 pregnancy prevention diversion program;
15 conforming cross references to changes made by
16 the act; creating s. 445.020, F.S.; providing
17 for certain criteria for establishing
18 eligibility for diversion programs;
19 transferring, renumbering, and amending s.
20 414.155, F.S., relating to the relocation
21 assistance program; providing duties of the
22 regional workforce boards; revising eligibility
23 requirements for services under the program;
24 requiring the board of directors of Workforce
25 Florida, Inc., to determine eligibility
26 criteria and relocation plans; transferring,
27 renumbering, and amending s. 414.223, F.S.,
28 relating to Retention Incentive Training
29 Accounts; authorizing the board of directors of
30 Workforce Florida, Inc., to establish such
31 accounts; transferring, renumbering, and

1 amending s. 414.18, F.S., relating to a program
2 for dependent care for families with children
3 with special needs; conforming provisions to
4 changes made by the act; creating s. 445.024,
5 F.S.; specifying the activities that satisfy
6 the work requirements for a participant in the
7 welfare transition program; providing for
8 regional workforce boards to administer various
9 subsidized employment programs formerly
10 administered by the local WAGES coalitions;
11 including GED preparation and literacy
12 education within the activities that satisfy
13 work requirements under the welfare transition
14 program; providing requirements for
15 participating in work activities; providing for
16 certain individuals to be exempt from such
17 requirements; requiring regional workforce
18 boards to prioritize work requirements if funds
19 are insufficient; requiring regional workforce
20 boards to contract for work activities,
21 training, and other services; transferring,
22 renumbering, and amending s. 414.20, F.S.;
23 authorizing the regional workforce boards to
24 prioritize or limit certain support services;
25 providing requirements for the boards in
26 providing for counseling and therapy services;
27 transferring, renumbering, and amending s.
28 414.1525, F.S.; providing for a severance
29 benefit in lieu of cash assistance payments;
30 requiring the regional workforce boards to
31 determine eligibility for such a benefit;

1 creating s. 445.028, F.S.; requiring the
2 Department of Children and Family Services, in
3 cooperation with Workforce Florida, Inc., to
4 provide for certain transitional benefits and
5 services for families leaving the temporary
6 cash assistance program; transferring,
7 renumbering, and amending s. 414.21, F.S.,
8 relating to transitional medical benefits;
9 clarifying requirements for notification;
10 transferring, renumbering, and amending s.
11 414.22, F.S.; authorizing the board of
12 directors of Workforce Florida, Inc., to
13 prioritize transitional education and training;
14 providing for regional workforce boards to
15 authorize child care or other services;
16 transferring, renumbering, and amending s.
17 414.225, F.S.; providing for transitional
18 transportation services administered by
19 regional workforce boards; expanding the period
20 such services may be available; creating s.
21 445.032, F.S.; providing for transitional child
22 care services; authorizing regional workforce
23 boards to prioritize such services;
24 transferring, renumbering, and amending s.
25 414.23, F.S.; providing for the evaluation of
26 programs funded under Temporary Assistance for
27 Needy Families; creating s. 445.034, F.S.;
28 providing requirements for expenditures from
29 the Temporary Assistance for Needy Families
30 block grant; transferring, renumbering, and
31 amending s. 414.44, F.S.; requiring the board

1 of directors of Workforce Florida, Inc., to
2 collect data and make reports; amending s.
3 414.025, F.S.; revising legislative intent with
4 respect to the programs administered under
5 chapter 414, F.S., to conform to changes made
6 by the act; amending s. 414.0252, F.S.;
7 revising definitions; amending s. 414.045,
8 F.S., relating to the cash assistance program;
9 specifying families that are considered to be
10 work eligible cases; providing for the regional
11 workforce boards to provide for service
12 delivery for work eligible cases; amending s.
13 414.065, F.S.; deleting provisions governing
14 work activities to conform to changes made by
15 the act; providing an additional exception to
16 certain noncompliance penalties; amending s.
17 414.085, F.S.; specifying eligibility standards
18 for the temporary cash assistance program;
19 amending s. 414.095, F.S.; revising
20 requirements for determining eligibility for
21 temporary cash assistance; conforming
22 cross-references to changes made by the act;
23 revising eligibility requirements for
24 noncitizens; amending s. 414.105, F.S.;
25 revising procedures for reviewing exemptions
26 from the requirements for eligibility for
27 temporary cash assistance; deleting certain
28 limitations on the period of such exemptions;
29 providing an extension of certain time
30 limitations with respect to an applicant for
31 supplemental security disability income (SSDI);

1 providing for the regional workforce boards to
2 review the prospects of certain participants
3 for employment; amending s. 414.157, F.S.,
4 relating to the diversion program for victims
5 of domestic violence; conforming provisions to
6 changes made by the act; amending s. 414.158,
7 F.S.; providing for a diversion program to
8 prevent or reduce child abuse and neglect;
9 providing for eligibility; amending ss. 414.35
10 and 414.36, F.S., relating to emergency relief
11 and the recovery of overpayments; deleting
12 obsolete provisions; amending ss. 414.39 and
13 414.41, F.S., relating to case screening and
14 the recovery of certain payments; conforming
15 provisions to changes made by the act; amending
16 s. 414.55, F.S.; deleting provisions
17 authorizing a delay in the implementation of
18 certain programs; providing for Workforce
19 Florida, Inc., to implement the community work
20 program; amending s. 414.70, F.S.; revising
21 certain provisions of a drug-testing and
22 drug-screening program to conform to changes
23 made by the act; deleting obsolete provisions;
24 repealing ss. 239.249, 288.9950, 288.9954,
25 288.9957, 288.9958, 288.9959, 414.015, 414.026,
26 414.0267, 414.027, 414.028, 414.029, 414.030,
27 414.055, 414.125, 414.25, and 414.38, F.S.,
28 relating to funding for vocational and
29 technical education programs, the Workforce
30 Florida Act of 1996, the Workforce Development
31 Board, the WAGES Program State Board of

1 Directors, the WAGES Program, matching grants,
2 local WAGES coalitions, the WAGES Program
3 business registry, WAGES Program Employment
4 Projects, one-stop career centers, the
5 Learnfare Program, exemptions from requirements
6 for certain leases of real property, and
7 certain pilot programs; conforming provisions
8 to changes made by the act; amending s.
9 14.2015, F.S.; providing additional duties of
10 the Office of Tourism, Trade, and Economic
11 Development within the Executive Office of the
12 Governor with respect to workforce development;
13 requiring that the office cooperate and
14 contract with Workforce Florida, Inc., in
15 performing certain functions; amending s.
16 20.171, F.S.; revising duties of the Assistant
17 Secretary for Programs and Operations within
18 the Department of Labor and Employment
19 Security; abolishing the Division of Workforce
20 and Employment Opportunities within the
21 department to conform to changes made by the
22 act; creating s. 20.50, F.S.; creating the
23 Agency for Workforce Innovation in the
24 Department of Management Services; specifying
25 duties of the agency; providing for the agency
26 to administer the Office of Workforce Services,
27 the Office of Workforce Support Services, the
28 Office of Workforce Investment and
29 Accountability, and the Office of Workforce
30 Information Services; specifying the federal
31 grants and other funds assigned to the agency

1 for administration; amending s. 212.08, F.S.,
2 relating to sales tax exemptions; deleting a
3 requirement that a business register with the
4 WAGES Program Business Registry for purposes of
5 qualifying for certain exemptions; amending s.
6 212.096, F.S.; redefining the term "new
7 employee" to include participants in the
8 welfare transition program for purposes of
9 certain tax credits; amending ss. 212.097 and
10 212.098, F.S., relating to job tax credits;
11 providing eligibility for tax credits to
12 certain businesses that hire participants in
13 the welfare transition program; amending s.
14 216.136, F.S.; redesignating the Occupational
15 Forecasting Conference as the "Workforce
16 Estimating Conference"; specifying additional
17 duties of the conference with respect to
18 developing forecasts for employment demands and
19 occupational trends; amending s. 220.181, F.S.,
20 relating to the enterprise zone jobs credit;
21 providing for businesses that hire participants
22 in the welfare transition program to be
23 eligible for the credit; amending s. 230.2305,
24 F.S., relating to the prekindergarten early
25 intervention program; providing eligibility for
26 children whose parents participate in the
27 welfare transition program; amending s. 232.17,
28 F.S.; revising requirements for administering
29 the Child Labor Law to conform to changes made
30 by the act; amending s. 234.01, F.S.; providing
31 for school boards to provide transportation

1 services to participants in the welfare
2 transition program; amending s. 234.211, F.S.,
3 relating to the use of school buses; conforming
4 provisions to changes made by the act; amending
5 s. 239.105, F.S.; redefining the term "degree
6 vocational education program" for purposes of
7 ch. 239, F.S.; amending s. 239.115, F.S.;
8 providing for a program to be used to provide
9 customized training for businesses; providing
10 for remaining balances to carry over; providing
11 for performance funds to be distributed to
12 certain workforce programs; conforming
13 provisions to changes made by the act; amending
14 s. 239.117, F.S.; providing for school
15 districts or community colleges to pay the fees
16 of students enrolled in a program under the
17 welfare transition program; amending s.
18 239.229, F.S.; requiring the Department of
19 Education to update certain vocational, adult,
20 and community education programs and
21 establishes restrictions on job training
22 programs; amending s. 239.301, F.S.; providing
23 for literacy assessments and other specialized
24 services for participants in the welfare
25 transition program; amending s. 239.514, F.S.,
26 relating to the Workforce Development
27 Capitalization Incentive Grant Program;
28 conforming provisions to changes made by the
29 act; amending s. 240.209, F.S.; requiring that
30 the Board of Regents consider industry-driven
31 competencies in certain program reviews;

1 amending s. 240.312, F.S.; revising
2 requirements for reviewing certificate career
3 education programs and certain degree programs;
4 amending s. 240.35, F.S.; providing for
5 students enrolled in employment and training
6 programs under the welfare transition program
7 to be exempt from certain fees; amending ss.
8 240.40207 and 240.40685, F.S., relating to the
9 Florida Gold Seal Vocational Scholars award and
10 the Certified Education Paraprofessional
11 Welfare Transition Program; conforming
12 provisions to changes made by the act; amending
13 s. 240.61, F.S., relating to college reach-out
14 programs; providing for including temporary
15 cash assistance in determining eligibility;
16 amending s. 246.50, F.S.; providing for
17 recipients of temporary cash assistance to be
18 eligible for the Teacher-Aide Welfare
19 Transition Program; amending ss. 288.046,
20 288.047, and 288.0656, F.S., relating to
21 quick-response training; deleting a reference
22 to targeted industrial clusters; providing for
23 the program to be administered by Workforce
24 Florida, Inc., in conjunction with Enterprise
25 Florida, Inc.; abolishing the advisory
26 committee; revising requirements for the grant
27 agreements; providing for a Quick-Response
28 Training Program for participants in the
29 welfare transition program; amending s.
30 288.901, F.S.; providing for the chair of
31 Workforce Florida, Inc., to be a member of the

1 board of directors of Enterprise Florida, Inc.;
2 amending ss. 288.904, 288.905, and 288.906,
3 F.S.; revising the duties and functions of
4 Enterprise Florida, Inc., to conform to changes
5 made by the act; amending s. 320.20, F.S.;
6 providing for employing participants in the
7 welfare transition program for certain projects
8 of the Department of Transportation and the
9 Florida Seaport Transportation and Economic
10 Development Council; amending ss. 322.34 and
11 341.052, F.S., relating to proceeds from the
12 sale of seized motor vehicles and a public
13 transit block grant program; conforming
14 provisions to changes made by the act; amending
15 s. 402.3015, F.S.; including children who
16 participate in certain diversion programs under
17 ch. 445, F.S., in the subsidized child care
18 program; providing for certain needy families
19 to be eligible to participate in the subsidized
20 child care program; amending s. 402.33, F.S.;
21 defining the term "state and federal aid" to
22 include temporary cash assistance; amending s.
23 402.40, F.S.; revising membership requirements
24 of the Child Welfare Standards and Training
25 Council to reflect changes made by the act;
26 amending s. 402.45, F.S., relating to the
27 community resource mother or father program;
28 providing for eligibility for recipients of
29 temporary cash assistance; amending s. 403.973,
30 F.S.; providing for expedited permitting of
31 projects that employ participants in the

1 welfare transition program; amending ss.
2 409.2554 and 409.259, F.S., relating to the
3 child support enforcement program; conforming
4 provisions to changes made by the act; amending
5 s. 409.2564, F.S.; correcting a
6 cross-reference, to conform; amending s.
7 409.903, F.S., relating to payments for medical
8 assistance; conforming provisions; amending s.
9 409.942, F.S.; requiring Workforce Florida,
10 Inc., to establish an electronic benefit
11 transfer program; requiring that the program be
12 compatible with the benefit transfer program of
13 the Department of Children and Family Services;
14 amending ss. 411.01, 411.232, and 411.242,
15 F.S., relating to the Florida Partnership for
16 School Readiness, the Children's Early
17 Investment Program, and the Education Now and
18 Babies Later Program; conforming provisions and
19 revising eligibility for such programs;
20 amending s. 413.82, F.S., relating to
21 occupational access and opportunity; conforming
22 a definition to changes made by the act;
23 amending s. 421.10, F.S., relating to housing
24 authorities; conforming income requirements;
25 amending ss. 427.013, 427.0155, and 427.0157,
26 F.S., relating to the Commission for the
27 Transportation Disadvantaged and community
28 transportation programs; providing for the
29 Division of Workforce Development within the
30 Department of Education to perform duties with
31 respect to apprenticeship training which were

1 formerly performed by the Division of Jobs and
2 Benefits within the Department of Labor and
3 Employment Security; providing for the Division
4 of Workforce Development within the Department
5 of Education to perform duties with respect to
6 apprenticeship training which were formerly
7 performed by the Division of Jobs and Benefits
8 within the Department of Labor and Employment
9 Security; redesignating the State
10 Apprenticeship Council as the "State
11 Apprenticeship Advisory Council"; revising the
12 method of appointing members to the council;
13 amending ss. 443.091, 443.151, 443.181,
14 443.211, 443.221, 443.231, 446.011, 446.021,
15 446.032, 446.041, 446.045, 446.052, 446.061,
16 446.071, and 446.075, F.S., to conform;
17 amending ss. 446.40, 446.41, 446.42, 446.43,
18 and 446.44, F.S.; redesignating the Rural
19 Manpower Services Program as the "Rural
20 Workforce Services Program"; providing for the
21 Division of Workforce Administrative Support of
22 the Department of Management Services to
23 administer the program under the direction of
24 Workforce Florida, Inc.; amending s. 446.50,
25 F.S.; requiring the Agency for Workforce
26 Innovation to administer services for displaced
27 homemakers under the direction of Workforce
28 Florida, Inc.; requiring Workforce Florida,
29 Inc., to develop the plan for the program;
30 amending ss. 447.02, 447.04, 447.041, 447.045,
31 447.06, 447.12, and 447.16, F.S.; providing for

1 part I of ch. 447, F.S., relating to the
2 regulation of labor organizations, to be
3 administered by the Department of Labor and
4 Employment Security; deleting references to the
5 Division of Jobs and Benefits; amending s.
6 447.305, F.S., relating to the registration of
7 employee organizations; providing for
8 administration by the Department of Labor and
9 Employment Security; amending ss. 450.012,
10 450.061, 450.081, 450.095, 450.121, 450.132,
11 and 450.141, F.S.; providing for part I of ch.
12 450, F.S., relating to child labor, to be
13 administered by the Department of Labor and
14 Employment Security; deleting references to the
15 Division of Jobs and Benefits; amending s.
16 450.191, F.S., relating to the duties of the
17 Executive Office of the Governor with respect
18 to migrant labor; conforming provisions to
19 changes made by the act; amending ss. 450.28,
20 450.30, 450.31, 450.33, 450.35, 450.36, 450.37,
21 and 450.38, F.S., relating to farm labor
22 registration; providing for part III of ch.
23 450, F.S., to be administered by the Department
24 of Labor and Employment Security; deleting
25 references to the Division of Jobs and
26 Benefits; amending s. 497.419, F.S., relating
27 to preneed contracts; conforming provisions to
28 changes made by the act; amending s. 240.3341,
29 F.S.; encouraging community colleges to
30 establish incubator facilities for digital
31 media content and technology development;

1 requiring the Workforce Development Board to
2 reserve funds for digital media industry
3 training; providing direction on training;
4 creating s. 240.710, F.S.; requiring the Board
5 of Regents to create a Digital Media Education
6 Coordination Group; providing for membership;
7 providing purposes; requiring the group to
8 develop a plan and submit the plan to the
9 Legislature; authorizing Workforce Florida,
10 Inc., to use certain funds for certain
11 purposes; creating s. 445.012, F.S.;
12 establishing the Careers for Florida's Future
13 Incentive Grant Program; providing for loans to
14 encourage students to obtain degrees or
15 certificates in advanced technology fields;
16 requiring Workforce Florida, Inc., to manage
17 the grant program, under contract with the
18 Department of Education; providing for the
19 allocation of funds; providing for regional
20 workforce boards to determine award recipients;
21 specifying the amount of the grants; providing
22 for the transfer of a grant award; creating s.
23 445.0121, F.S.; providing eligibility
24 requirements for an initial incentive grant
25 award; creating s. 445.0122, F.S.; providing
26 for renewal of grants; creating s. 445.0123,
27 F.S.; specifying postsecondary education
28 institutions that are eligible to enroll a
29 student who receives an incentive grant;
30 creating s. 445.0124, F.S.; specifying eligible
31 programs; creating s. 445.0125, F.S.; providing

1 a repayment schedule after termination of an
2 incentive grant; creating s. 445.014, F.S.;
3 providing for a small business workforce
4 service initiative; requiring Workforce
5 Florida, Inc., to establish a program for
6 support services to small businesses, subject
7 to legislative appropriation; specifying
8 eligible uses of funds under the program;
9 providing program criteria; defining the term
10 "small business" for purposes of the program;
11 providing that income earned as a temporary
12 federal census worker shall be disregarded in
13 determination of eligibility for certain public
14 assistance programs; providing limitations;
15 providing appropriations; amending s. 402.305,
16 F.S., to conform certain cross-references;
17 providing that no entitlement is created by the
18 act; providing for expiration of specified
19 sections; providing for severability; providing
20 effective dates.

21

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

23

24 Section 1. Section 445.001, Florida Statutes, is
25 created to read:26 445.001 Short title.--This chapter may be cited as the
27 "Workforce Innovation Act of 2000."28 Section 2. Section 445.002, Florida Statutes, is
29 created to read:30 445.002 Definitions.--As used in this chapter, the
31 term:

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

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

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

23 Section 3. Section 288.9956, Florida Statutes, is
24 transferred, renumbered as section 445.003, Florida Statutes,
25 and amended to read:

26 445.003 ~~288.9956~~ Implementation of the federal
27 Workforce Investment Act of 1998.--

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

31

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

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

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

10 (d) Increased Accountability.--The state, localities,
11 and training providers will be held accountable for their
12 performance.

13 (e) Local Board and Private Sector Leadership.--Local
14 boards will focus on strategic planning, policy development,
15 and oversight of the local system, choosing local managers to
16 direct the operational details of their one-stop delivery
17 system centers ~~Career Centers~~.

18 (f) Local Flexibility and Integration.--Localities
19 will have exceptional flexibility to build on existing
20 reforms. Unified planning will free local groups from
21 conflicting micromanagement, while waivers and WorkFlex will
22 allow local innovations.

23 (2) FIVE-YEAR PLAN.--~~The Workforce Florida, Inc.,~~
24 ~~Development Board~~ shall prepare and submit a 5-year plan,
25 which includes secondary vocational education, to fulfill the
26 early implementation requirements of Pub. L. No. 105-220 and
27 applicable state statutes. Mandatory federal partners and
28 optional federal partners, ~~including the WAGES Program State~~
29 ~~Board of Directors~~, shall be fully involved in designing the
30 plan's one-stop delivery ~~Career Center~~ system strategy. The
31 plan shall detail a process to clearly define each program's

1 statewide duties and role relating to the system. Any optional
2 federal partner may immediately choose to fully integrate its
3 program's plan with this plan, which shall, notwithstanding
4 any other state provisions, fulfill all their state planning
5 and reporting requirements as they relate to the one-stop
6 delivery system ~~Career Centers~~. The plan shall detail a
7 process that would fully integrate all federally mandated and
8 optional partners by the second year of the plan. All optional
9 federal program partners in the planning process shall be
10 mandatory participants in the second year of the plan.

11 (3) FUNDING.--

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

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

31

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

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

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

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

24 c. All costs reimbursed by the program must be
25 preapproved by Workforce Florida, Inc., or the grant
26 administrator. The program will not reimburse businesses for
27 trainee wages, the purchase of capital equipment, or the
28 purchase of any item or service that may possibly be used
29 outside the training project. A business approved for a grant
30 may be reimbursed for preapproved, direct, training-related
31 costs including tuition and fees; books and classroom

1 materials; and overhead or indirect ~~administrative~~ costs not
2 to exceed 5 percent of the grant amount.

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

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

20 f. ~~The~~ Workforce Florida, Inc., ~~may~~ ~~Development Board~~
21 ~~is authorized to~~ establish guidelines necessary to implement
22 the Incumbent Worker Training Program.

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

26 h. Workforce Florida, Inc., shall ~~The grant~~
27 ~~administrator is required to~~ submit a report to the ~~Workforce~~
28 ~~Development Board~~ and the Legislature on the financial and
29 general operations of the Incumbent Worker Training Program.
30 Such report will be due before October ~~December~~ 1 of any
31

1 fiscal year for which the program is funded by the
2 Legislature.

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

22 (b) The administrative entity for Title I, Workforce
23 Investment Act of 1998 funds, and Rapid Response activities,
24 shall will be the Agency for Workforce Innovation, which shall
25 provide ~~determined by the Workforce Development Board, except~~
26 ~~that the administrative entity for Rapid Response for fiscal~~
27 ~~year 1999-2000 must be the Department of Labor and Employment~~
28 ~~Security. The administrative entity will provide services~~
29 ~~through a contractual agreement with the Workforce Development~~
30 ~~Board. The terms and conditions of the agreement may include,~~
31 ~~but are not limited to, the following:~~

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

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

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

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

19 (4) FEDERAL REQUIREMENTS, EXCEPTIONS AND REQUIRED
20 MODIFICATIONS.--

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

25 (b) ~~The Workforce Florida, Inc., Development Board~~ may
26 negotiate and settle all outstanding issues with the United
27 States Department of Labor relating to decisions made by ~~the~~
28 Workforce Florida, Inc., any predecessor workforce
29 organization, ~~Development Board~~ and the Legislature with
30 regard to the Job Training Partnership Act, making settlements
31

1 and closing out all JTPA program year grants ~~before the repeal~~
2 ~~of the act June 30, 2000.~~

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

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

16 (6) LONG-TERM CONSOLIDATION OF WORKFORCE
17 DEVELOPMENT.--

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

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

1 ~~Policy Analysis and Government Accountability shall~~
 2 ~~specifically identify, by funding stream, indirect,~~
 3 ~~administrative, management information system, and overhead~~
 4 ~~costs of the Department of Labor and Employment Security.~~

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

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

21 445.004 288.9952 Workforce Florida, Inc.; creation;
 22 purpose; membership; duties and powers Development Board.--

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

1 Agency for Workforce Innovation in any manner. The Legislature
2 determines, however, that public policy dictates that
3 Workforce Florida, Inc., operate in the most open and
4 accessible manner consistent with its public purpose. To this
5 end, the Legislature specifically declares that Workforce
6 Florida, Inc., its board, councils, and any advisory
7 committees or similar groups created by Workforce Florida,
8 Inc., are subject to the provisions of chapter 119 relating to
9 public records, and those provisions of chapter 286 relating
10 to public meetings ~~public-private Workforce Development Board.~~

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

19 (3)(2)(a) The Workforce Florida, Inc., ~~Development~~
20 Board shall be governed by a ~~25-voting-member~~ board of
21 directors, the number of directors to be determined by the
22 Governor, whose membership and appointment must be consistent
23 with Pub. L. No. 105-220, Title I, s. 111(b), and contain one
24 member representing the licensed nonpublic postsecondary
25 educational institutions authorized as individual training
26 account providers, one member from the staffing service
27 industry, and five ~~three~~ representatives of organized labor
28 who shall be appointed by the Governor. Notwithstanding s.
29 ~~114.05(1)(f)~~s. ~~114.05(f)~~, the Governor may appoint remaining
30 members to Workforce Florida, Inc., from ~~of~~ the current
31 Workforce Development Board and the WAGES Program State Board

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

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

16 (c) ~~Private-sector~~ Members appointed by the Governor
17 must be appointed for 2-year ~~4-year, staggered~~ terms.
18 ~~Public-sector members appointed by the Governor must be~~
19 ~~appointed to 4-year terms.~~ Private sector representatives of
20 businesses, appointed by the Governor pursuant to Pub. L. No.
21 105-220, shall constitute a majority of the membership of the
22 board. Private sector representatives shall be appointed from
23 nominations received by the Governor from any member of the
24 Legislature. A member of the Legislature may submit more than
25 one board nomination to the Governor through his respective
26 presiding officer. Private sector appointments to the board
27 shall be representative of the business community of this
28 state and no less than one-half of the appointments to the
29 board must be representative of small businesses. Members
30 appointed by the Governor serve at the pleasure of the
31 Governor and are eligible for reappointment.

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

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

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

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

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

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

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

31

1 (e) Except as delegated or authorized by the board of
2 directors of ~~the Workforce Florida, Inc. Development Board,~~
3 individual members have no authority to control or direct the
4 operations of ~~the Workforce Florida, Inc., Development Board~~
5 or the actions of its officers and employees, including the
6 president.

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

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

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

29 (h)(i) The chair ~~board of directors of the Workforce~~
30 ~~Development Board~~ may appoint committees to fulfill its
31 responsibilities, to comply with federal requirements, or to

1 obtain technical assistance, and must incorporate members of
2 regional workforce development boards into its structure. At a
3 minimum, the chair shall establish the following standing
4 councils: the First Jobs/First Wages Council, the Better
5 Jobs/Better Wages Council, and the High Skills/High Wages
6 Council. For purposes of Pub. L. No. 105-220, the First
7 Jobs/First Wages Council shall serve as the state's youth
8 council.

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

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

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

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

31

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

5 2. Programs authorized under the Wagner-Peyser Act of
6 1933, as amended, 29 U.S.C. ss. 49 et seq.

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

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

13 5. Activities authorized under 38 U.S.C., chapter 41,
14 including job counseling, training, and placement for
15 veterans.

16 6. Employment and training activities carried out
17 under the Community Services Block Grant Act, 42 U.S.C. ss.
18 9901 et seq.

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

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

27 9. Displaced homemaker programs, provided under s.
28 446.50.

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

31

1 11. The Food Stamp Employment and Training Program,
2 provided under the Food Stamp Act of 1977, U.S.C. ss.
3 2011-2032, the Food Security Act of 1988, Pub. L. No. 99-198,
4 and the Hunger Prevention Act, Pub. L. No. 100-435.

5 12. The Quick-Response Training Program, provided
6 under ss. 288.046-288.047. Matching funds and in-kind
7 contributions that are provided by clients of the
8 Quick-Response Training Program shall count toward the
9 requirements of s. 288.90151(5)(d), pertaining to the return
10 on investment from activities of Enterprise Florida, Inc.

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

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

16 15. Programs authorized under the National and
17 Community Service Act of 1990, 42 U.S.C. ss. 12501 et seq.,
18 and the Service-America programs, the National Service Trust
19 programs, the Civilian Community Corps, the Corporation for
20 National and Community Service, the American Conservation and
21 Youth Service Corps, and the Points of Light Foundation
22 programs, if such programs are awarded to the state.

23 ~~(c)(b)~~ Contracting with public and private entities as
24 necessary to further the directives of this section. All
25 contracts executed by Workforce Florida, Inc., must include
26 specific performance expectations and deliverables.~~, except~~
27 ~~that any contract made with an organization represented on the~~
28 ~~board of directors of Enterprise Florida, Inc., or on the~~
29 ~~board of directors of the Workforce Development Board must be~~
30 ~~approved by a two-thirds vote of the entire board of directors~~
31 ~~of the Workforce Development Board, and, if applicable, the~~

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

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

28 (d) Notifying the Governor, the President of the
29 Senate, and the Speaker of the House of Representatives of
30 noncompliance by the Agency for Workforce Innovation or other
31 agencies or obstruction of the board's efforts by such

1 agencies. Upon such notification, the Executive Office of the
2 Governor shall assist agencies to bring them into compliance
3 with board objectives.

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

12 (f) Archiving records with the Bureau of Archives and
13 Records Management of the Division of Library and Information
14 Services of the Department of State.

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

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

31

1 ~~following benefits to the state's social and economic~~
2 ~~resources:~~

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

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

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

21 (d) Designating ~~The designation of~~ Institutes of
22 Applied Technology composed of public and private
23 postsecondary institutions working together with business and
24 industry to ensure that technical and vocational education
25 programs use the most advanced technology and instructional
26 methods available and respond to the changing needs of
27 business and industry. ~~Of the funds reserved for activities of~~
28 ~~the Workforce Investment Act at the state level, \$500,000~~
29 ~~shall be reserved for an institute of applied technology in~~
30 ~~construction excellence, which shall be a demonstration~~
31 ~~project on the development of such institutes. The institute,~~

1 ~~once established, shall contract with the Workforce~~
2 ~~Development Board to provide a coordinated approach to~~
3 ~~workforce development in this industry.~~

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

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

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

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

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

25 (b) The operations and accomplishments of the
26 partnership including the programs or entities listed in
27 subsection (6).

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

1 Workforce Florida, Inc.~~Development Board~~The Office of
2 Program Policy Analysis and Government Accountability,
3 pursuant to its authority or at the direction of the
4 Legislative Auditing Committee, may review the systems and
5 controls related to performance outcomes and quality of
6 services of Workforce Florida, Inc.

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

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

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

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

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

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

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

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

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

1 measures must be reported to ~~the~~ Workforce Florida, Inc.,
2 ~~Development Board~~ by the appropriate implementing agency.

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

9 (e) Job placement must be reported pursuant to s.
10 229.8075. Positive outcomes for providers of education and
11 training must be consistent with ss. 239.233 and 239.245.

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

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

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

29 (a) First Jobs/First Wages is the state's strategy to
30 promote successful entry into the workforce through education
31 and workplace experience that lead to self-sufficiency and

1 career advancement. The components of the strategy include
2 efforts that enlist business, education, and community support
3 for students to achieve long-term career goals, ensuring that
4 young people have the academic and occupational skills
5 required to succeed in the workplace.

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

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

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

1 of a waiting list or other indication of an unserved
2 population, serves as many individuals as possible within
3 available resources, and maximizes successful outcomes. As
4 part of the charter process, Workforce Florida, Inc., shall
5 establish incentives for effective coordination of federal and
6 state programs, outline rewards for successful job placements,
7 and institute collaborative approaches among local service
8 providers. Local decisionmaking and control shall be important
9 components for inclusion in this charter application.

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

12 445.005 First Jobs/First Wages, Better Jobs/Better
13 Wages, and High Skills/High Wages Councils of Workforce
14 Florida, Inc.--

15 (1) The chair of Workforce Florida, Inc., shall
16 establish by October 1, 2000, three standing councils, which
17 shall be known as the First Jobs/First Wages Council, the
18 Better Jobs/Better Wages Council, and the High Skills/High
19 Wages Council.

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

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

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

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

4 (2) The First Jobs/First Wages Council shall develop
5 strategies for approval by the board of directors of Workforce
6 Florida, Inc., which promote the successful entry of
7 individuals, including young people and adults working for the
8 first time, into the workforce. The council shall advise the
9 board of directors and make recommendations on implementing
10 programs and expending funds in support of the First
11 Jobs/First Wages Program's strategies. The council shall serve
12 as the state's youth council for purposes of Pub. L. No.
13 105-220.

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

26 (4) The High Skills/High Wages Council shall develop
27 strategies for approval by the board of directors of Workforce
28 Florida, Inc., which align the education and training programs
29 with high-paying, high-demand occupations that advance
30 individuals' careers, build a more skilled workforce, and
31 enhance the state's efforts to attract and expand job-creating

1 businesses. The council shall advise the board of directors
2 and make recommendations on implementing programs and
3 expending funds in support of the High-Skills/High-Wages
4 Program's strategies.

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

7 445.006 Strategic plan for workforce development.--

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

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

19 (b) Aggregating, integrating, and leveraging workforce
20 system resources;

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

23 (d) Addressing the workforce needs of small
24 businesses; and

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

27 (2) As a component of the strategic plan required
28 under this section, Workforce Florida, Inc., shall develop a
29 workforce marketing plan, with the goal of educating
30 individuals inside and outside the state about the employment
31

1 market and employment conditions in the state. The marketing
2 plan must include, but need not be limited to, strategies for:
3 (a) Distributing information to secondary and
4 postsecondary education institutions about the diversity of
5 businesses in the state, specific clusters of businesses or
6 business sectors in the state, and occupations by industry
7 which are in demand by employers in the state;
8 (b) Distributing information about and promoting use
9 of the Internet-based job matching and labor market
10 information system authorized under s. 445.011; and
11 (c) Coordinating with Enterprise Florida, Inc., to
12 ensure that workforce marketing efforts complement the
13 economic development marketing efforts of the state.
14 (3) The strategic plan must include performance
15 measures, standards, measurement criteria, and contract
16 guidelines in the following areas with respect to participants
17 in the welfare transition program:
18 (a) Work participation rates, by type of activity;
19 (b) Caseload trends;
20 (c) Recidivism;
21 (d) Participation in diversion and relocation
22 assistance programs;
23 (e) Employment retention;
24 (f) Wage growth; and
25 (g) Other issues identified by the board of directors
26 of Workforce Florida, Inc.
27 (4) The strategic plan must include criteria for
28 allocating workforce resources to regional workforce boards.
29 With respect to allocating funds to serve customers of the
30 welfare transition program, such criteria may include
31 weighting factors that indicate the relative degree of

1 difficulty associated with securing and retaining employment
2 placements for specific subsets of the welfare transition
3 caseload.

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

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

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

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

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

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

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

31

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

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

16 4. A component that fosters responsible fatherhood in
17 families receiving assistance; and

18 5. A component that fosters provision of services that
19 reduce the incidence and effects of domestic violence on women
20 and children in families receiving assistance.

21 (b) Specifications for welfare transition program
22 services that are to be delivered include, but are not limited
23 to:

24 1. Initial assessment services prior to an individual
25 being placed in an employment service, to determine whether
26 the individual should be referred for relocation, up-front
27 diversion, education, or employment placement. Assessment
28 services shall be paid on a fixed unit rate and may not
29 provide educational or employment placement services.

30 2. Referral of participants to diversion and
31 relocation programs.

1 3. Preplacement services, including assessment,
2 staffing, career plan development, work orientation, and
3 employability skills enhancement.

4 4. Services necessary to secure employment for a
5 welfare transition program participant.

6 5. Services necessary to assist participants in
7 retaining employment, including, but not limited to, remedial
8 education, language skills, and personal and family
9 counseling.

10 6. Desired quality of job placements with regard to
11 salary, benefits, and opportunities for advancement.

12 7. Expectations regarding job retention.

13 8. Strategies to ensure that transition services are
14 provided to participants for the mandated period of
15 eligibility.

16 9. Services that must be provided to the participant
17 throughout an education or training program, such as
18 monitoring attendance and progress in the program.

19 10. Services that must be delivered to welfare
20 transition program participants who have a deferral from work
21 requirements but wish to participate in activities that meet
22 federal participation requirements.

23 11. Expectations regarding continued participant
24 awareness of available services and benefits.

25 Section 7. Section 288.9953, Florida Statutes, is
26 transferred, renumbered as section 445.007, Florida Statutes,
27 and amended to read:

28 445.007 ~~288.9953~~ Regional Workforce ~~Development~~
29 Boards.--

30 (1) One regional workforce ~~development~~ board shall be
31 appointed in each designated service delivery area and shall

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

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

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

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

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

18 (b) Conclude agreements necessary to designate the
19 fiscal agent and administrative entity. A public or private
20 entity, including an entity established pursuant to s. 163.01,
21 which makes a majority of the appointments to a regional
22 workforce board may serve as the board's administrative entity
23 if approved by Workforce Florida, Inc., based upon a showing
24 that a fair and competitive process was used to select the
25 administrative entity.

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

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

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

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

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

1 of the regional workforce board. If possible, one of the
2 nonpublic educational institutions represented must be
3 accredited by the Southern Association of Colleges and
4 Schools.The business representatives appointed by the primary
5 county economic development organizations ~~other than the board~~
6 ~~chair~~ need not be members of the regional workforce
7 ~~development~~ board and shall represent those industries that
8 are of primary importance to the region's current and future
9 economy. In a multicounty region, each primary county economic
10 development organization within the region shall appoint at
11 least one business representative and shall consult with the
12 other primary county economic development organizations within
13 the region to make joint appointments 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 economic
2 development organizations. Occupations identified pursuant to
3 this paragraph shall be considered by Workforce Florida, Inc.,
4 for inclusion in the region's targeted occupation list.~~After~~
5 ~~fiscal year 1999-2000, the Workforce Development Board has the~~
6 ~~discretion to decrease the frequency of reporting by the High~~
7 ~~Skills/High Wages committees, but the committees shall meet~~
8 ~~and submit any recommendations at least annually.~~

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

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

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

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

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

1 law. All contracts executed by regional workforce boards must
2 include specific performance expectations and deliverables.

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

5 445.008 Workforce Training Institute.--

6 (1) Workforce Florida, Inc., may create the Workforce
7 Training Institute, which shall be a comprehensive program of
8 workforce training courses designed to meet the unique needs
9 of and shall include Internet-based training modules suitable
10 for, and made available to, professionals integral to the
11 workforce system, including advisors and counselors in
12 educational institutions.

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

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

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

30 445.009 ~~288.9951~~ One-stop delivery system ~~Career~~
31 Centers.--

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

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

7 (b) Career counseling and educational planning.

8 (c) Consumer reports on service providers.

9 (d) Recruitment and eligibility determination.

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

12 (f) Employability skills training.

13 (g) Adult education and basic skills training.

14 (h) Technical training leading to a certification and
15 degree.

16 (i) Claim filing for unemployment compensation
17 services.

18 (j) Temporary income, health, nutritional, and housing
19 assistance.

20 (k) Other appropriate and available workforce
21 development services.

22 ~~(2) In addition to the mandatory partners identified~~
23 ~~in Pub. L. No. 105-220, Food Stamp Employment and Training,~~
24 ~~Food Stamp work programs, and WAGES/TANF programs shall, upon~~
25 ~~approval by the Governor of a transition plan prepared by the~~
26 ~~Workforce Development Board in collaboration with the WAGES~~
27 ~~Program State Board of Directors, participate as partners in~~
28 ~~each one-stop Career Center. Based on this plan, each partner~~
29 ~~is prohibited from operating independently from a One-Stop~~
30 ~~Career Center unless approved by the regional workforce~~
31 ~~development board. Services provided by partners who are not~~

1 ~~physically located in a One-Stop Career Center must be~~
2 ~~approved by the regional workforce development board.~~

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

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

28 (3)(4) Notwithstanding any other provision of law, any
29 memorandum of understanding in effect on June 30, 2000,
30 between a regional workforce board and the Department of Labor
31 and Employment Security governing the delivery of workforce

1 services shall remain in effect until September 30, 2000.
2 Beginning October 1, 2000, regional workforce boards shall
3 enter into a memorandum of understanding with the Agency for
4 Workforce Innovation for the delivery of employment services
5 authorized by the federal Wagner-Peyser Act. This memorandum
6 of understanding must be performance based.~~effective July 1,~~
7 ~~1999, regional workforce development boards shall enter into a~~
8 ~~memorandum of understanding with the Department of Labor and~~
9 ~~Employment Security for the delivery of employment services~~
10 ~~authorized by Wagner-Peyser. For fiscal year 1999-2000, the~~
11 ~~memorandum of understanding with the Department of Labor and~~
12 ~~Employment Security must be performance-based, dedicating 15~~
13 ~~percent of the funds to performance payments. Performance~~
14 ~~payments shall be based on performance measures developed by~~
15 ~~the Workforce Development Board.~~

16 (a) Unless otherwise required by federal law, at least
17 90 percent of the Wagner-Peyser funding must go into direct
18 customer service costs.

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

31

1 (c) The agency shall retain fiscal responsibility and
2 accountability for the administration of funds allocated to
3 the state under the Wagner-Peyser Act. An agency employee who
4 is providing services authorized under the Wagner-Peyser Act
5 shall be paid using Wagner-Peyser Act funds.

6 (d) The Office of Program Policy Analysis and
7 Government Accountability, in consultation with Workforce
8 Florida, Inc., shall review the delivery of employment
9 services under the Wagner-Peyser Act and the integration of
10 those services with other activities performed through the
11 one-stop delivery system and shall provide recommendations to
12 the Legislature for improving the effectiveness of the
13 delivery of employment services in this state. The Office of
14 Program Policy Analysis and Government Accountability shall
15 submit a report and recommendations to the Governor, the
16 President of the Senate, and the Speaker of the House of
17 Representatives by December 31, 2002.

18 ~~(4)(5)~~ One-stop delivery system ~~Career Center~~ partners
19 ~~identified in subsection (2)~~ shall enter into a memorandum of
20 understanding pursuant to Pub. L. No. 105-220, Title I, s.
21 121, with the regional workforce ~~development~~ board. Failure of
22 a local partner to participate cannot unilaterally block the
23 majority of partners from moving forward with their one-stop
24 delivery system ~~Career Centers~~, and ~~the~~ Workforce Florida,
25 Inc. Development Board, pursuant to s. 445.004(5)(d)~~s.~~
26 ~~288.9952(4)(d)~~, may make notification of a local partner that
27 fails to participate.

28 ~~(5)(a)(6)~~ To the extent possible, core services, as
29 defined by Pub. L. No. 105-220, shall be provided
30 electronically, using ~~utilizing~~ existing systems ~~and public~~
31 libraries. These electronic systems shall be linked and

1 integrated into a comprehensive service system to simplify
2 access to core services by:

3 1. Maintaining staff to serve as the first point of
4 contact with the public seeking access to employment services
5 who are knowledgeable about each program located in each
6 one-stop delivery system center as well as related services.
7 An initial determination of the programs for which a customer
8 is likely to be eligible and any referral for a more thorough
9 eligibility determination must be made at this first point of
10 contact; and

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

15 (b) To expand electronic capabilities, ~~the~~ Workforce
16 Florida, Inc. ~~Development Board~~, working with regional
17 workforce ~~development~~ boards, shall develop a centralized help
18 center to assist regional workforce ~~development~~ boards in
19 fulfilling core services, minimizing the need for fixed-site
20 one-stop ~~delivery system~~ ~~Career~~ centers.

21 (c) To the extent feasible, core services shall be
22 accessible through the Internet. Through this technology, core
23 services shall be made available at public libraries, public
24 and private educational institutions, community centers,
25 kiosks, neighborhood facilities, and satellite one-stop
26 delivery system sites. Each regional workforce board's web
27 page shall serve as a portal for contacting potential
28 employees by integrating the placement efforts of universities
29 and private companies, including staffing services firms, into
30 the existing one-stop delivery system.

31

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

11 (7)~~(8)~~(a) Individual Training Accounts must be
12 expended on programs that prepare people to enter high-wage
13 occupations identified by the Workforce Estimating
14 ~~Occupational Forecasting~~ Conference created by s. 216.136, and
15 on other programs as approved by ~~the Workforce Florida, Inc.~~
16 ~~Development Board~~.

17 (b) For each approved training program, regional
18 workforce ~~development~~ boards, in consultation with training
19 providers, shall establish a fair-market purchase price to be
20 paid through an Individual Training Account. The purchase
21 price must be based on prevailing costs and reflect local
22 economic factors, program complexity, and program benefits,
23 including time to beginning of training and time to
24 completion. The price shall ensure the fair participation of
25 public and nonpublic postsecondary educational institutions as
26 authorized service providers and shall prohibit the use of
27 unlawful remuneration to the student in return for attending
28 an institution. Unlawful remuneration does not include student
29 financial assistance programs.

30 (c) ~~The Workforce Florida, Inc., Development Board~~
31 shall periodically review Individual Training Account pricing

1 schedules developed by regional workforce ~~development~~ boards
2 and present findings and recommendations for process
3 improvement to the President of the Senate and the Speaker of
4 the House of Representatives ~~by January 1, 2000~~.

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

13 (e) Training services provided through Individual
14 Training Accounts must be performance-based, with successful
15 job placement triggering full payment.

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

25 ~~(8)(9)~~(a) Workforce Florida, Inc. ~~The Department of~~
26 ~~Management Services~~, working with the Agency for Workforce
27 Innovation Workforce Development Board, shall coordinate among
28 the agencies a plan for a One-Stop ~~Career Center~~ Electronic
29 Network made up of one-stop delivery system ~~Career~~ centers and
30 other partner agencies that are operated by authorized public
31 or private for-profit or not-for-profit agents. The plan shall

1 identify resources within existing revenues to establish and
2 support this electronic network for service delivery that
3 includes Government Services Direct. If necessary, the plan
4 shall identify additional funding needed to achieve the
5 provisions of this subsection.

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

14 1. The Unemployment Compensation System of the
15 Department of Labor and Employment Security.

16 2. The Job Service System of the Department of Labor
17 and Employment Security.

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

20 4. The Workers' Compensation System of the Department
21 of Labor and Employment Security.

22 5. The Student Financial Assistance System of the
23 Department of Education.

24 6. Enrollment in the public postsecondary education
25 system.

26 7. Other information systems determined appropriate by
27 Workforce Florida, Inc.

28
29 The systems shall be fully coordinated at both the state and
30 local levels by July ~~January~~ 1, 2001 ~~2000~~.

31

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

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

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

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

3 (3) The Governor shall designate a staff member of the
4 Office of Planning and Budgeting to serve as the Governor's
5 primary representative on matters related to implementing this
6 act and the transition plan required under this section. The
7 representative shall report to the Governor, the President of
8 the Senate, and the Speaker of the House of Representatives on
9 the progress being made in implementing this act and the
10 transition plan, including, but not limited to, the adverse
11 impact on workforce services provided to the public, or any
12 other negative consequence, of meeting any deadline imposed by
13 this act, any difficulties experienced by Workforce Florida,
14 Inc., in securing the full participation and cooperation of
15 applicable state agencies. The representative shall also
16 coordinate the submission of any budget amendments, in
17 accordance with chapter 216, Florida Statutes, that may be
18 necessary to implement this act.

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

30 (5) The transfer of any program, activity, or function
31 under this act includes the transfer of any records and

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

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

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

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

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

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

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

3 (3) Effective October 1, 2000, employees of the
4 Workforce Development Board of Enterprise Florida, Inc., who
5 are leased from the Department of Management Services are
6 transferred by a type two transfer, as defined in section
7 20.06(2), Florida Statutes, to the Agency for Workforce
8 Innovation. State employees leased to the Workforce
9 Development Board as of June 30, 2000, may be leased to
10 Workforce Florida, Inc., as of the same date to perform
11 administrative and professional services. Additional state
12 employees in the Agency for Workforce Innovation may be
13 assigned to Workforce Florida, Inc.

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

17 (a) The Division of Workforce and Employment
18 Opportunities and the Office of Labor Market Statistics are
19 transferred by a type two transfer, as defined in section
20 20.06(2), Florida Statutes, from the Department of Labor and
21 Employment Security. Employees who are responsible for
22 information technology within the Division of Workforce and
23 Employment Opportunities, employees who are responsible for
24 licensing and permitting business agents and labor
25 organizations under chapter 447, Florida Statutes, and
26 employees who are responsible for regulations relating to
27 minority labor groups under chapter 450, Florida Statutes, are
28 not included in this transfer. The Agency for Workforce
29 Innovation, in consultation with the Department of Labor and
30 Employment Security, shall determine the number of positions
31 needed for administrative support of the programs within the

1 Division of Workforce and Employment Opportunities as
2 transferred to the agency. The number of administrative
3 support positions the agency determines are needed shall not
4 exceed the number of administrative support positions that
5 prior to the transfer were authorized to the Department of
6 Labor and Employment Security for this purpose. Upon transfer
7 of the Division of Workforce and Employment Opportunities, the
8 number of required administrative support positions as
9 determined by the agency shall be authorized within the
10 agency.

11 (b) The resources, data, records, property, and
12 unexpended balances of appropriations, allocations, and other
13 funds within the Office of the Secretary or any other
14 division, office, bureau, or unit within the Department of
15 Labor and Employment Security that support the Division of
16 Workforce and Employment Opportunities are transferred by a
17 type two transfer, as defined in section 20.06(2), Florida
18 Statutes, from the Department of Labor and Employment
19 Security.

20 (c) Staff of the displaced homemaker program are
21 transferred by a type two transfer, as defined in section
22 20.06(2), Florida Statutes, from the Department of Education.

23 (d) The Agency for Workforce Innovation, in
24 consultation with the Department of Management Services, shall
25 determine the number of positions needed to perform the WAGES
26 contracting function within the agency. The number of
27 positions the agency determines are needed shall not exceed
28 the number of positions that prior to the transfer were
29 authorized to the WAGES Contracting Division within the
30 Department of Management Services for this purpose. Upon
31 transfer of the WAGES Contracting Division, the number of

1 required positions as determined by the agency shall be
2 authorized within the agency.

3 (e) The resources, data, records, property, and
4 unexpended balances of appropriations, allocations, and other
5 funds within the WAGES Contracting Division are transferred by
6 a type two transfer, as defined in section 20.06(2), Florida
7 Statutes, from the Department of Management Services to the
8 Agency for Workforce Innovation.

9 (f) The Division of Unemployment Compensation is
10 transferred by a type two transfer, as defined in section
11 20.06(2), Florida Statutes, from the Department of Labor and
12 Employment Security to the Agency for Workforce Innovation.
13 The resources, data, records, property, and unexpended
14 balances of appropriations, allocations, and other funds
15 within the Office of the Secretary or any other division,
16 office, bureau, or unit within the Department of Labor and
17 Employment Security that support the Division of Unemployment
18 Compensation are transferred by a type two transfer, as
19 defined in section 20.06(2), Florida Statutes, from the
20 Department of Labor and Employment Security. By January 1,
21 2001, the Agency for Workforce Innovation shall enter into a
22 contract with the Department of Revenue which shall provide
23 for the Department of Revenue to provide unemployment tax
24 collection services. The Department of Revenue, in
25 consultation with the Department of Labor and Employment
26 Security, shall determine the number of positions needed to
27 provide unemployment tax collection services within the
28 Department of Revenue. The number of unemployment tax
29 collection service positions the Department of Revenue
30 determines are needed shall not exceed the number of positions
31 that, prior to the contract, were authorized to the Department

1 of Labor and Employment Security for this purpose. Upon
2 entering into the contract with the Agency for Workforce
3 Innovation to provide unemployment tax collection services,
4 the number of required positions, as determined by the
5 Department of Revenue, shall be authorized within the
6 Department of Revenue. Beginning January 1, 2002, the Office
7 of Program Policy Analysis and Government Accountability shall
8 conduct a feasibility study regarding privatization of
9 unemployment tax collection services. A report on the
10 conclusions of this study shall be submitted to the Governor,
11 the President of the Senate, and the Speaker of the House of
12 Representatives.

13 (5) Unless already met or exceeded by reductions
14 required by the General Appropriations Act to division
15 positions authorized on June 30, 2000, prior to effecting the
16 transfer of staff required by paragraph (4)(a), the Department
17 of Labor and Employment Security shall reduce by 25 percent
18 within the Division of Workforce and Employment Opportunities
19 the number of positions not engaged in directly providing
20 workforce development services to customers or in supervising
21 the direct provision of workforce development services. Prior
22 to January 1, 2001, Workforce Florida, Inc., in cooperation
23 with the Agency for Workforce Innovation, shall submit to the
24 Governor, the President of the Senate, and the Speaker of the
25 House of Representatives a plan for reorganizing and further
26 reducing the number of staff members transferred pursuant to
27 paragraph (4)(a).

28 (6) The Department of Labor and Employment Security
29 shall develop a plan to reduce the department's existing
30 full-time positions to reflect the remaining mission of the
31 department. The department shall submit a budget amendment

1 for legislative notice and review under section 216.177,
2 Florida Statutes, to implement the plan by October 1, 2000.

3 Section 12. Section 445.010, Florida Statutes, is
4 created to read:

5 445.010 Workforce system information technology;
6 principles and information sharing.--

7 (1) The following principles shall guide the
8 development and management of workforce system information
9 resources:

10 (a) Workforce system entities should be committed to
11 information sharing.

12 (b) Cooperative planning by workforce system entities
13 is a prerequisite for the effective development of systems to
14 enable the sharing of data.

15 (c) Workforce system entities should maximize public
16 access to data, while complying with legitimate security,
17 privacy, and confidentiality requirements.

18 (d) When the capture of data for the mutual benefit of
19 workforce system entities can be accomplished, the costs for
20 capturing, managing, and disseminating those data should be
21 shared.

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

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

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

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

11 Section 13. Section 445.011, Florida Statutes, is
12 created to read:

13 445.011 Workforce information systems.--

14 (1) Workforce Florida, Inc., shall implement, subject
15 to legislative appropriation, automated information systems
16 that are necessary for the efficient and effective operation
17 and management of the workforce development system. These
18 information systems shall include, but need not be limited to,
19 the following:

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

27 1. The system should report current budgeting,
28 expenditure, and performance information for assessing
29 performance related to outcomes, service delivery, and
30 financial administration for workforce programs pursuant to s.
31 445.004(5) and (9).

1 2. The information system should include auditable
2 systems and controls to ensure financial integrity and valid
3 and reliable performance information.

4 3. The system should support service integration and
5 case management by providing for case tracking for
6 participants in welfare transition programs.

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

10 1. Skill match information, including skill gap
11 analysis; resume creation; job order creation; skill tests;
12 job search by area, employer type, and employer name; and
13 training provider linkage;

14 2. Job market information based on surveys, including
15 local, state, regional, national, and international
16 occupational and job availability information; and

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

21 (2) In procuring workforce information systems,
22 Workforce Florida, Inc., shall employ competitive processes,
23 including requests for proposals, competitive negotiation, and
24 other competitive processes to ensure that the procurement
25 results in the most cost-effective investment of state funds.

26 (3) Workforce Florida, Inc., may procure independent
27 verification and validation services associated with
28 developing and implementing any workforce information system.

29 (4) Workforce Florida, Inc., shall coordinate
30 development and implementation of workforce information
31 systems with the state's Chief Information Officer in the

1 State Technology Office to ensure compatibility with the
2 state's information system strategy and enterprise
3 architecture.

4 Section 14. (1) By December 15, 2000, the
5 Postsecondary Education Planning Commission, in close
6 consultation with Workforce Florida, Inc., and in consultation
7 with the Division of Community Colleges and the Division of
8 Workforce Development in the Department of Education, the
9 State Board of Independent Colleges and Universities, and the
10 State Board of Nonpublic Career Education, shall submit a
11 report to the Governor, the President of the Senate, and the
12 Speaker of the House of Representatives, recommending
13 strategies to expand access to and production of certificates
14 and degrees in programs that provide the skilled workforce
15 needed for Florida's economy.

16 (2) The report shall address the following issues and
17 options:

18 (a) New and innovative targeted financial aid
19 programs.

20 (b) Initiatives to encourage the restructuring of
21 curriculum to provide a better response to the needs of
22 Florida's businesses and industries.

23 (c) Performance-based incentive funding to state
24 universities for increased production of graduates from
25 targeted programs.

26 (d) Performance-based incentive funding to state
27 universities and other initiatives for providing accelerated
28 articulation options to students awarded an Associate of
29 Science degree.

30 (e) Innovative uses of federal Workforce Investment
31 Act and Welfare to Work funds to provide the broadest

1 eligibility for and promote access to targeted high priority
2 educational programs.

3 Section 15. Section 445.013, Florida Statutes, is
4 created to read:

5 445.013 Challenge grants in support of welfare-to-work
6 initiatives.--

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

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

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

21 (b) Faith-based organizations;

22 (c) Community development or community improvement
23 organizations;

24 (d) College or university alumni organizations or
25 fraternities or sororities;

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

29 (f) Chambers of commerce or similar business or civic
30 organizations;

31

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

3 (h) Municipalities, counties, or other units of
4 government;

5 (i) Private businesses; and

6 (j) Other organizations deemed appropriate by
7 Workforce Florida, Inc.

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

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

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

5 Section 16. Section 288.9955, Florida Statutes, is
6 transferred, renumbered as section 445.016, Florida Statutes,
7 and amended to read:

8 445.016 ~~288.9955~~ Untried Worker Placement and
9 Employment Incentive Act.--

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

12 (2) For purposes of this section, the term "untried
13 worker" means a person who is a hard-to-place participant in
14 the welfare transition program ~~Work and Gain Economic~~
15 ~~Self-sufficiency Program (WAGES)~~ because he or she has
16 limitations associated with the long-term receipt of welfare
17 and difficulty in sustaining employment, particularly because
18 of physical or mental disabilities.

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

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

31

1 (5) Incentives must be paid according to the incentive
2 schedule developed by Workforce Florida, Inc., the Agency for
3 Workforce Development,~~the Department of Labor and Employment~~
4 ~~Security~~ and the Department of Children and Family Services
5 which costs the state less per placement than the state's
6 12-month expenditure on a welfare recipient.

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

18 (7) This section shall not be used for the purpose of
19 displacing or replacing an employer's regular employees, and
20 shall not interfere with executed collective bargaining
21 agreements. Untried workers shall be paid by the employer at
22 the same rate as similarly situated and assessed workers in
23 the same place of employment.

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

28 (9) Any employer that chooses to employ untried
29 workers is eligible to receive such incentives and benefits
30 that are available and provided in law, as long as the
31

1 long-term, cost savings can be quantified with each such
2 additional inducement.

3 Section 17. Section 414.15, Florida Statutes, is
4 transferred, renumbered as section 445.017, Florida Statutes,
5 and amended to read:

6 445.017 ~~414.15~~ Diversion.--

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

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

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

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

24 (c) Screening applicants to respond to emergency
25 needs.

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

29 (3) Before finding an applicant family eligible for
30 up-front diversion services funds, the regional workforce
31

1 ~~board department~~ must determine that all requirements of
2 eligibility for diversion services would likely be met.

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

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

14 (5)~~(6)~~ The family receiving up-front diversion must
15 sign an agreement restricting the family from applying for
16 temporary cash assistance for 3 months, unless an emergency is
17 demonstrated to the regional workforce board ~~department~~. If a
18 demonstrated emergency forces the family to reapply for
19 temporary cash assistance within 3 months after receiving a
20 diversion payment, the diversion payment shall be prorated
21 over an 8-month ~~the 2-month~~ period and deducted ~~subtracted~~
22 from any ~~regular payment of~~ temporary ~~cash~~ assistance for
23 which the family is applicant ~~may be~~ eligible.

24 Section 18. Section 445.018, Florida Statutes, is
25 created to read:

26 445.018 Diversion program to strengthen Florida's
27 families.--

28 (1) The diversion program to strengthen families in
29 this state is intended to provide services that assist
30 families in avoiding welfare dependency by gaining and
31 retaining employment.

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

4 (a) The family includes a pregnant woman or a parent
5 with one or more minor children or a caretaker relative with
6 one or more minor children.

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

10 (c) The provision of services related to employment,
11 including assessment, service planning and coordination, job
12 placement, employment-related education or training, child
13 care services, transportation services, relocation services,
14 workplace employment support services, individual or family
15 counseling, or a Retention Incentive Training Account (RITA),
16 are likely to prevent the family from becoming dependent on
17 welfare by enabling employable adults in the family to become
18 employed, remain employed, or pursue career advancement.

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

21 (4) Each family that receives services under this
22 section must sign an agreement not to apply for temporary cash
23 assistance for 6 months following the receipt of services,
24 unless an unanticipated emergency situation arises. If a
25 family applies for temporary cash assistance without a
26 documented emergency, the family must repay the value of the
27 diversion services provided. Repayment may be prorated over 8
28 months and shall be paid through a reduction in the amount of
29 any monthly temporary cash assistance payment received by the
30 family.

31

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

5 Section 19. Section 414.159, Florida Statutes, is
6 transferred, renumbered as section 445.019, Florida Statutes,
7 and amended to read:

8 445.019 ~~414.159~~ Teen parent and pregnancy prevention
9 diversion program; eligibility for services.--The Legislature
10 recognizes that teen pregnancy is a major cause of dependency
11 on government assistance that often extends through more than
12 one generation. The purpose of the teen parent and pregnancy
13 prevention diversion program is to provide services to reduce
14 and avoid welfare dependency by reducing teen pregnancy,
15 reducing the incidence of multiple pregnancies to teens, and
16 by assisting teens in completing educational programs.

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

21 (2) Services provided under this program shall be
22 limited to services that are not considered assistance under
23 federal law or guidelines.

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

27 Section 20. Section 445.020, Florida Statutes, is
28 created to read:

29 445.020 Diversion programs; determination of need.--If
30 federal regulations require a determination of needy families
31 or needy parents to be based on financial criteria, such as

1 income or resources, for individuals or families who are
2 receiving services, one-time payments, or nonrecurring
3 short-term benefits, the Department of Children and Family
4 Services shall adopt rules to define such criteria. In such
5 rules, the department shall use the income level established
6 for Temporary Assistance for Needy Families funds which are
7 transferred for use under Title XX of the Social Security Act.
8 If federal regulations do not require a financial
9 determination for receipt of such benefits, payments, or
10 services, the criteria otherwise established in this chapter
11 shall be used.

12 Section 21. Section 414.155, Florida Statutes, is
13 transferred, renumbered as section 445.021, Florida Statutes,
14 and amended to read:

15 445.021 ~~414.155~~ Relocation assistance program.--

16 (1) The Legislature recognizes that the need for
17 public assistance may arise because a family is located in an
18 area with limited employment opportunities, because of
19 geographic isolation, because of formidable transportation
20 barriers, because of isolation from their extended family, or
21 because domestic violence interferes with the ability of a
22 parent to maintain self-sufficiency. Accordingly, there is
23 established a program to assist families in relocating to
24 communities with greater opportunities for self-sufficiency.

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

29 (a) A determination that the family is receiving
30 temporary cash assistance ~~a WAGES Program participant~~ or that
31

1 all requirements of eligibility for diversion services ~~the~~
2 ~~WAGES Program~~ would likely be met.

3 (b) A determination that there is a basis for
4 believing that relocation will contribute to the ability of
5 the applicant to achieve self-sufficiency. For example, the
6 applicant:

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

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

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

14 4. Is determined, pursuant to criteria or procedures
15 established by the ~~WAGES Program State~~ board of directors of
16 Workforce Florida, Inc., to be a victim of domestic violence
17 who would experience reduced probability of further incidents
18 through relocation; ~~or-~~

19 5. Must relocate in order to receive education or
20 training that is directly related to the applicant's
21 employment or career advancement.

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

1 (d) A determination, pursuant to criteria adopted by
2 the ~~WAGES Program State~~ board of directors of Workforce
3 Florida, Inc., that a ~~Florida~~ community receiving a relocated
4 family has the capacity to provide needed services and
5 employment opportunities.

6 (e) Monitoring the relocation.

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

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

25 (4)(5) The board of directors of Workforce Florida,
26 Inc., may establish criteria for developing and implementing
27 ~~department shall have authority to adopt rules pursuant to the~~
28 ~~Administrative Procedure Act to develop and implement~~
29 relocation plans and for drafting agreements to restrict to
30 ~~draft an agreement restricting a family from applying for~~
31

1 temporary cash assistance for a specified period after
2 receiving a relocation assistance payment.

3 Section 22. Section 414.223, Florida Statutes, is
4 transferred, renumbered as section 445.022, Florida Statutes,
5 and amended to read:

6 445.022 ~~414.223~~ Retention Incentive Training
7 Accounts.--To promote job retention and to enable upward job
8 advancement into higher skilled, higher paying employment, the
9 ~~WAGES Program State~~ board of directors of Workforce Florida,
10 Inc., and, the Workforce Development Board, regional workforce
11 development boards, ~~and local WAGES coalitions~~ may jointly
12 assemble, from postsecondary education institutions, a list of
13 programs and courses for ~~WAGES~~ participants who have become
14 employed which promote job retention and advancement.

15 (1) The ~~WAGES Program State~~ board of directors of
16 Workforce Florida, Inc., and the Workforce Development Board
17 may ~~jointly~~ establish Retention Incentive Training Accounts
18 (RITAs). RITAs shall utilize Temporary Assistance to Needy
19 Families(TANF)block grant funds specifically appropriated
20 for this purpose. RITAs must complement the Individual
21 Training Account required by the federal Workforce Investment
22 Act of 1998, Pub. L. No. 105-220.

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

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

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

6 Section 23. Section 414.18, Florida Statutes, is
7 transferred, renumbered as section 445.023, Florida Statutes,
8 and amended to read:

9 445.023 ~~414.18~~ Program for dependent care for families
10 with children with special needs.--

11 (1) There is created the program for dependent care
12 for families with children with special needs. This program
13 is intended to provide assistance to families with children
14 who meet the following requirements:

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

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

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

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

27 (3) If federal funds under the Temporary Assistance
28 for Needy Families block grant provided under Title IV-A of
29 the Social Security Act, as amended, are used for this
30 program, the family must be informed about the federal
31 requirements on receipt of such assistance and must sign a

1 written statement acknowledging, and agreeing to comply with,
2 all federal requirements.

3 (4) In addition to child care services provided under
4 s. 402.3015, dependent care may be provided for children age
5 13 years and older who are in need of care due to disability
6 and where such care is needed for the parent to accept or
7 continue employment or otherwise participate in work
8 activities. The amount of subsidy shall be consistent with the
9 rates for special needs child care established by the
10 department. Dependent care needed for employment may be
11 provided as transitional services for up to 2 years after
12 eligibility for temporary cash ~~WAGES~~ assistance ends.

13 (5) Notwithstanding any provision of s. 414.105 to the
14 contrary, the time limitation on receipt of assistance under
15 this section shall be the limit established pursuant to s.
16 408(a)(7) of the Social Security Act, as amended, 42 U.S.C. s.
17 608(a)(7).

18 Section 24. Section 445.024, Florida Statutes, is
19 created to read:

20 445.024 Work requirements.--

21 (1) WORK ACTIVITIES.--The following activities may be
22 used individually or in combination to satisfy the work
23 requirements for a participant in the temporary cash
24 assistance program:

25 (a) Unsubsidized employment.--Unsubsidized employment
26 is full-time employment or part-time employment that is not
27 directly supplemented by federal or state funds. Paid
28 apprenticeship and cooperative education activities are
29 included in this activity.

30 (b) Subsidized private sector employment.--Subsidized
31 private sector employment is employment in a private

1 for-profit enterprise or a private not-for-profit enterprise
2 which is directly supplemented by federal or state funds. A
3 subsidy may be provided in one or more of the forms listed in
4 this paragraph.

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

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

29 3. Incentive payments.--Regional workforce boards may
30 provide additional incentive payments to encourage employers
31 to employ program participants. Incentive payments may include

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

23 4. Tax credits.--An employer who employs a program
24 participant may qualify for enterprise zone property tax
25 credits under s. 220.182, the tax refund program for qualified
26 target industry businesses under s. 288.106, or other federal
27 or state tax benefits. The regional workforce board shall
28 provide information and assistance, as appropriate, to use
29 such credits to accomplish program goals.

30 5. Training bonus.--An employer who hires a
31 participant in the welfare transition program and pays the

1 participant a wage that precludes the participant's
2 eligibility for temporary cash assistance may receive \$250 for
3 each full month of employment for a period that may not exceed
4 3 months. An employer who receives a training bonus for an
5 employee may not receive a work supplementation subsidy for
6 the same employee. "Employment" is defined as 35 hours per
7 week at a wage of no less than minimum wage.

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

20 (d) Community service work experience.--Community
21 service work experience is job training experience at a
22 supervised public or private not-for-profit agency. A
23 participant shall receive temporary cash assistance in the
24 form of wages, which, when combined with the value of food
25 stamps awarded to the participant, is proportional to the
26 amount of time worked. A participant in the welfare transition
27 program or the Food Stamp Employment and Training program
28 assigned to community service work experience shall be deemed
29 an employee of the state for purposes of workers' compensation
30 coverage and is subject to the requirements of the drug-free
31 workplace program. Community service work experience may be

1 selected as an activity for a participant who needs to
2 increase employability by improving his or her interpersonal
3 skills, job-retention skills, stress management, and job
4 problem solving, and by learning to attain a balance between
5 job and personal responsibilities. Community service is
6 intended to:

7 1. Assess compliance with requirements of the welfare
8 transition program before referral of the participant to
9 costly services such as career education;

10 2. Maintain work activity status while the participant
11 awaits placement into paid employment or training;

12 3. Fulfill a clinical practicum or internship
13 requirement related to employment; or

14 4. Provide work-based mentoring.

15
16 As used in this paragraph, the terms "community service
17 experience," "community work," and "workfare" are synonymous.

18 (e) Work experience.--Work experience is an
19 appropriate work activity for participants who lack
20 preparation for or experience in the workforce. It must
21 combine a job training activity in a public or private
22 not-for-profit agency with education and training related to
23 an employment goal. To qualify as a work activity, work
24 experience must include education and training in addition to
25 the time required by the work activity, and the work activity
26 must be intensively supervised and structured. Regional
27 workforce boards shall contract for any services provided for
28 clients who are assigned to this activity and shall require
29 performance benchmarks, goals, outcomes, and time limits
30 designed to assure that the participant moves toward full-time
31 paid employment. A participant shall receive temporary cash

1 assistance proportional to the time worked. A participant
2 assigned to work experience is an employee of the state for
3 purposes of workers' compensation coverage and is subject to
4 the requirements of the drug-free workplace program.

5 (f) Job search and job readiness assistance.--Job
6 search assistance may include supervised or unsupervised
7 job-seeking activities. Job readiness assistance provides
8 support for job-seeking activities, which may include:

9 1. Orientation to the world of work and basic
10 job-seeking and job retention skills.

11 2. Instruction in completing an application for
12 employment and writing a resume.

13 3. Instruction in conducting oneself during a job
14 interview, including appropriate dress.

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

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

26 (g) Vocational education or training.--Vocational
27 education or training is education or training designed to
28 provide participants with the skills and certification
29 necessary for employment in an occupational area. Vocational
30 education or training may be used as a primary program
31 activity for participants when it has been determined that the

1 individual has demonstrated compliance with other phases of
2 program participation and successful completion of the
3 vocational education or training is likely to result in
4 employment entry at a higher wage than the participant would
5 have been likely to attain without completion of the
6 vocational education or training. Vocational education or
7 training may be combined with other program activities and
8 also may be used to upgrade skills or prepare for a higher
9 paying occupational area for a participant who is employed.

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

24 2. When possible, a provider of vocational education
25 or training shall use funds provided by funding sources other
26 than the regional workforce board. The regional workforce
27 board may provide additional funds to a vocational education
28 or training provider only if payment is made pursuant to a
29 performance-based contract. Under a performance-based
30 contract, the provider may be partially paid when a
31 participant completes education or training, but the majority

1 of payment shall be made following the participant's
2 employment at a specific wage or job retention for a specific
3 duration. Performance-based payments made under this
4 subparagraph are limited to education or training for targeted
5 occupations identified by the Workforce Estimating Conference
6 under s. 216.136, or other programs identified by Workforce
7 Florida, Inc., as beneficial to meet the needs of designated
8 groups who are hard to place. If the contract pays the full
9 cost of training, the community college or school district may
10 not report the participants for other state funding.

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

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

30 (j) School attendance.--Attendance at a high school or
31 attendance at a program designed to prepare the participant to

1 receive a high school equivalency diploma is a required
2 program activity for each participant 19 years of age or
3 younger who:

4 1. Has not completed high school or obtained a high
5 school equivalency diploma;

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

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

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

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

29 (m) GED preparation and literacy
30 education.--Satisfactory attendance at secondary school or in
31 a course of study leading to a graduate equivalency diploma,

1 if a participant has not completed secondary school or
2 received such a diploma. English language proficiency
3 training may be included as a part of the education if it is
4 deemed the individual requires such training to complete
5 secondary school or to attain a graduate equivalency diploma.
6 To calculate countable hours attributable to education, a
7 participant may earn study credits equal to the number of
8 actual hours spent in formal training per week, but the total
9 number of hours earned for actual hours spent in formal
10 training and studying may not exceed a one to one and one-half
11 ratio for the week. Countable hours are subject to the
12 restrictions contained in 45 C.F.R. s. 261.31.

13 (n) Providing child care services.--Providing child
14 care services to an individual who is participating in a
15 community service program pursuant to this section.

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

1 shall be referred for employment at the time of application if
2 the applicant is eligible to participate in the welfare
3 transition program.

4 (a) A participant in a work activity may also be
5 required to enroll in and attend a course of instruction
6 designed to increase literacy skills to a level necessary for
7 obtaining or retaining employment, provided that the
8 instruction plus the work activity does not require more than
9 40 hours per week.

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

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

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

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

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

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

31

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

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

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

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

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

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

23
24 Regional workforce boards may limit a participant's weekly
25 work requirement to the minimum required to meet federal work
26 activity requirements in lieu of the level defined in
27 subsection (2). Regional workforce boards may develop
28 screening and prioritization procedures based on the
29 allocation of resources, the availability of community
30 resources, or the work activity needs of the service district.

31

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

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

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

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

28 (d) Regional workforce boards may contract with
29 commercial, charitable, or religious organizations. A contract
30 must comply with federal requirements with respect to
31 nondiscrimination and other requirements that safeguard the

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

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

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

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

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

27 (7) PROTECTION FOR CURRENT EMPLOYEES.--In establishing
28 and contracting for work experience and community service
29 activities, other work experience activities, on-the-job
30 training, subsidized employment, and work supplementation
31 under the welfare transition program, an employed worker may

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

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

11 Section 25. Section 414.20, Florida Statutes, is
12 transferred, renumbered as section 445.025, Florida Statutes,
13 and amended to read:

14 445.025 ~~414.20~~ Other support services.--Support
15 services shall be provided, if resources permit, to assist
16 participants in complying with work activity requirements
17 outlined in s. 445.024 ~~s. 414.065~~. If resources do not permit
18 the provision of needed support services, the regional
19 workforce board ~~department and the local WAGES coalition~~ may
20 prioritize or otherwise limit provision of support services.
21 This section does not constitute an entitlement to support
22 services. Lack of provision of support services may be
23 considered as a factor in determining whether good cause
24 exists for failing to comply with work activity requirements
25 but does not automatically constitute good cause for failing
26 to comply with work activity requirements, and does not affect
27 any applicable time limit on the receipt of temporary cash
28 assistance or the provision of services under ~~this~~ chapter
29 414. Support services shall include, but need not be limited
30 to:
31

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

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

26 (b) Transportation disadvantaged funds as defined in
27 chapter 427 do not include ~~WAGES~~ support services funds or
28 funds appropriated to assist persons eligible under the Job
29 Training Partnership Act. It is the intent of the Legislature
30 that ~~local WAGES coalitions and regional workforce development~~
31 boards consult with local community transportation

1 coordinators designated under chapter 427 regarding the
2 availability and cost of transportation services through the
3 coordinated transportation system prior to contracting for
4 comparable transportation services outside the coordinated
5 system.

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

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

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

26 Section 26. Section 414.1525, Florida Statutes, is
27 transferred, renumbered as section 445.026, Florida Statutes,
28 and amended to read:

29 445.026 ~~414.1525~~ Cash assistance severance benefit
30 ~~WAGES early exit diversion program~~.--An individual who meets
31 the criteria listed in this section may choose to receive a

1 lump-sum payment in lieu of ongoing cash assistance payments,
2 provided the individual:

3 (1) Is employed and is receiving earnings, ~~and would~~
4 ~~be eligible to receive cash assistance in an amount less than~~
5 ~~\$100 per month given the WAGES earnings disregard.~~

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

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

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

11 (5) Provides employment and earnings information to
12 the regional workforce board ~~department~~, so that the regional
13 workforce board ~~department~~ can ensure that the family's
14 eligibility for severance ~~transitional~~ benefits can be
15 evaluated.

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

26
27 Such individual may choose to accept a one-time, lump-sum
28 payment of \$1,000 in lieu of receiving ongoing cash
29 assistance. Such payment shall only count toward the time
30 limitation for the month in which the payment is made in lieu
31 of cash assistance. A participant choosing to accept such

1 payment shall be terminated from cash assistance. However,
2 eligibility for Medicaid, food stamps, or child care shall
3 continue, subject to the eligibility requirements of those
4 programs.

5 Section 27. Section 445.028, Florida Statutes, is
6 created to read:

7 445.028 Transitional benefits and services.--In
8 cooperation with Workforce Florida, Inc., the Department of
9 Children and Family Services shall develop procedures to
10 ensure that families leaving the temporary cash assistance
11 program receive transitional benefits and services that will
12 assist the family in moving toward self-sufficiency. At a
13 minimum, such procedures must include, but are not limited to,
14 the following:

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

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

26 (3) The department, in consultation with the board of
27 directors of Workforce Florida, Inc., shall develop
28 informational material, including posters and brochures, to
29 better inform families about the availability of transitional
30 benefits and services.

31

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

6 Section 28. Section 414.21, Florida Statutes, is
7 transferred, renumbered as section 445.029, Florida Statutes,
8 and amended to read:

9 445.029 ~~414.21~~ Transitional medical benefits.--

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

15 (a) The family shall be denied Medicaid during the
16 12-month period for any month in which the family does not
17 include a dependent child.

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

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

28 Section 29. Section 414.22, Florida Statutes, is
29 transferred, renumbered as section 445.030, Florida Statutes,
30 and amended to read:

31

1 445.030 ~~414.22~~ Transitional education and
2 training.--In order to assist ~~current and~~ former recipients of
3 temporary cash assistance participants who are working or
4 actively seeking employment in continuing their training and
5 upgrading their skills, education, or training, support
6 services may be provided ~~to a participant~~ for up to 2 years
7 after the family participant is no longer receiving temporary
8 cash assistance in the program. This section does not
9 constitute an entitlement to transitional education and
10 training. If funds are not sufficient to provide services
11 under this section, the ~~WAGES Program State~~ board of directors
12 of Workforce Florida, Inc., may limit or otherwise prioritize
13 transitional education and training.

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

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

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

30 (4) A regional workforce board ~~local WAGES coalition~~
31 may enter into an agreement with an employer to share the

1 costs relating to upgrading the skills of participants hired
2 by the employer. For example, a regional workforce board local
3 ~~WAGES~~ ~~coalitions~~ may agree to provide support services such as
4 transportation or a wage subsidy in conjunction with training
5 opportunities provided by the employer.

6 Section 30. Section 414.225, Florida Statutes, is
7 transferred, renumbered as section 445.031, Florida Statutes,
8 and amended to read:

9 445.031 ~~414.225~~ Transitional transportation.--In order
10 to assist former recipients of temporary cash assistance ~~WAGES~~
11 ~~participants~~ in maintaining and sustaining employment or
12 educational opportunities, transportation may be provided, if
13 funds are available, for up to 2 years ~~1 year~~ after the
14 participant is no longer in the program. This does not
15 constitute an entitlement to transitional transportation. If
16 funds are not sufficient to provide services under this
17 section, regional workforce boards ~~the department~~ may limit or
18 otherwise prioritize transportation services.

19 (1) Transitional transportation must be job or
20 education related.

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

26 Section 31. Section 445.032, Florida Statutes, is
27 created to read:

28 445.032 Transitional child care.--In order to assist
29 former welfare transition program participants and individuals
30 who have been redirected through up-front diversion,
31 transitional child care is available for up to 2 years:

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

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

8 Section 32. Section 414.23, Florida Statutes, is
9 transferred, renumbered as section 445.033, Florida Statutes,
10 and amended to read:

11 445.033 ~~414.23~~ Evaluation.--~~The department and the~~
12 ~~WAGES Program State~~ board of directors of Workforce Florida,
13 Inc., and the Department of Children and Family Services shall
14 arrange for evaluation of TANF-funded programs operated under
15 this chapter, as follows:

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

20 (2) The ~~department and the WAGES Program State~~ board
21 of directors of Workforce Florida, Inc., and the department
22 shall participate in the evaluation of this program in
23 conjunction with evaluation of the state's workforce
24 development programs or similar activities aimed at evaluating
25 program outcomes, cost-effectiveness, or return on investment,
26 and the impact of time limits, sanctions, and other welfare
27 reform measures set out in this chapter. Evaluation shall also
28 contain information on the number of participants in work
29 experience assignments who obtain unsubsidized employment,
30 including, but not limited to, the length of time the
31 unsubsidized job is retained, wages, and the public benefits,

1 if any, received by such families while in unsubsidized
2 employment. The evaluation shall solicit the input of
3 consumers, community-based organizations, service providers,
4 employers, and the general public, and shall publicize,
5 especially in low-income communities, the process for
6 submitting comments.

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

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

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

30 (6) ~~The department and the WAGES Program State board~~
31 of directors of Workforce Florida, Inc., and the department

1 may contract with a qualified organization for evaluations
2 conducted under this section.

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

5 Section 33. Section 445.034, Florida Statutes, is
6 created to read:

7 445.034 Authorized expenditures.--Any expenditures
8 from the Temporary Assistance for Needy Families block grant
9 shall be made in accordance with the requirements and
10 limitations of part A of Title IV of the Social Security Act,
11 as amended, or any other applicable federal requirement or
12 limitation. Prior to any expenditure of such funds, the
13 Secretary of Children and Family Services, or his or her
14 designee, shall certify that controls are in place to ensure
15 such funds are expended in accordance with the requirements
16 and limitations of federal law and that any reporting
17 requirements of federal law are met. It shall be the
18 responsibility of any entity to which such funds are
19 appropriated to obtain the required certification prior to any
20 expenditure of funds.

21 Section 34. Section 414.44, Florida Statutes, is
22 transferred, renumbered as section 445.035, Florida Statutes,
23 and amended to read:

24 445.035 ~~414.44~~ Data collection and reporting.--The
25 Department of Children and Family Services ~~department~~ and the
26 ~~WAGES Program State~~ board of directors of Workforce Florida,
27 Inc., shall collect data necessary to administer this chapter
28 and make the reports required under federal law to the United
29 States Department of Health and Human Services and the United
30 States Department of Agriculture.

31

1 Section 35. Section 414.025, Florida Statutes, is
2 amended to read:

3 414.025 Legislative intent.--

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

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

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

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

21 (2)~~(5)~~ This chapter does not entitle any individual or
22 family to assistance under the ~~WAGES Program~~ or Title IV-A of
23 the Social Security Act, as amended.

24 Section 36. Section 414.0252, Florida Statutes, is
25 amended to read:

26 414.0252 Definitions.--As used in ss. 414.025-414.55
27 ~~ss. 414.015-414.45~~, the term:

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

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

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

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

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

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

30
31

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 37. 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 38. 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 for a minimum of 10 days or
19 until the individual who failed to comply does so, ~~and food~~
20 ~~stamp benefits shall not be increased as a result of the loss~~
21 ~~of temporary cash assistance.~~

22 2. Second noncompliance: temporary cash assistance
23 ~~and food stamps~~ shall be terminated for the family for 1 month
24 or until the individual who failed to comply does so,
25 whichever is later demonstrates compliance in the required
26 work activity for a period of 30 days. Upon meeting this
27 requirement compliance, temporary cash assistance ~~and food~~
28 ~~stamps~~ shall be reinstated to the date of compliance or the
29 first day of the month following the penalty period, whichever
30 is later.

31

1 3. Third noncompliance: temporary cash assistance ~~and~~
2 ~~food stamps~~ shall be terminated for the family for 3 months or
3 until the individual who failed to comply does so, whichever
4 is later. The individual shall be required to comply with the
5 required ~~demonstrate compliance in the~~ work activity upon
6 completion of the 3-month penalty period, before reinstatement
7 of temporary cash assistance ~~and food stamps~~. Upon meeting
8 this requirement, temporary cash assistance shall be
9 reinstated to the date of compliance or the first day of the
10 month following the penalty period, whichever is later.

11 (b) If a participant receiving temporary cash
12 assistance who is otherwise exempted from noncompliance
13 penalties fails to comply with the alternative requirement
14 plan required in accordance with this section, the penalties
15 provided in paragraph (a) shall apply.

16
17 If a participant fully complies with work activity
18 requirements for at least 6 months, the participant shall be
19 reinstated as being in full compliance with program
20 requirements for purpose of sanctions imposed under this
21 section.

22 ~~(2)(5)~~ CONTINUATION OF TEMPORARY CASH ASSISTANCE FOR
23 CHILDREN; PROTECTIVE PAYEES.--

24 (a) Upon the second or third occurrence of
25 noncompliance, temporary cash assistance and food stamps for
26 the child or children in a family who are under age 16 may be
27 continued. Any such payments must be made through a protective
28 payee or, in the case of food stamps, through an authorized
29 representative. Under no circumstances shall temporary cash
30 assistance or food stamps be paid to an individual who has
31 failed to comply with program requirements.

1 (b) Protective payees shall be designated by the
2 department and may include:

3 1. A relative or other individual who is interested in
4 or concerned with the welfare of the child or children and
5 agrees in writing to utilize the assistance in the best
6 interest of the child or children.

7 2. A member of the community affiliated with a
8 religious, community, neighborhood, or charitable organization
9 who agrees in writing to utilize the assistance in the best
10 interest of the child or children.

11 3. A volunteer or member of an organization who agrees
12 in writing to fulfill the role of protective payee and to
13 utilize the assistance in the best interest of the child or
14 children.

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

21 (d) If it is in the best interest of the child or
22 children, as determined by the department, for the staff
23 member of a private agency, a public agency, the department,
24 or any other appropriate organization to serve as a protective
25 payee or authorized representative, such designation may be
26 made, except that a protective payee or authorized
27 representative must not be any individual involved in
28 determining eligibility for temporary cash assistance or food
29 stamps for the family, staff handling any fiscal processes
30 related to issuance of temporary cash assistance or food
31

1 stamps, or landlords, grocers, or vendors of goods, services,
2 or items dealing directly with the participant.

3 (e) The department may pay incidental expenses or
4 travel expenses for costs directly related to performance of
5 the duties of a protective payee as necessary to implement the
6 provisions of this subsection.

7 (f) If the department is unable to designate a
8 qualified protective payee or authorized representative, a
9 referral shall be made under the provisions of chapter 39 for
10 protective intervention.

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

22 (4)~~(7)~~ EXCEPTIONS TO NONCOMPLIANCE PENALTIES.--Unless
23 otherwise provided, the situations listed in this subsection
24 shall constitute exceptions to the penalties for noncompliance
25 with participation requirements, except that these situations
26 do not constitute exceptions to the applicable time limit for
27 receipt of temporary cash assistance:

28 (a) Noncompliance related to child care.--Temporary
29 cash assistance may not be terminated for refusal to
30 participate in work activities if the individual is a single
31 custodial parent caring for a child who has not attained 6

1 years of age, and the adult proves to the regional workforce
2 board department an inability to obtain needed child care for
3 one or more of the following reasons, as defined in the Child
4 Care and Development Fund State Plan required by part 98 of 45
5 C.F.R.:

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

8 2. Unavailability or unsuitability of informal child
9 care by a relative or under other arrangements.

10 3. Unavailability of appropriate and affordable formal
11 child care arrangements.

12 (b) Noncompliance related to domestic violence.--An
13 individual who is determined to be unable to comply with the
14 work requirements because such compliance would make it
15 probable that the individual would be unable to escape
16 domestic violence shall be exempt from work requirements
17 ~~pursuant to s. 414.028(4)(g)~~. However, the individual shall
18 comply with a plan that specifies alternative requirements
19 that prepare the individual for self-sufficiency while
20 providing for the safety of the individual and the
21 individual's dependents. A participant who is determined to
22 be out of compliance with the alternative requirement plan
23 shall be subject to the penalties under subsection (1)~~(4)~~.

24 An exception granted under this paragraph does not
25 automatically constitute an exception to the time limitations
26 on benefits specified under s. 414.105.

27 (c) Noncompliance related to treatment or remediation
28 of past effects of domestic violence.--An individual who is
29 determined to be unable to comply with the work requirements
30 under this section due to mental or physical impairment
31 related to past incidents of domestic violence may be exempt

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

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

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

12 (e) Noncompliance related to outpatient mental health
13 or substance abuse treatment.--If an individual cannot
14 participate in the required hours of work activity due to a
15 need to become or remain involved in outpatient mental health
16 or substance abuse counseling or treatment, the individual may
17 be exempted from the work activity for up to 5 hours per week,
18 not to exceed 100 hours per year. An individual may not be
19 excused from a work activity unless a mental health or
20 substance abuse professional recognized by the department or
21 regional workforce board certifies the treatment protocol and
22 provides verification of attendance at the counseling or
23 treatment sessions each week.

24 (f)~~(e)~~ Noncompliance due to medical incapacity by
25 applicants for Supplemental Security Income (SSI) or Social
26 Security Disability Income (SSDI).--An individual subject to
27 work activity requirements may be exempted from those
28 requirements if the individual provides information verifying
29 that he or she has filed an application for SSI disability
30 benefits or SSDI disability benefits and the decision is
31 pending development and evaluation under social security

1 disability law, rules, and regulations at the initial
2 reconsideration, administrative law judge, or Social Security
3 Administration Appeals Council levels.

4 (g)~~(f)~~ Other good cause exceptions for
5 noncompliance.--Individuals who are temporarily unable to
6 participate due to circumstances beyond their control may be
7 excepted from the noncompliance penalties. The department may
8 define by rule situations that would constitute good cause.
9 These situations must include caring for a disabled family
10 member when the need for the care has been verified and
11 alternate care is not available.

12 (5)~~(8)~~ WORK ACTIVITY REQUIREMENTS FOR NONCUSTODIAL
13 PARENTS.--

14 (a) The court may order a noncustodial parent who is
15 delinquent in child support payments to participate in work
16 activities under this chapter so that the parent may obtain
17 employment and fulfill the obligation to provide support
18 payments. A noncustodial parent who fails to satisfactorily
19 engage in court-ordered work activities may be held in
20 contempt.

21 (b) The court may order a noncustodial parent to
22 participate in work activities under this chapter if the child
23 of the noncustodial parent has been placed with a relative, in
24 an emergency shelter, in foster care, or in other substitute
25 care, and:

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

28 2. The noncustodial parent would be eligible to
29 participate in work activities ~~the WAGES Program~~ and subject
30 to work activity requirements if the child were living with
31 the parent.

1
2 If a noncustodial parent fails to comply with the case plan,
3 the noncustodial parent may be removed from program
4 participation.

5 ~~(9) PRIORITIZATION OF WORK REQUIREMENTS. The~~
6 ~~department and local WAGES coalitions shall require~~
7 ~~participation in work activities to the maximum extent~~
8 ~~possible, subject to federal and state funding. If funds are~~
9 ~~projected to be insufficient to allow full-time work~~
10 ~~activities by all program participants who are required to~~
11 ~~participate in work activities, local WAGES coalitions shall~~
12 ~~screen participants and assign priority based on the~~
13 ~~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 ~~Local WAGES coalitions may limit a participant's weekly work~~
28 ~~requirement to the minimum required to meet federal work~~
29 ~~activity requirements in lieu of the level defined in~~
30 ~~subsection (2). The department and local WAGES coalitions may~~
31 ~~develop screening and prioritization procedures within service~~

1 ~~districts or within counties based on the allocation of~~
2 ~~resources, the availability of community resources, or the~~
3 ~~work activity needs of the service district.~~

4 ~~(10) USE OF CONTRACTS.--The department and local WAGES~~
5 ~~coalitions shall provide work activities, training, and other~~
6 ~~services, as appropriate, through contracts. In contracting~~
7 ~~for work activities, training, or services, the following~~
8 ~~applies:~~

9 ~~(a) All education and training provided under the~~
10 ~~WAGES Program shall be provided through agreements with~~
11 ~~regional workforce development boards.~~

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

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

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

1 ~~bid, except for a contract with a governmental entity as~~
2 ~~determined by the department.~~

3 ~~(e) The department and the local WAGES coalitions may~~
4 ~~contract with commercial, charitable, or religious~~
5 ~~organizations. A contract must comply with federal~~
6 ~~requirements with respect to nondiscrimination and other~~
7 ~~requirements that safeguard the rights of participants.~~
8 ~~Services may be provided under contract, certificate, voucher,~~
9 ~~or other form of disbursement.~~

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

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

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

30 ~~(11) PROTECTIONS FOR PARTICIPANTS. -- Each participant~~
31 ~~is subject to the same health, safety, and nondiscrimination~~

1 ~~standards established under federal, state, or local laws that~~
2 ~~otherwise apply to other individuals engaged in similar~~
3 ~~activities who are not participants in the WAGES Program.~~

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

14 ~~(13) CONTRACTS FOR VOCATIONAL ASSESSMENTS AND WORK~~
15 ~~EVALUATIONS.--Vocational assessments or work evaluations by~~
16 ~~the Division of Vocational Rehabilitation pursuant to this~~
17 ~~section shall be performed under contract with the local WAGES~~
18 ~~coalitions.~~

19 Section 39. Section 414.085, Florida Statutes, is
20 amended to read:

21 414.085 Income eligibility standards.--For purposes of
22 program simplification and effective program management,
23 certain income definitions, as outlined in the food stamp
24 regulations at 7 C.F.R. s. 273.9, shall be applied to the
25 temporary cash assistance WAGES program as determined by the
26 department to be consistent with federal law regarding
27 temporary cash assistance and Medicaid for needy families,
28 except as to the following:

29 (1) Participation in the temporary cash assistance
30 WAGES program shall be limited to those families whose gross
31 family income is equal to or less than 185 ~~130~~ percent of the

1 federal poverty level established in s. 673(2) of the
2 Community Services Block Grant Act, 42 U.S.C. s. 9901(2).

3 (2) Income security payments, including payments
4 funded under part B of Title IV of the Social Security Act, as
5 amended; supplemental security income under Title XVI of the
6 Social Security Act, as amended; or other income security
7 payments as defined by federal law shall be excluded as income
8 unless required to be included by federal law.

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

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

17 Section 40. Section 414.095, Florida Statutes, is
18 amended to read:

19 414.095 Determining eligibility for temporary cash
20 assistance ~~the WAGES Program~~.--

21 (1) ELIGIBILITY.--An applicant must meet eligibility
22 requirements of this section before receiving services or
23 temporary cash assistance under this chapter, except that an
24 applicant shall be required to register for work and engage in
25 work activities in accordance with s. 445.024, as designated
26 by the regional workforce board, ~~s. 414.065~~ and may receive
27 support services or child care assistance in conjunction with
28 such requirement. The department shall make a determination of
29 eligibility based on the criteria listed in this chapter. The
30 department shall monitor continued eligibility for temporary
31 cash assistance through periodic reviews consistent with the

1 food stamp eligibility process. Benefits shall not be denied
2 to an individual solely based on a felony drug conviction,
3 unless the conviction is for trafficking pursuant to s.
4 893.135. To be eligible under this section, an individual
5 convicted of a drug felony must be satisfactorily meeting the
6 requirements of the temporary cash assistance ~~WAGES~~ program,
7 including all substance abuse treatment requirements. Within
8 the limits specified in this chapter, the state opts out of
9 the provision of Pub. L. No. 104-193, s. 115, that eliminates
10 eligibility for temporary cash assistance and food stamps for
11 any individual convicted of a controlled substance felony.

12 (2) ADDITIONAL ELIGIBILITY REQUIREMENTS.--

13 (a) To be eligible for services or temporary cash
14 assistance and Medicaid ~~under the WAGES Program~~:

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

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

18 3. Each member of a family must provide to the
19 department the member's social security number or shall
20 provide proof of application for a social security number. An
21 individual who fails to provide to the department a social
22 security number, or proof of application for a social security
23 number, is not eligible to participate in the program.

24 4. A minor child must reside with a custodial parent
25 or parents or with a relative caretaker who is within the
26 specified degree of blood relationship as defined under this
27 chapter ~~the WAGES Program~~, or in a setting approved by the
28 department.

29 5. Each family must have a minor child and meet the
30 income and resource requirements of the program. All minor
31 children who live in the family, as well as the parents of the

1 minor children, shall be included in the eligibility
2 determination unless specifically excluded.

3 (b) The following members of a family are eligible to
4 participate in the program if all eligibility requirements are
5 met:

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

8 2. The parent of a minor child with whom the child
9 resides.

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

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

17 5. A pregnant woman.

18 (3) ELIGIBILITY FOR NONCITIZENS.--A "qualified
19 noncitizen" is an individual who is admitted to lawfully
20 ~~present in~~ the United States as a refugee under s. 207 of the
21 Immigration and Nationality Act or who is granted asylum under
22 s.ss. 207 and 208 of the Immigration and Nationality Act; a
23 noncitizen, an alien whose deportation is withheld under s.
24 243(h) or s. 241(b)(3) of the Immigration and Nationality Act;
25 a noncitizen, or an alien who is paroled into the United
26 States under s. 212(d)(5) of the Immigration and Nationality
27 Act, for at least 1 year, a noncitizen who is granted
28 conditional entry pursuant to s. 203(a)(7) of the Immigration
29 and Nationality Act as in effect prior to April 1, 1980; a
30 Cuban or Haitian entrant; or a noncitizen who has been
31 admitted as a permanent resident and meets specific criteria

1 ~~under federal law~~. In addition, a "qualified noncitizen"
2 includes an individual who, or an individual whose child or
3 parent, has been battered or subject to extreme cruelty in the
4 United States by a spouse, ~~or~~ a parent, or other household
5 member under certain circumstances, and has applied for or
6 received protection under the federal Violence Against Women
7 Act of 1994, Pub. L. No. 103-322, if the need for benefits is
8 related to the abuse and the batterer no longer lives in the
9 household. A "nonqualified noncitizen" is a nonimmigrant
10 noncitizen alien, including a tourist, business visitor,
11 foreign student, exchange visitor, temporary worker, or
12 diplomat. In addition, a "nonqualified noncitizen" includes an
13 individual paroled into the United States for less than 1
14 year. A qualified noncitizen who is otherwise eligible may
15 receive temporary cash assistance to the extent permitted by
16 federal law. The income or resources of a sponsor and the
17 sponsor's spouse shall be included in determining eligibility
18 to the maximum extent permitted by federal law.

19 (a) A child who is a qualified noncitizen or who was
20 born in the United States to an illegal or ineligible
21 noncitizen alien is eligible for temporary cash assistance
22 under this chapter if the family meets all eligibility
23 requirements.

24 (b) If the parent may legally work in this country,
25 the parent must participate in the work activity requirements
26 provided in s. 445.024 ~~s. 414.065~~, to the extent permitted
27 under federal law.

28 (c) The department shall participate in the Systematic
29 Alien Verification for Entitlements Program (SAVE) established
30 by the United States Immigration and Naturalization Service in
31 order to verify the validity of documents provided by

1 noncitizens ~~aliens~~ and to verify a noncitizen's ~~an alien's~~
2 eligibility.

3 (d) The income of an illegal noncitizen ~~alien~~ or
4 ineligible noncitizen who is a mandatory member of a family
5 ~~alien~~, less a pro rata share for the illegal noncitizen ~~alien~~
6 or ineligible noncitizen ~~alien~~, counts in determining a
7 family's eligibility to participate in the program.

8 (e) The entire assets of an ineligible noncitizen
9 ~~alien~~ or a disqualified individual who is a mandatory member
10 of a family shall be included in determining the family's
11 eligibility.

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

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

20 1. If the stepparent chooses to be excluded from the
21 family, temporary cash assistance, without shelter expense,
22 shall be provided for the child. The parent of the child must
23 comply with work activity requirements as provided in s.
24 445.024 ~~s. 414.065~~. Income and resources from the stepparent
25 may not be included in determining eligibility; however, any
26 income and resources from the parent of the child shall be
27 included in determining eligibility.

28 2. If a stepparent chooses to be included in the
29 family, the department shall determine eligibility using the
30 requirements for a nonstepparent family. A stepparent whose
31 income is equal to or greater than 185 percent of the federal

1 poverty level for a two-person family does not have the option
2 to be excluded from the family, and all income and resources
3 of the stepparent shall be included in determining the
4 family's eligibility.

5 (b) A family that contains a mutual minor child does
6 not have the option to exclude a stepparent from the family,
7 and the income and resources from the stepparent shall be
8 included in determining eligibility.

9 (c) A family that contains two stepparents, with or
10 without a mutual minor child, does not have the option to
11 exclude a stepparent from the family, and the income and
12 resources from each stepparent must be included in determining
13 eligibility.

14 (5) CARETAKER RELATIVES.--A family that contains a
15 caretaker relative of a minor child has the option to include
16 or exclude the caretaker relative in determining eligibility.
17 If the caretaker relative chooses to be included in the
18 family, the caretaker relative must meet all eligibility
19 requirements, including resource and income requirements, and
20 must comply with work activity requirements as provided in s.
21 445.024 ~~s. 414.065~~. If the caretaker relative chooses to be
22 excluded from the family, eligibility shall be determined for
23 the minor child based on the child's income and resources. The
24 level of temporary cash assistance for the minor child shall
25 be based on the shelter obligation paid to the caretaker
26 relative.

27 (6) PREGNANT WOMAN WITH NO OTHER CHILD.--Temporary
28 cash assistance for a pregnant woman is not available until
29 the last month of pregnancy. However, if the department
30 determines that a woman is restricted from work activities by
31 orders of a physician, temporary cash assistance shall be

1 available during the last trimester of pregnancy and the woman
2 may be required to attend parenting classes or other
3 activities to better prepare for the responsibilities of
4 raising a child.

5 (7) CHILD SUPPORT ENFORCEMENT.--As a condition of
6 eligibility for public assistance, the family must cooperate
7 with the state agency responsible for administering the child
8 support enforcement program in establishing the paternity of
9 the child, if the child is born out of wedlock, and in
10 obtaining support for the child or for the parent or caretaker
11 relative and the child. Cooperation is defined as:

12 (a) Assisting in identifying and locating a
13 noncustodial parent and providing complete and accurate
14 information on that parent;

15 (b) Assisting in establishing paternity; and

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

18

19 This subsection does not apply if the state agency that
20 administers the child support enforcement program determines
21 that the parent or caretaker relative has good cause for
22 failing to cooperate.

23 (8) ASSIGNMENT OF RIGHTS TO SUPPORT.--As a condition
24 of receiving temporary cash assistance, the family must assign
25 to the department any rights a member of a family may have to
26 support from any other person. This applies to any family
27 member; however, the assigned amounts must not exceed the
28 total amount of temporary cash assistance provided to the
29 family. The assignment of child support does not apply if the
30 family leaves the program.

31

1 (9) APPLICATIONS.--The date of application is the date
2 the department or authorized entity receives a signed and
3 dated request to participate in the temporary cash assistance
4 ~~WAGES~~ program. The request shall be denied 30 days after the
5 initial application if the applicant fails to respond to
6 scheduled appointments, including appointments with the state
7 agency responsible for administering the child support
8 enforcement program, and does not contact the department or
9 authorized entity regarding the application.

10 (a) The beginning date of eligibility for temporary
11 cash assistance is the date on which the application is
12 approved or 30 days after the date of application, whichever
13 is earlier.

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

16 (c) The add date for all other individuals is the date
17 on which the client contacts the department to request that
18 the individual be included in the grant for temporary cash
19 assistance.

20 (d) Medicaid coverage for a recipient of temporary
21 cash assistance begins on the first day of the first month of
22 eligibility for temporary cash assistance, and such coverage
23 shall include any eligibility required by federal law which is
24 prior to the month of application.

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

28 (a) To participate in establishing eligibility by
29 providing facts with respect to circumstances that affect
30 eligibility and by obtaining, or authorizing the department
31 ~~and the Department of Labor and Employment Security~~ to obtain,

1 documents or information from others in order to establish
2 eligibility.

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

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

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

11 (e) To keep the department ~~and the Department of Labor~~
12 ~~and Employment Security~~ informed of any changes that could
13 affect eligibility.

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

16 (g) To receive information regarding services
17 available from certified domestic violence centers or
18 organizations that provide counseling and supportive services
19 to individuals who are past or present victims of domestic
20 violence or who are at risk of domestic violence and, upon
21 request, to be referred to such organizations in a manner
22 which protects the individual's confidentiality.

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

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

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

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

3
4 The following chart depicts the levels of temporary cash
5 assistance for implementation purposes:

6
7 THREE-TIER SHELTER PAYMENT STANDARD

8	9 Family	10 Zero Shelter	11 Greater than Zero	12 Greater than \$50
13	14 Size	15 Obligation	16 Less than or	17 Shelter
18			19 Equal to \$50	20 Obligation
21	1	\$95	\$153	\$180
22	2	\$158	\$205	\$241
23	3	\$198	\$258	\$303
24	4	\$254	\$309	\$364
25	5	\$289	\$362	\$426
26	6	\$346	\$414	\$487
27	7	\$392	\$467	\$549
28	8	\$438	\$519	\$610
29	9	\$485	\$570	\$671
30	10	\$534	\$623	\$733
31	11	\$582	\$676	\$795
	12	\$630	\$728	\$857
	13	\$678	\$781	\$919

26
27 (12) DISREGARDS.--

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

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

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

7 (13) CALCULATION OF LEVELS OF TEMPORARY CASH
8 ASSISTANCE.--

9 (a) Temporary cash assistance shall be calculated
10 based on average monthly gross family income, earned and
11 unearned, less any applicable disregards. The resulting
12 monthly net income amount shall be subtracted from the
13 applicable payment standard to determine the monthly amount of
14 temporary cash assistance.

15 (b) A deduction may not be allowed for child care
16 payments.

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

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

21 (b) Payment to an alternative payee.

22 (c) Payment for subsidized employment.

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

25 (15) PROHIBITIONS AND RESTRICTIONS.--

26 (a) A family without a minor child living in the home
27 is not eligible to receive temporary cash assistance or
28 services under this chapter. However, a pregnant woman is
29 eligible for temporary cash assistance in the ninth month of
30 pregnancy if all eligibility requirements are otherwise
31 satisfied.

1 (b) Temporary cash assistance, without shelter
2 expense, may be available for a teen parent who is a minor
3 child and for the child. Temporary cash assistance may not be
4 paid directly to the teen parent but must be paid, on behalf
5 of the teen parent and child, to an alternative payee who is
6 designated by the department. The alternative payee may not
7 use the temporary cash assistance for any purpose other than
8 paying for food, clothing, shelter, and medical care for the
9 teen parent and child and for other necessities required to
10 enable the teen parent to attend school or a training program.
11 In order for the child of the teen parent and the teen parent
12 to be eligible for temporary cash assistance, the teen parent
13 must:

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

17 2. Reside with a parent, legal guardian, or other
18 adult caretaker relative. The income and resources of the
19 parent shall be included in calculating the temporary cash
20 assistance available to the teen parent since the parent is
21 responsible for providing support and care for the child
22 living in the home.

23 3. Attend parenting and family classes that provide a
24 curriculum specified by the department or the Department of
25 Health, as available.

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

29 1. The teen parent has suffered or might suffer harm
30 in the home of the parent, legal guardian, or adult caretaker
31 relative.

1 2. The requirement is not in the best interest of the
2 teen parent or the child. If the department determines that it
3 is not in the best interest of the teen parent or child to
4 reside with a parent, legal guardian, or other adult caretaker
5 relative, the department shall provide or assist the teen
6 parent in finding a suitable home, a second-chance home, a
7 maternity home, or other appropriate adult-supervised
8 supportive living arrangement. Such living arrangement may
9 include a shelter obligation in accordance with subsection
10 (11).

11
12 The department may not delay providing temporary cash
13 assistance to the teen parent through the alternative payee
14 designated by the department pending a determination as to
15 where the teen parent should live and sufficient time for the
16 move itself. A teen parent determined to need placement that
17 is unavailable shall continue to be eligible for temporary
18 cash assistance so long as the teen parent cooperates with the
19 department, ~~the local WAGES coalition,~~ and the Department of
20 Health. The teen parent shall be provided with counseling to
21 make the transition from independence to supervised living and
22 with a choice of living arrangements.

23 (d) Notwithstanding any law to the contrary, if a
24 parent or caretaker relative without good cause does not
25 cooperate with the state agency responsible for administering
26 the child support enforcement program in establishing,
27 modifying, or enforcing a support order with respect to a
28 child of a teen parent or other family member, or a child of a
29 family member who is in the care of an adult relative,
30 temporary cash assistance to the entire family shall be denied
31 until the state agency indicates that cooperation by the

1 parent or caretaker relative has been satisfactory. To the
2 extent permissible under federal law, a parent or caretaker
3 relative shall not be penalized for failure to cooperate with
4 paternity establishment or with the establishment,
5 modification, or enforcement of a support order when such
6 cooperation could subject an individual to a risk of domestic
7 violence. Such risk shall constitute good cause to the extent
8 permitted by Title IV-D of the Social Security Act, as
9 amended, or other federal law.

10 (e) If a parent or caretaker relative does not assign
11 any rights a family member may have to support from any other
12 person as required by subsection (8), temporary cash
13 assistance to the entire family shall be denied until the
14 parent or caretaker relative assigns the rights to the
15 department.

16 (f) An individual who is convicted in federal or state
17 court of receiving benefits under this chapter, Title XIX, the
18 Food Stamp Act of 1977, or Title XVI (Supplemental Security
19 Income), in two or more states simultaneously may not receive
20 temporary cash assistance or services under this chapter for
21 10 years following the date of conviction.

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

30 (h) The parent or other caretaker relative must report
31 to the department by the end of the 5-day period that begins

1 on the date it becomes clear to the parent or caretaker
2 relative that a minor child will be absent from the home for
3 30 or more consecutive days. A parent or caretaker relative
4 who fails to report this information to the department shall
5 be disqualified from receiving temporary cash assistance for
6 30 days for the first occurrence, 60 days for the second
7 occurrence, and 90 days for the third or subsequent
8 occurrence.

9 (i) If the parents of a minor child live apart and
10 equally share custody and control of the child, a parent is
11 ineligible for temporary cash assistance unless the parent
12 clearly demonstrates to the department that the parent
13 provides primary day-to-day custody.

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

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

26 ~~(a) Each WAGES participant who is determined~~
27 ~~ineligible for cash assistance for a reason other than a work~~
28 ~~activity sanction shall be contacted by the case manager and~~
29 ~~provided information about the availability of transitional~~
30 ~~benefits and services. Such contact shall be attempted prior~~
31 ~~to closure of the case management file.~~

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

5 ~~(c) The department, in consultation with the WAGES~~
6 ~~Program State Board of Directors, shall develop informational~~
7 ~~material, including posters and brochures, to better inform~~
8 ~~families about the availability of transitional benefits and~~
9 ~~services.~~

10 ~~(d) The department shall review federal requirements~~
11 ~~related to transitional Medicaid and shall, to the extent~~
12 ~~permitted by federal law, develop procedures to maximize the~~
13 ~~utilization of transitional Medicaid by families who leave the~~
14 ~~temporary cash assistance program.~~

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

25 (17)~~(18)~~ PROPORTIONAL REDUCTION.--If the Social
26 Services Estimating Conference forecasts an increase in the
27 temporary cash assistance caseload and there is insufficient
28 funding, a proportional reduction as determined by the
29 department shall be applied to the levels of temporary cash
30 assistance in subsection (11).

31

1 ~~(18)(19)~~ ADDITIONAL FUNDING.--When warranted by
2 economic circumstances, the department, in consultation with
3 the Social Services Estimating Conference, shall apply for
4 additional federal funding available from the Contingency Fund
5 for State Welfare Programs.

6 Section 41. Section 414.105, Florida Statutes, is
7 amended to read:

8 414.105 Time limitations of temporary cash
9 assistance.--Unless otherwise expressly provided in this
10 chapter, an applicant or current participant shall receive
11 temporary cash assistance for episodes of not more than 24
12 cumulative months in any consecutive 60-month period that
13 begins with the first month of participation and for not more
14 than a lifetime cumulative total of 48 months as an adult,
15 unless otherwise provided by law.

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

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

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

26 1. Has not completed a high school education or its
27 equivalent; or

28 2. Had little or no work experience in the preceding
29 year.

30 (2) A participant who is not exempt from work activity
31 requirements may earn 1 month of eligibility for extended

1 temporary cash assistance, up to maximum of 12 additional
2 months, for each month in which the participant is fully
3 complying with the work activities of the WAGES Program
4 through subsidized or unsubsidized public or private sector
5 employment. The period for which extended temporary cash
6 assistance is granted shall be based upon compliance with
7 WAGES Program requirements beginning October 1, 1996.

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

17 (4) A participant may not receive temporary cash
18 assistance under this subsection, in combination with other
19 periods of temporary cash assistance for longer than a
20 lifetime limit of 48 months. Hardship exemptions to the time
21 limitations of this chapter shall be limited to 20 percent of
22 the average monthly caseload ~~participants in all subsequent~~
23 years, as determined by the department in cooperation with
24 Workforce Florida, Inc. ~~and approved by the WAGES Program~~
25 ~~State Board of Directors.~~Criteria for hardship exemptions
26 include:

27 (a) Diligent participation in activities, combined
28 with inability to obtain employment.

29 (b) Diligent participation in activities, combined
30 with extraordinary barriers to employment, including the
31

1 conditions which may result in an exemption to work
2 requirements.

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

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

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

21

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

27 (5)~~(3)~~ In addition to the exemptions listed in
28 subsection(3)~~(2)~~, a victim of domestic violence may be
29 granted a hardship exemption if the effects of such domestic
30 violence delay or otherwise interrupt or adversely affect the
31 individual's participation in the program. ~~Hardship exemptions~~

1 ~~granted under this subsection shall not be subject to the~~
2 ~~percentage limitations in subsection (2).~~

3 (6)(4) The department, in cooperation with Workforce
4 Florida, Inc., shall establish a procedure for ~~reviewing and~~
5 approving hardship exemptions and for reviewing hardship cases
6 at least once every 2 years. Regional workforce boards, ~~and~~
7 ~~the local WAGES coalitions~~ may assist in making these
8 determinations. The composition of any review panel must
9 generally reflect the racial, gender, and ethnic diversity of
10 the community as a whole. Members of a review panel shall
11 serve without compensation but are entitled to receive
12 reimbursement for per diem and travel expenses as provided in
13 s. 112.016.

14 ~~(5)~~ ~~The cumulative total of all hardship exemptions~~
15 ~~may not exceed 12 months, may include reduced benefits at the~~
16 ~~option of the community review panel, and shall, in~~
17 ~~combination with other periods of temporary cash assistance as~~
18 ~~an adult, total no more than 48 months of temporary cash~~
19 ~~assistance. If an individual fails to comply with program~~
20 ~~requirements during a hardship exemption period, the hardship~~
21 ~~exemption shall be removed.~~

22 (7)(6) For individuals who have moved from another
23 state, the ~~and have legally resided in this state for less~~
24 ~~than 12 months, the time limitation for temporary cash~~
25 ~~assistance shall be the shorter of the respective time~~
26 ~~limitations used in the two states, and months in which~~
27 temporary cash assistance was received under a block grant
28 program that provided temporary assistance for needy families
29 in any state shall count towards the cumulative 48-month
30 benefit limit for temporary cash assistance.

31

1 ~~(8)(7)~~ For individuals subject to a time limitation
2 under the Family Transition Act of 1993, that time limitation
3 shall continue to apply. Months in which temporary cash
4 assistance was received through the family transition program
5 shall count towards the time limitations under this chapter.

6 ~~(9)(8)~~ Except when temporary cash assistance was
7 received through the family transition program, the
8 calculation of the time limitation for temporary cash
9 assistance shall begin with the first month of receipt of
10 temporary cash assistance after the effective date of this
11 act.

12 ~~(10)(9)~~ Child-only cases are not subject to time
13 limitations, and temporary cash assistance received while an
14 individual is a minor child shall not count towards time
15 limitations.

16 ~~(11)(10)~~ An individual who receives benefits under the
17 Supplemental Security Income(SSI)program or the Social
18 Security Disability Insurance(SSDI)program is not subject to
19 time limitations. An individual who has applied for
20 supplemental security income (SSI) or supplemental security
21 disability income (SSDI), but has not yet received a
22 determination must be granted an extension of time limits
23 until the individual receives a final determination on the SSI
24 application. Determination shall be considered final once all
25 appeals have been exhausted, benefits have been received, or
26 denial has been accepted without any appeal. While awaiting a
27 final determination, such individual must continue to meet all
28 program requirements assigned to the participant based on
29 medical ability to comply. If a final determination results in
30 the denial of benefits for supplemental security income (SSI)
31 or supplemental security disability income (SSDI), any period

1 during which the recipient received assistance under this
2 chapter shall count against ~~Extensions of time limits shall be~~
3 ~~within~~ the recipient's 48-month lifetime limit. ~~Hardship~~
4 ~~exemptions granted under this subsection shall not be subject~~
5 ~~to the percentage limitations in subsection (2).~~

6 (12)~~(11)~~ A person who is totally responsible for the
7 personal care of a disabled family member is not subject to
8 time limitations if the need for the care is verified and
9 alternative care is not available for the family member. The
10 department shall annually evaluate an individual's
11 qualifications for this exemption.

12 (13)~~12~~ A member of the ~~WAGES Program~~ staff of the
13 regional workforce board shall interview and assess the
14 employment prospects and barriers of each participant who is
15 within 6 months of reaching the 24-month time limit. The
16 staff member shall assist the participant in identifying
17 actions necessary to become employed prior to reaching the
18 benefit time limit for temporary cash assistance and, if
19 appropriate, shall refer the participant for services that
20 could facilitate employment.

21 Section 42. Section 414.157, Florida Statutes, is
22 amended to read:

23 414.157 Diversion program for victims of domestic
24 violence.--

25 (1) The diversion program for victims of domestic
26 violence is intended to provide services and one-time payments
27 to assist victims of domestic violence and their children in
28 making the transition to independence.

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

1 (a) The applicant family includes a pregnant woman or
2 a parent with one or more minor children or a caretaker
3 relative with one or more minor children.

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

6 (3) Notwithstanding any provision to the contrary in
7 ss. 414.075, 414.085, and 414.095, a family meeting the
8 criteria of subsection (2) who is determined by the domestic
9 violence program to be in need of services or one-time payment
10 due to domestic violence shall be considered a needy family
11 and is ~~shall be deemed~~ eligible under this section for
12 services through a certified domestic violence shelter.

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

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

20 Section 43. Section 414.158, Florida Statutes, is
21 amended to read:

22 414.158 Diversion program to prevent or reduce child
23 abuse and neglect ~~strengthen Florida's families.--~~

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

30
31

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

4 (a) The family includes a pregnant woman or a parent
5 with one or more minor children or a caretaker relative with
6 one or more minor children.

7 (b) The family meets the criteria of a voluntary
8 assessment performed by Healthy Families Florida; the family
9 meets the criteria established by the department for
10 determining that one or more children in the family are at
11 risk of abuse, neglect, or threatened harm; or the family is
12 homeless or living in a facility that provides shelter to
13 homeless families.

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

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

20 (4) The department, in consultation with Healthy
21 Families Florida, may establish additional requirements
22 related to services or one-time payments, and the department
23 is authorized to adopt rules relating to maximum amounts of
24 such one-time payments.

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

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

30 414.35 Emergency relief.--

31

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

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

8 414.36 Public assistance overpayment recovery program;
9 contracts.--

10 (1) The department shall develop and implement a plan
11 for the statewide privatization of activities relating to the
12 recovery of public assistance overpayment claims. These
13 activities shall include, at a minimum, voluntary cash
14 collections functions for recovery of fraudulent and
15 nonfraudulent benefits paid to recipients of temporary cash
16 assistance ~~under the WAGES Program~~, food stamps, and aid to
17 families with dependent children.

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

20 414.39 Fraud.--

21 (10) The department shall create an error-prone or
22 fraud-prone case profile within its public assistance
23 information system and shall screen each application for
24 public assistance, including food stamps, Medicaid, and
25 temporary cash assistance ~~under the WAGES Program~~, against the
26 profile to identify cases that have a potential for error or
27 fraud. Each case so identified shall be subjected to
28 preeligibility fraud screening.

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

31

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 48. 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 49. 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.

30
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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 50. 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 51. 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., the
3 Florida Commission on Tourism, and all direct-support
4 organizations under this act, excluding those relating to
5 tourism. To accomplish the provisions of this act and
6 applicable provisions of chapter 288, and notwithstanding the
7 provisions of part I of chapter 287, the office shall enter
8 into specific contracts with Enterprise Florida, Inc., the
9 Florida Commission on Tourism, and other appropriate
10 direct-support organizations. Such contracts may be multiyear
11 and shall include specific performance measures for each year.

12 (h) Provide administrative oversight for the Office of
13 the Film Commissioner, created under s. 288.1251, to develop,
14 promote, and provide services to the state's entertainment
15 industry and to administratively house the Florida Film
16 Advisory Council created under s. 288.1252.

17 (i) Prepare and submit as a separate budget entity a
18 unified budget request for tourism, trade, and economic
19 development in accordance with chapter 216 for, and in
20 conjunction with, Enterprise Florida, Inc., and its boards,
21 the Florida Commission on Tourism and its direct-support
22 organization, the Florida Black Business Investment Board, the
23 Office of the Film Commissioner, and the direct-support
24 organization created to promote the sports industry.

25 (j) Adopt rules, as necessary, to carry out its
26 functions in connection with the administration of the
27 Qualified Target Industry program, the Qualified Defense
28 Contractor program, the Certified Capital Company Act, the
29 Enterprise Zone program, and the Florida First Business Bond
30 pool.

31

1 Section 52. Effective October 1, 2000, subsections (4)
2 and (5) of section 20.171, Florida Statutes, are amended to
3 read:

4 20.171 Department of Labor and Employment
5 Security.--There is created a Department of Labor and
6 Employment Security. The department shall operate its programs
7 in a decentralized fashion.

8 (4)(a) The Assistant Secretary for Programs and
9 Operations must possess a broad knowledge of the
10 administrative, financial, and technical aspects of the
11 divisions within the department.

12 (b) The assistant secretary is responsible for
13 developing, monitoring, and enforcing policy and managing
14 major technical programs and supervising the Bureau of Appeals
15 of the Division of Unemployment Compensation. The
16 responsibilities and duties of the position include, but are
17 not limited to, the following functional areas:

18 1. Workers' compensation management and policy
19 implementation.

20 ~~2. Jobs and benefits management and policy~~
21 ~~information.~~

22 2.3. Unemployment compensation management and policy
23 implementation.

24 3.4. Blind services management and policy
25 implementation.

26 4.5. Oversight of the five field offices and any local
27 offices.

28 (5) The following divisions are established and shall
29 be headed by division directors who shall be supervised by and
30 shall be responsible to the Assistant Secretary for Programs
31 and Operations:

1 ~~(a) Division of Workforce and Employment~~
2 ~~Opportunities.~~

3 (a)(b) Division of Unemployment Compensation.

4 (b)(c) Division of Workers' Compensation.

5 (c)(d) Division of Blind Services.

6 (d)(e) Division of Safety, which is repealed July 1,
7 2000.

8 (e)(f) Division of Vocational Rehabilitation.

9 Section 53. Section 20.50, Florida Statutes, is
10 created to read:

11 20.50 Agency for Workforce Innovation.--There is
12 created the Agency for Workforce Innovation within the
13 Department of Management Services. The agency shall be a
14 separate budget entity, and the director of the agency shall
15 be the agency head for all purposes. The agency shall not be
16 subject to control, supervision, or direction by the
17 Department of Management Services in any manner, including,
18 but not limited to, personnel, purchasing, transactions
19 involving real or personal property, and budgetary matters.

20 (1) The Agency for Workforce Innovation shall ensure
21 that the state appropriately administers federal and state
22 workforce funding by administering plans and policies of
23 Workforce Florida, Inc., under contract with Workforce
24 Florida, Inc. The operating budget and mid-year amendments
25 thereto must be part of such contract.

26 (a) All program and fiscal instructions to regional
27 workforce boards shall emanate from the agency pursuant to
28 plans and policies of Workforce Florida, Inc. Workforce
29 Florida, Inc., shall be responsible for all policy directions
30 to the regional boards.

31

1 **(b) Unless otherwise provided by agreement with**
2 **Workforce Florida, Inc., administrative and personnel policies**
3 **of the Agency for Workforce Innovation shall apply.**

4 **(2) The Agency for Workforce Innovation shall be the**
5 **designated administrative agency for receipt of federal**
6 **workforce development grants and other federal funds, and**
7 **shall carry out the duties and responsibilities assigned by**
8 **the Governor under each federal grant assigned to the agency.**
9 **The agency shall be a separate budget entity and shall expend**
10 **each revenue source as provided by federal and state law and**
11 **as provided in plans developed by and agreements with**
12 **Workforce Florida, Inc. The agency shall prepare and submit as**
13 **a separate budget entity a unified budget request for**
14 **workforce development, in accordance with chapter 216 for, and**
15 **in conjunction with, Workforce Florida, Inc., and its board.**
16 **The head of the agency is the Director of Workforce**
17 **Innovation, who shall be appointed by the Governor. Within the**
18 **agency's overall organizational structure, the agency shall**
19 **include the following offices which shall have the specified**
20 **responsibilities:**

21 **(a) The Office of Workforce Services shall administer**
22 **state merit system program staff within the workforce service**
23 **delivery system, pursuant to policies of Workforce Florida,**
24 **Inc. The office shall be responsible for delivering services**
25 **through the one-stop delivery system and for ensuring that**
26 **participants in welfare transition programs receive case**
27 **management services, diversion assistance, support services,**
28 **including subsidized child care and transportation services,**
29 **Medicaid services, and transition assistance to enable them to**
30 **succeed in the workforce. The office shall be directed by the**

31

1 Deputy Director for Workforce Services, who shall be appointed
2 by and serve at the pleasure of the director.

3 (b) The Office of Workforce Investment and
4 Accountability shall be responsible for procurement,
5 contracting, financial management, accounting, audits, and
6 verification. The office shall be directed by the Deputy
7 Director for Workforce Investment and Accountability, who
8 shall be appointed by and serve at the pleasure of the
9 director. The office shall be responsible for:

10 1. Establishing standards and controls for reporting
11 budgeting, expenditure, and performance information for
12 assessing outcomes, service delivery, and financial
13 administration of workforce programs pursuant to s. 445.004(5)
14 and (9).

15 2. Establishing monitoring, quality assurance, and
16 quality improvement systems that routinely assess the quality
17 and effectiveness of contracted programs and services.

18 3. Annual review of each regional workforce board and
19 administrative entity to ensure adequate systems of reporting
20 and control are in place, and monitoring, quality assurance,
21 and quality improvement activities are conducted routinely,
22 and corrective action is taken to eliminate deficiencies.

23 (c) The Office of Workforce Information Services shall
24 deliver information on labor markets, employment, occupations,
25 and performance, and shall implement and maintain information
26 systems that are required for the effective operation of the
27 one-stop delivery system, including, but not limited to, those
28 systems described in s. 445.009. The office will be under the
29 direction of the Deputy Director for Workforce Information
30 Services, who shall be appointed by and serve at the pleasure
31

1 of the director. The office shall be responsible for
2 establishing:

3 1. Information systems and controls that report
4 reliable, timely and accurate fiscal and performance data for
5 assessing outcomes, service delivery, and financial
6 administration of workforce programs pursuant to s. 445.004(5)
7 and (9).

8 2. Information systems that support service
9 integration and case management by providing for case tracking
10 for participants in welfare transition programs.

11 (3) The Agency for Workforce Innovation shall serve as
12 the designated agency for purposes of each federal workforce
13 development grant assigned to it for administration. The
14 agency shall carry out the duties assigned to it by the
15 Governor, under the terms and conditions of each grant. The
16 agency shall have the level of authority and autonomy
17 necessary to be the designated recipient of each federal grant
18 assigned to it, and shall disperse such grants pursuant to the
19 plans and policies of Workforce Florida, Inc. The director
20 may, upon delegation from the Governor and pursuant to
21 agreement with Workforce Florida, Inc., sign contracts,
22 grants, and other instruments as necessary to execute
23 functions assigned to the agency. Notwithstanding other
24 provisions of law, the following federal grants and other
25 funds are assigned for administration to the Agency for
26 Workforce Innovation:

27 (a) Programs authorized under Title I of the Workforce
28 Investment Act of 1998, Pub. L. No. 105-220, except for
29 programs funded directly by the United States Department of
30 Labor under Title I, s. 167.

31

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

3 **(c) Welfare-to-work grants administered by the United**
4 **States Department of Labor under Title IV, s. 403, of the**
5 **Social Security Act, as amended.**

6 **(d) Activities authorized under Title II of the Trade**
7 **Act of 1974, as amended, 2 U.S.C. ss. 2271 et seq., and the**
8 **Trade Adjustment Assistance Program.**

9 **(e) Activities authorized under chapter 41 of Title 38**
10 **U.S.C., including job counseling, training, and placement for**
11 **veterans.**

12 **(f) Employment and training activities carried out**
13 **under the Community Services Block Grant Act, 42 U.S.C. ss.**
14 **9901 et seq.**

15 **(g) Employment and training activities carried out**
16 **under funds awarded to this state by the United States**
17 **Department of Housing and Urban Development.**

18 **(h) Designated state and local program expenditures**
19 **under part A of Title IV of the Social Security Act for**
20 **welfare transition workforce services associated with the**
21 **Temporary Assistance for Needy Families Program.**

22 **(i) Programs authorized under the National and**
23 **Community Service Act of 1990, 42 U.S.C. ss. 12501 et seq.,**
24 **and the Service-America programs, the National Service Trust**
25 **programs, the Civilian Community Corps, the Corporation for**
26 **National and Community Service, the American Conservation and**
27 **Youth Service Corps, and the Points of Light Foundation**
28 **programs, if such programs are awarded to the state.**

29 **(j) Other programs funded by federal or state**
30 **appropriations, as determined by the Legislature in the**
31 **General Appropriations Act or by law.**

1 (4) The Agency for Workforce Innovation shall provide
2 or contract for training for employees of administrative
3 entities and case managers of any contracted providers to
4 ensure they have the necessary competencies and skills to
5 provide adequate administrative oversight and delivery of the
6 full array of client services pursuant to s. 445.006(5)(f).

7 Training requirements include, but are not limited to:

8 (a) Minimum skills, knowledge, and abilities required
9 for each classification of program personnel utilized in the
10 regional workforce boards' service delivery plans.

11 (b) Minimum requirements for development of a regional
12 workforce board supported personnel training plan to include
13 preservice and inservice components.

14 (c) Specifications or criteria under which any
15 regional workforce board may award bonus points or otherwise
16 give preference to competitive service provider applications
17 that provide minimum criteria for assuring competent case
18 management, including, but not limited to, maximum caseload
19 per case manager, current staff turnover rate, minimum
20 educational or work experience requirements, and a
21 differentiated compensation plan based on the competency
22 levels of personnel.

23 (d) Minimum skills, knowledge, and abilities required
24 for contract management, including budgeting, expenditure, and
25 performance information related to service delivery and
26 financial administration, monitoring, quality assurance and
27 improvement, and standards of conduct for employees of
28 regional workforce boards and administrative entities
29 specifically related to carrying out contracting
30 responsibilities.

31

1 Section 54. Paragraph (b) of subsection (5) of section
2 212.08, Florida Statutes, is amended to read:

3 212.08 Sales, rental, use, consumption, distribution,
4 and storage tax; specified exemptions.--The sale at retail,
5 the rental, the use, the consumption, the distribution, and
6 the storage to be used or consumed in this state of the
7 following are hereby specifically exempt from the tax imposed
8 by this chapter.

9 (5) EXEMPTIONS; ACCOUNT OF USE.--

10 (b) Machinery and equipment used to increase
11 productive output.--

12 1. Industrial machinery and equipment purchased for
13 exclusive use by a new business in spaceport activities as
14 defined by s. 212.02 or for use in new businesses which
15 manufacture, process, compound, or produce for sale items of
16 tangible personal property at fixed locations are exempt from
17 the tax imposed by this chapter upon an affirmative showing by
18 the taxpayer to the satisfaction of the department that such
19 items are used in a new business in this state. Such purchases
20 must be made prior to the date the business first begins its
21 productive operations, and delivery of the purchased item must
22 be made within 12 months of that date.

23 2.a. Industrial machinery and equipment purchased for
24 exclusive use by an expanding facility which is engaged in
25 spaceport activities as defined by s. 212.02 or for use in
26 expanding manufacturing facilities or plant units which
27 manufacture, process, compound, or produce for sale items of
28 tangible personal property at fixed locations in this state
29 are exempt from any amount of tax imposed by this chapter in
30 excess of \$50,000 per calendar year upon an affirmative
31 showing by the taxpayer to the satisfaction of the department

1 that such items are used to increase the productive output of
2 such expanded facility or business by not less than 10
3 percent.

4 b. Notwithstanding any other provision of this
5 section, industrial machinery and equipment purchased for use
6 in expanding printing manufacturing facilities or plant units
7 that manufacture, process, compound, or produce for sale items
8 of tangible personal property at fixed locations in this state
9 are exempt from any amount of tax imposed by this chapter upon
10 an affirmative showing by the taxpayer to the satisfaction of
11 the department that such items are used to increase the
12 productive output of such an expanded business by not less
13 than 10 percent.

14 3.a. To receive an exemption provided by subparagraph
15 1. or subparagraph 2., a qualifying business entity shall
16 apply to the department for a temporary tax exemption permit.
17 The application shall state that a new business exemption or
18 expanded business exemption is being sought. Upon a tentative
19 affirmative determination by the department pursuant to
20 subparagraph 1. or subparagraph 2., the department shall issue
21 such permit.

22 b. The applicant shall be required to maintain all
23 necessary books and records to support the exemption. Upon
24 completion of purchases of qualified machinery and equipment
25 pursuant to subparagraph 1. or subparagraph 2., the temporary
26 tax permit shall be delivered to the department or returned to
27 the department by certified or registered mail.

28 c. If, in a subsequent audit conducted by the
29 department, it is determined that the machinery and equipment
30 purchased as exempt under subparagraph 1. or subparagraph 2.
31 did not meet the criteria mandated by this paragraph or if

1 commencement of production did not occur, the amount of taxes
2 exempted at the time of purchase shall immediately be due and
3 payable to the department by the business entity, together
4 with the appropriate interest and penalty, computed from the
5 date of purchase, in the manner prescribed by this chapter.

6 d. In the event a qualifying business entity fails to
7 apply for a temporary exemption permit or if the tentative
8 determination by the department required to obtain a temporary
9 exemption permit is negative, a qualifying business entity
10 shall receive the exemption provided in subparagraph 1. or
11 subparagraph 2. through a refund of previously paid taxes. No
12 refund may be made for such taxes unless the criteria mandated
13 by subparagraph 1. or subparagraph 2. have been met and
14 commencement of production has occurred.

15 4. The department shall promulgate rules governing
16 applications for, issuance of, and the form of temporary tax
17 exemption permits; provisions for recapture of taxes; and the
18 manner and form of refund applications and may establish
19 guidelines as to the requisites for an affirmative showing of
20 increased productive output, commencement of production, and
21 qualification for exemption.

22 5. The exemptions provided in subparagraphs 1. and 2.
23 do not apply to machinery or equipment purchased or used by
24 electric utility companies, communications companies, oil or
25 gas exploration or production operations, publishing firms
26 that do not export at least 50 percent of their finished
27 product out of the state, any firm subject to regulation by
28 the Division of Hotels and Restaurants of the Department of
29 Business and Professional Regulation, or any firm which does
30 not manufacture, process, compound, or produce for sale items
31 of tangible personal property or which does not use such

1 machinery and equipment in spaceport activities as required by
2 this paragraph. The exemptions provided in subparagraphs 1.
3 and 2. shall apply to machinery and equipment purchased for
4 use in phosphate or other solid minerals severance, mining, or
5 processing operations only by way of a prospective credit
6 against taxes due under chapter 211 for taxes paid under this
7 chapter on such machinery and equipment.

8 6. For the purposes of the exemptions provided in
9 subparagraphs 1. and 2., these terms have the following
10 meanings:

11 a. "Industrial machinery and equipment" means "section
12 38 property" as defined in s. 48(a)(1)(A) and (B)(i) of the
13 Internal Revenue Code, provided "industrial machinery and
14 equipment" shall be construed by regulations adopted by the
15 Department of Revenue to mean tangible property used as an
16 integral part of spaceport activities or of the manufacturing,
17 processing, compounding, or producing for sale of items of
18 tangible personal property. Such term includes parts and
19 accessories only to the extent that the exemption thereof is
20 consistent with the provisions of this paragraph.

21 b. "Productive output" means the number of units
22 actually produced by a single plant or operation in a single
23 continuous 12-month period, irrespective of sales. Increases
24 in productive output shall be measured by the output for 12
25 continuous months immediately following the completion of
26 installation of such machinery or equipment over the output
27 for the 12 continuous months immediately preceding such
28 installation. However, if a different 12-month continuous
29 period of time would more accurately reflect the increase in
30 productive output of machinery and equipment purchased to
31 facilitate an expansion, the increase in productive output may

1 be measured during that 12-month continuous period of time if
2 such time period is mutually agreed upon by the Department of
3 Revenue and the expanding business prior to the commencement
4 of production; provided, however, in no case may such time
5 period begin later than 2 years following the completion of
6 installation of the new machinery and equipment. The units
7 used to measure productive output shall be physically
8 comparable between the two periods, irrespective of sales.

9 ~~7. Notwithstanding any other provision in this~~
10 ~~paragraph to the contrary, in order to receive the exemption~~
11 ~~provided in this paragraph a taxpayer must register with the~~
12 ~~WAGES Program Business Registry established by the local WAGES~~
13 ~~coalition for the area in which the taxpayer is located. Such~~
14 ~~registration establishes a commitment on the part of the~~
15 ~~taxpayer to hire WAGES program participants to the maximum~~
16 ~~extent possible consistent with the nature of their business.~~

17 Section 55. Subsections (1) and (3) of section
18 212.096, Florida Statutes, are amended to read:

19 212.096 Sales, rental, storage, use tax; enterprise
20 zone jobs credit against sales tax.--

21 (1) For the purposes of the credit provided in this
22 section:

23 (a) "Eligible business" means any sole proprietorship,
24 firm, partnership, corporation, bank, savings association,
25 estate, trust, business trust, receiver, syndicate, or other
26 group or combination, or successor business, located in an
27 enterprise zone. An eligible business does not include any
28 business which has claimed the credit permitted under s.

29 220.181 for any new business employee first beginning
30 employment with the business after July 1, 1995.

31

1 (b) "Month" means either a calendar month or the time
2 period from any day of any month to the corresponding day of
3 the next succeeding month or, if there is no corresponding day
4 in the next succeeding month, the last day of the succeeding
5 month.

6 (c) "New employee" means a person residing in an
7 enterprise zone, a qualified Job Training Partnership Act
8 classroom training participant, or a welfare transition ~~WAGES~~
9 program participant who begins employment with an eligible
10 business after July 1, 1995, and who has not been previously
11 employed within the preceding 12 months by the eligible
12 business, or a successor eligible business, claiming the
13 credit allowed by this section.

14
15 A person shall be deemed to be employed if the person performs
16 duties in connection with the operations of the business on a
17 regular, full-time basis, provided the person is performing
18 such duties for an average of at least 36 hours per week each
19 month, or a part-time basis, provided the person is performing
20 such duties for an average of at least 20 hours per week each
21 month throughout the year. The person must be performing such
22 duties at a business site located in the enterprise zone.

23 (3) In order to claim this credit, an eligible
24 business must file under oath with the governing body or
25 enterprise zone development agency having jurisdiction over
26 the enterprise zone where the business is located, as
27 applicable, a statement which includes:

28 (a) For each new employee for whom this credit is
29 claimed, the employee's name and place of residence, including
30 the identifying number assigned pursuant to s. 290.0065 to the
31 enterprise zone in which the employee resides if the new

1 employee is a person residing in an enterprise zone, and, if
2 applicable, documentation that the employee is a qualified Job
3 Training Partnership Act classroom training participant or a
4 welfare transition ~~WAGES~~ program participant.

5 (b) If applicable, the name and address of each
6 permanent employee of the business, including, for each
7 employee who is a resident of an enterprise zone, the
8 identifying number assigned pursuant to s. 290.0065 to the
9 enterprise zone in which the employee resides.

10 (c) The name and address of the eligible business.

11 (d) The starting salary or hourly wages paid to the
12 new employee.

13 (e) The identifying number assigned pursuant to s.
14 290.0065 to the enterprise zone in which the business is
15 located.

16 (f) Whether the business is a small business as
17 defined by s. 288.703(1).

18 (g) Within 10 working days after receipt of an
19 application, the governing body or enterprise zone development
20 agency shall review the application to determine if it
21 contains all the information required pursuant to this
22 subsection and meets the criteria set out in this section. The
23 governing body or agency shall certify all applications that
24 contain the information required pursuant to this subsection
25 and meet the criteria set out in this section as eligible to
26 receive a credit. If applicable, the governing body or agency
27 shall also certify if 20 percent of the employees of the
28 business are residents of an enterprise zone, excluding
29 temporary and part-time employees. The certification shall be
30 in writing, and a copy of the certification shall be
31 transmitted to the executive director of the Department of

1 Revenue. The business shall be responsible for forwarding a
2 certified application to the department within the time
3 specified in paragraph (h).

4 (h) All applications for a credit pursuant to this
5 section must be submitted to the department within 4 months
6 after the new employee is hired.

7 Section 56. Subsection (5) of section 212.097, Florida
8 Statutes, is amended to read:

9 212.097 Urban High-Crime Area Job Tax Credit
10 Program.--

11 (5) For any new eligible business receiving a credit
12 pursuant to subsection (3), an additional \$500 credit shall be
13 provided for any qualified employee who is a welfare
14 transition ~~WAGES~~ program participant ~~pursuant to chapter 414~~.
15 For any existing eligible business receiving a credit pursuant
16 to subsection (4), an additional \$500 credit shall be provided
17 for any qualified employee who is a welfare transition ~~WAGES~~
18 program participant ~~pursuant to chapter 414~~. Such employee
19 must be employed on the application date and have been
20 employed less than 1 year. This credit shall be in addition to
21 other credits pursuant to this section regardless of the
22 tier-level of the high-crime area. Appropriate documentation
23 concerning the eligibility of an employee for this credit must
24 be submitted as determined by the department.

25 Section 57. Subsection (5) of section 212.098, Florida
26 Statutes, is amended to read:

27 212.098 Rural Job Tax Credit Program.--

28 (5) For any new eligible business receiving a credit
29 pursuant to subsection (3), an additional \$500 credit shall be
30 provided for any qualified employee who is a welfare
31 transition ~~WAGES~~ program participant ~~pursuant to chapter 414~~.

1 For any existing eligible business receiving a credit pursuant
2 to subsection (4), an additional \$500 credit shall be provided
3 for any qualified employee who is a welfare transition ~~WAGES~~
4 program participant ~~pursuant to chapter 414~~. Such employee
5 must be employed on the application date and have been
6 employed less than 1 year. This credit shall be in addition to
7 other credits pursuant to this section regardless of the
8 tier-level of the county. Appropriate documentation concerning
9 the eligibility of an employee for this credit must be
10 submitted as determined by the department.

11 Section 58. Subsection (10) of section 216.136,
12 Florida Statutes, is amended to read:

13 216.136 Consensus estimating conferences; duties and
14 principals.--

15 (10) WORKFORCE ESTIMATING ~~OCCUPATIONAL FORECASTING~~
16 CONFERENCE.--

17 (a) Duties.--

18 1. The Workforce Estimating ~~Occupational Forecasting~~
19 Conference shall develop such official information on the
20 workforce development system planning process as it relates to
21 the personnel needs of current, new, and emerging industries
22 as the conference determines is needed by the state planning
23 and budgeting system. Such information, using quantitative
24 and qualitative research methods, must include at least:
25 short-term and long-term forecasts of employment demand for
26 high-skills/high-wage jobs by occupation and industry; entry
27 and average relative wage forecasts among those occupations;
28 and estimates of the supply of trained and qualified
29 individuals available or potentially available for employment
30 in those occupations, with special focus upon those
31 occupations and industries which require high skills and have

1 high entry wages and experienced wage levels. In the
2 development of workforce estimates, the conference shall use,
3 to the fullest extent possible, local occupational and
4 workforce forecasts and estimates.

5 2. The Workforce Estimating Conference shall review
6 data concerning the local and regional demands for short-term
7 and long-term employment in High-Skills/High-Wage Program
8 jobs, as well as other jobs, which data is generated through
9 surveys conducted as part of the state's Internet-based job
10 matching and labor market information system authorized under
11 s. 445.011. The conference shall consider such data in
12 developing its forecasts for statewide employment demand,
13 including reviewing the local and regional data for common
14 trends and conditions among localities or regions which may
15 warrant inclusion of a particular occupation on the statewide
16 occupational forecasting list developed by the conference.
17 Based upon its review of such survey data, the conference
18 shall also make recommendations semiannually to Workforce
19 Florida, Inc., on additions or deletions to lists of locally
20 targeted occupations approved by Workforce Florida, Inc.

21 3. During each legislative session, and at other times
22 if necessary, the Workforce Estimating Conference shall meet
23 as the Workforce Impact Conference for the purpose of
24 determining the effects of legislation related to the state's
25 workforce and economic development efforts introduced prior to
26 and during such legislative session. In addition to the
27 designated principals of the impact conference, nonprincipal
28 participants of the impact conference shall include a
29 representative of the Florida Chamber of Commerce and other
30 interested parties. The impact conference shall use both
31 quantitative and qualitative research methods to determine the

1 impact of introduced legislation related to workforce and
2 economic development issues.

3 4. Notwithstanding subparagraph 3., the Workforce
4 Estimating Conference, for the purposes described in
5 subparagraph 1., shall meet no less than 2 times in a calendar
6 year. The first meeting shall be held in February and the
7 second meeting shall be held in August. Other meetings may be
8 scheduled as needed.

9 (b) Principals.--The Commissioner of Education, the
10 Executive Office of the Governor, the director of the Office
11 of Tourism, Trade, and Economic Development, the director of
12 the Agency for Workforce Innovation ~~Secretary of Labor, the~~
13 Chancellor of the State University System, the Executive
14 Director of the State Board of Community Colleges, the Chair
15 of the State Board of Nonpublic Career Education, the Chair of
16 the Workforce Florida, Inc., ~~and~~ the coordinator of the Office
17 of Economic and Demographic Research, or their designees, and
18 professional staff from the Senate and the House of
19 Representatives who have forecasting and substantive
20 expertise, are the principals of the Workforce Estimating
21 Occupational Forecasting Conference. In addition to the
22 designated principals of the conference, nonprincipal
23 participants of the conference shall include a representative
24 of the Florida Chamber of Commerce and other interested
25 parties. The principal representing the Executive Office of
26 the Governor ~~Commissioner of Education, or the commissioner's~~
27 ~~designee,~~ shall preside over the sessions of the conference.

28 Section 59. Subsections (1) and (2) of section
29 220.181, Florida Statutes, are amended to read:

30 220.181 Enterprise zone jobs credit.--

31

1 (1)(a) Beginning July 1, 1995, there shall be allowed
2 a credit against the tax imposed by this chapter to any
3 business located in an enterprise zone which employs one or
4 more new employees. The credit shall be computed as follows:

5 1. Ten percent of the actual monthly wages paid in
6 this state to each new employee whose wages do not exceed
7 \$1,500 a month. If no less than 20 percent of the employees of
8 the business are residents of an enterprise zone, excluding
9 temporary and part-time employees, the credit shall be
10 computed as 15 percent of the actual monthly wages paid in
11 this state to each new employee, for a period of up to 12
12 consecutive months;

13 2. Five percent of the first \$1,500 of actual monthly
14 wages paid in this state for each new employee whose wages
15 exceed \$1,500 a month; or

16 3. Fifteen percent of the first \$1,500 of actual
17 monthly wages paid in this state for each new employee who is
18 a welfare transition ~~WAGES~~ program participant ~~pursuant to~~
19 ~~chapter 414~~.

20 (b) This credit applies only with respect to wages
21 subject to unemployment tax and does not apply for any new
22 employee who is employed for any period less than 3 full
23 months.

24 (c) If this credit is not fully used in any one year,
25 the unused amount may be carried forward for a period not to
26 exceed 5 years. The carryover credit may be used in a
27 subsequent year when the tax imposed by this chapter for such
28 year exceeds the credit for such year after applying the other
29 credits and unused credit carryovers in the order provided in
30 s. 220.02(10).

31

1 (2) When filing for an enterprise zone jobs credit, a
2 business must file under oath with the governing body or
3 enterprise zone development agency having jurisdiction over
4 the enterprise zone where the business is located, as
5 applicable, a statement which includes:

6 (a) For each new employee for whom this credit is
7 claimed, the employee's name and place of residence during the
8 taxable year, including the identifying number assigned
9 pursuant to s. 290.0065 to the enterprise zone in which the
10 new employee resides if the new employee is a person residing
11 in an enterprise zone, and, if applicable, documentation that
12 the employee is a qualified Job Training Partnership Act
13 classroom training participant or a welfare transition ~~WAGES~~
14 program participant.

15 (b) If applicable, the name and address of each
16 permanent employee of the business, including, for each
17 employee who is a resident of an enterprise zone, the
18 identifying number assigned pursuant to s. 290.0065 to the
19 enterprise zone in which the employee resides.

20 (c) The name and address of the business.

21 (d) The identifying number assigned pursuant to s.
22 290.0065 to the enterprise zone in which the eligible business
23 is located.

24 (e) The salary or hourly wages paid to each new
25 employee claimed.

26 (f) Whether the business is a small business as
27 defined by s. 288.703(1).

28 Section 60. Subsection (2) and paragraph (k) of
29 subsection (3) of section 230.2305, Florida Statutes, are
30 amended to read:

31 230.2305 Prekindergarten early intervention program.--

1 (2) ELIGIBILITY.--There is hereby created the
2 prekindergarten early intervention program for children who
3 are 3 and 4 years of age. A prekindergarten early
4 intervention program shall be administered by a district
5 school board and shall receive state funds pursuant to
6 subsection (6). Each public school district shall make
7 reasonable efforts to accommodate the needs of children for
8 extended day and extended year services without compromising
9 the quality of the 6-hour, 180-day program. The school
10 district shall report on such efforts. School district
11 participation in the prekindergarten early intervention
12 program shall be at the discretion of each school district.

13 (a) At least 75 percent of the children projected to
14 be served by the district program shall be economically
15 disadvantaged 4-year-old children of working parents,
16 including migrant children or children whose parents
17 participate in the welfare transition ~~WAGES~~ program. Other
18 children projected to be served by the district program may
19 include any of the following up to a maximum of 25 percent of
20 the total number of children served:

21 1. Three-year-old and four-year-old children who are
22 referred to the school system who may not be economically
23 disadvantaged but who are abused, prenatally exposed to
24 alcohol or harmful drugs, or from foster homes, or who are
25 marginal in terms of Exceptional Student Education placement.

26 2. Three-year-old children and four-year-old children
27 who may not be economically disadvantaged but who are eligible
28 students with disabilities and served in an exceptional
29 student education program with required special services,
30 aids, or equipment and who are reported for partial funding in
31 the K-12 Florida Education Finance Program. These students

1 may be funded from prekindergarten early intervention program
2 funds the portion of the time not funded by the K-12 Florida
3 Education Finance Program for the actual instructional time or
4 one full-time equivalent student membership, whichever is the
5 lesser. These students with disabilities shall be counted
6 toward the 25-percent student limit based on full-time
7 equivalent student membership funded part-time by
8 prekindergarten early intervention program funds. Also,
9 3-year-old or 4-year-old eligible students with disabilities
10 who are reported for funding in the K-12 Florida Education
11 Finance Program in an exceptional student education program as
12 provided in s. 236.081(1)(c) may be mainstreamed in the
13 prekindergarten early intervention program if such programming
14 is reflected in the student's individual educational plan; if
15 required special services, aids, or equipment are provided;
16 and if there is no operational cost to prekindergarten early
17 intervention program funds. Exceptional education students
18 who are reported for maximum K-12 Florida Education Finance
19 Program funding and who are not reported for early
20 intervention funding shall not count against the 75-percent or
21 25-percent student limit as stated in this paragraph.

22 3. Economically disadvantaged 3-year-old children.

23 4. Economically disadvantaged children, children with
24 disabilities, and children at risk of future school failure,
25 from birth to age four, who are served at home through home
26 visitor programs and intensive parent education programs such
27 as the Florida First Start Program.

28 5. Children who meet federal and state requirements
29 for eligibility for the migrant preschool program but who do
30 not meet the criteria of "economically disadvantaged" as
31 defined in paragraph (b), who shall not pay a fee.

1 6. After the groups listed in subparagraphs 1., 2.,
2 3., and 4. have been served, 3-year-old and 4-year-old
3 children who are not economically disadvantaged and for whom a
4 fee is paid for the children's participation.

5 (b) An "economically disadvantaged" child shall be
6 defined as a child eligible to participate in the free lunch
7 program. Notwithstanding any change in a family's economic
8 status or in the federal eligibility requirements for free
9 lunch, a child who meets the eligibility requirements upon
10 initial registration for the program shall be considered
11 eligible until the child reaches kindergarten age. In order
12 to assist the school district in establishing the priority in
13 which children shall be served, and to increase the efficiency
14 in the provision of child care services in each district, the
15 district shall enter into a written collaborative agreement
16 with other publicly funded early education and child care
17 programs within the district. Such agreement shall be
18 facilitated by the interagency coordinating council and shall
19 set forth, among other provisions, the measures to be
20 undertaken to ensure the programs' achievement and compliance
21 with the performance standards established in subsection (3)
22 and for maximizing the public resources available to each
23 program. In addition, the central agency for state-subsidized
24 child care or the local service district of the Department of
25 Children and Family Services shall provide the school district
26 with an updated list of 3-year-old and 4-year-old children
27 residing in the school district who are on the waiting list
28 for state-subsidized child care.

29 (3) STANDARDS.--

30 (k) The school district must coordinate with the
31 central agency for state-subsidized child care or the local

1 service district of the Department of Children and Family
2 Services to verify family participation in the welfare
3 transition ~~WAGES~~ program, thus ensuring accurate reporting and
4 full utilization of federal funds available through the Family
5 Support Act, and for the agency's or service district's
6 sharing of the waiting list for state-subsidized child care
7 under paragraph (a).

8 Section 61. Subsections (4) and (5) of section 232.17,
9 Florida Statutes, are amended to read:

10 232.17 Enforcement of school attendance.--The
11 Legislature finds that poor academic performance is associated
12 with nonattendance and that schools must take an active role
13 in enforcing attendance as a means of improving the
14 performance of many students. It is the policy of the state
15 that the superintendent of each school district be responsible
16 for enforcing school attendance of all children and youth
17 subject to the compulsory school age in the school district.
18 The responsibility includes recommending to the school board
19 policies and procedures to ensure that schools respond in a
20 timely manner to every unexcused absence, or absence for which
21 the reason is unknown, of students enrolled in the schools.
22 School board policies must require each parent or guardian of
23 a student to justify each absence of the student, and that
24 justification will be evaluated based on adopted school board
25 policies that define excused and unexcused absences. The
26 policies must provide that schools track excused and unexcused
27 absences and contact the home in the case of an unexcused
28 absence from school, or an absence from school for which the
29 reason is unknown, to prevent the development of patterns of
30 nonattendance. The Legislature finds that early intervention
31 in school attendance matters is the most effective way of

1 producing good attendance habits that will lead to improved
2 student learning and achievement. Each public school shall
3 implement the following steps to enforce regular school
4 attendance:

5 (4) REPORT TO THE DEPARTMENT OF LABOR AND EMPLOYMENT
6 SECURITY ~~DIVISION OF JOBS AND BENEFITS~~.--A designated school
7 representative shall report to ~~the Division of Jobs and~~
8 ~~Benefits~~ of the Department of Labor and Employment Security or
9 to any person acting in similar capacity who may be designated
10 by law to receive such notices, all violations of the Child
11 Labor Law that may come to his or her knowledge.

12 (5) RIGHT TO INSPECT.--A designated school
13 representative shall have the same right of access to, and
14 inspection of, establishments where minors may be employed or
15 detained as is given by law to the Department of Labor and
16 Employment Security ~~Division of Jobs and Benefits~~ only for the
17 purpose of ascertaining whether children of compulsory school
18 age are actually employed there and are actually working there
19 regularly. The designated school representative shall, if he
20 or she finds unsatisfactory working conditions or violations
21 of the Child Labor Law, report his or her findings to the
22 Department of Labor and Employment Security ~~Division of Jobs~~
23 ~~and Benefits~~ or its agents.

24 Section 62. Paragraph (g) of subsection (1) of section
25 234.01, Florida Statutes, is amended to read:

26 234.01 Purpose; transportation; when provided.--

27 (1) School boards, after considering recommendations
28 of the superintendent:

29 (g) May provide transportation for welfare transition
30 ~~WAGES~~ program participants as defined in s. 414.0252.

31

1 Section 63. Paragraph (b) of subsection (1) of section
2 234.211, Florida Statutes, is amended to read:

3 234.211 Use of school buses for public purposes.--

4 (1)

5 (b) Each school district may enter into agreements
6 with regional workforce boards ~~local WAGES coalitions~~ for the
7 provision of transportation services to ~~WAGES program~~
8 participants in the welfare transition program ~~as defined in~~
9 ~~s. 414.0252~~. Agreements must provide for reimbursement in full
10 or in part for the proportionate share of fixed and operating
11 costs incurred by the school district attributable to the use
12 of buses in accordance with the agreement.

13 Section 64. Subsection (15) of section 239.105,
14 Florida Statutes, is amended to read:

15 239.105 Definitions.--As used in this chapter, the
16 term:

17 (15) "Degree vocational education program" means a
18 course of study that leads to an associate in applied science
19 degree or an associate in science degree. A degree vocational
20 education program may contain within it one or more
21 occupational completion points and may lead to certificates or
22 diplomas within the course of study. The term is
23 interchangeable with the term "degree career education
24 program." For licensure purposes, the term "associate in
25 science degree" is interchangeable with "associate in applied
26 science degree."

27 Section 65. Paragraph (c) of subsection (4) and
28 subsections (7) and (9) of section 239.115, Florida Statutes,
29 are amended to read:

30 239.115 Funds for operation of adult general education
31 and vocational education programs.--

1 (4) The Florida Workforce Development Education Fund
2 is created to provide performance-based funding for all
3 workforce development programs, whether the programs are
4 offered by a school district or a community college. Funding
5 for all workforce development education programs must be from
6 the Workforce Development Education Fund and must be based on
7 cost categories, performance output measures, and performance
8 outcome measures. This subsection takes effect July 1, 1999.

9 (c) The performance outcome measures for programs
10 funded through the Workforce Development Education Fund are
11 associated with placement and retention of students after
12 reaching a completion point or completing a program of study.
13 These measures include placement or retention in employment
14 that is related to the program of study; placement into or
15 retention in employment in an occupation on the Workforce
16 Estimating Occupational Forecasting Conference list of
17 high-wage, high-skill occupations with sufficient openings, or
18 other High Wage/High Skill Program occupations as determined
19 by Workforce Florida, Inc.; and placement and retention of
20 participants ~~WAGES clients~~ or former participants in the
21 welfare transition program ~~WAGES clients~~ in employment.
22 Continuing postsecondary education at a level that will
23 further enhance employment is a performance outcome for adult
24 general education programs. Placement and retention must be
25 reported pursuant to ss. 229.8075 and 239.233.

26 (7)(a) Beginning in fiscal year 1999-2000, a school
27 district or a community college that provides workforce
28 development education funded through the Workforce Development
29 Education Fund shall receive funds in accordance with
30 distributions for base and performance funding established by
31

1 the Legislature in the General Appropriations Act, pursuant to
2 the following conditions:

3 1.~~(a)~~ Base funding shall not exceed 85 percent of the
4 current fiscal year total Workforce Development Education Fund
5 allocation, which shall be distributed by the Legislature in
6 the General Appropriations Act based on a maximum of 85
7 percent of the institution's prior year total allocation from
8 base and performance funds.

9 2.~~(b)~~ Performance funding shall be at least 15 percent
10 of the current fiscal year total Workforce Development
11 Education Fund allocation, which shall be distributed by the
12 Legislature in the General Appropriations Act based on the
13 previous fiscal year's achievement of output and outcomes in
14 accordance with formulas adopted pursuant to subsection (9).
15 Performance funding must incorporate payments for at least
16 three levels of placements that reflect wages and workforce
17 demand. Payments for completions must not exceed 60 percent of
18 the payments for placement. For fiscal year 1999-2000, school
19 districts and community colleges shall be awarded funds
20 pursuant to this paragraph based on performance output data
21 generated for fiscal year 1998-1999 and performance outcome
22 data available in that year.

23 3.~~(c)~~ If a local educational agency achieves a level
24 of performance sufficient to generate a full allocation as
25 authorized by the workforce development funding formula, the
26 agency may earn performance incentive funds as appropriated
27 for that purpose in a General Appropriations Act. If
28 performance incentive funds are funded and awarded, these
29 funds must be added to the local educational agency's prior
30 year total allocation from the Workforce Development Education
31

1 Fund and shall be used to calculate the following year's base
2 funding.

3 (b) A program is established to assist school
4 districts and community colleges in responding to the needs of
5 new and expanding businesses and thereby strengthening the
6 state's workforce and economy. The program may be funded in
7 the General Appropriations Act. A school district or community
8 college may expend funds under the program without regard to
9 performance criteria set forth in subparagraph (a)2. The
10 district or community college shall use the program to provide
11 customized training for businesses which satisfies the
12 requirements of s. 288.047. Business firms whose employees
13 receive the customized training must provide 50 percent of the
14 cost of the training. Balances remaining in the program at the
15 end of the fiscal year shall not revert to the general fund,
16 but shall be carried over for 1 additional year and used for
17 the purpose of serving incumbent worker training needs of area
18 businesses with fewer than 100 employees. Priority shall be
19 given to businesses that must increase or upgrade their use of
20 technology to remain competitive.

21 (9) The Department of Education, the State Board of
22 Community Colleges, and Workforce Florida, Inc.,~~the Jobs and~~
23 ~~Education Partnership~~ shall provide the Legislature with
24 recommended formulas, criteria, timeframes, and mechanisms for
25 distributing performance funds. The commissioner shall
26 consolidate the recommendations and develop a consensus
27 proposal for funding. The Legislature shall adopt a formula
28 and distribute the performance funds to the Division of
29 Community Colleges and the Division of Workforce Development
30 through the General Appropriations Act. These recommendations
31 shall be based on formulas that would discourage

1 low-performing or low-demand programs and encourage through
2 performance-funding awards:

3 (a) Programs that prepare people to enter high-wage
4 occupations identified by the Workforce Estimating
5 ~~Occupational Forecasting~~ Conference created by s. 216.136 and
6 other programs as approved by Workforce Florida, Inc ~~the Jobs~~
7 ~~and Education Partnership~~. At a minimum, performance
8 incentives shall be calculated for adults who reach completion
9 points or complete programs that lead to specified high-wage
10 employment and to their placement in that employment.

11 (b) Programs that successfully prepare adults who are
12 eligible for public assistance, economically disadvantaged,
13 disabled, not proficient in English, or dislocated workers for
14 high-wage occupations. At a minimum, performance incentives
15 shall be calculated at an enhanced value for the completion of
16 adults identified in this paragraph and job placement of such
17 adults upon completion. In addition, adjustments may be made
18 in payments for job placements for areas of high unemployment.

19 (c) Programs that are specifically designed to be
20 consistent with the workforce needs of private enterprise and
21 regional economic development strategies, as defined in
22 guidelines set by Workforce Florida, Inc. Workforce Florida,
23 Inc., shall develop guidelines to identify such needs and
24 strategies based on localized research of private employers
25 and economic development practitioners.

26 (d)~~(c)~~ Programs identified by Workforce Florida, Inc.,
27 ~~the Jobs and Education Partnership~~ as increasing the
28 effectiveness and cost efficiency of education.

29 Section 66. Paragraph (d) of subsection (4) of section
30 239.117, Florida Statutes, is amended to read:

31

1 239.117 Workforce development postsecondary student
2 fees.--

3 (4) The following students are exempt from the payment
4 of registration, matriculation, and laboratory fees:

5 (d) A student enrolled in an employment and training
6 program under the welfare transition ~~WAGES~~ program. The
7 regional workforce board ~~local WAGES coalition~~ shall pay the
8 community college or school district for costs incurred for
9 welfare transition program participants ~~WAGES clients~~.

10 Section 67. Paragraph (c) of subsection (2) of section
11 239.229, Florida Statutes, is amended to read:

12 239.229 Vocational standards.--

13 (2)

14 (c) Department of Education accountability for career
15 education includes, but is not limited to:

16 1. The provision of timely, accurate technical
17 assistance to school districts and community colleges.

18 2. The provision of timely, accurate information to
19 the State Board for Career Education, the Legislature, and the
20 public.

21 3. The development of policies, rules, and procedures
22 that facilitate institutional attainment of the accountability
23 standards and coordinate the efforts of all divisions within
24 the department.

25 4. The development of program standards and
26 industry-driven benchmarks for vocational, adult, and
27 community education programs, which must be updated every 3
28 years. The standards must include technical, academic, and
29 workplace skills; viability of distance learning for
30 instruction; and work/learn cycles that are responsive to
31 business and industry.

1 5. Overseeing school district and community college
2 compliance with the provisions of this chapter.

3 6. Ensuring that the educational outcomes for the
4 technical component of workforce development programs and
5 secondary vocational job-preparatory programs are uniform and
6 designed to provide a graduate of high quality who is capable
7 of entering the workforce on an equally competitive basis
8 regardless of the institution of choice.

9 7. No school board or public school shall require a
10 student to participate in any school-to-work or job training
11 program. A school board or school shall not require a student
12 to meet occupational standards for grade level promotion or
13 graduation unless the student is voluntarily enrolled in a job
14 training program.

15 Section 68. Paragraph (a) of subsection (3) and
16 paragraph (e) of subsection (4) of section 239.301, Florida
17 Statutes, are amended to read:

18 239.301 Adult general education.--

19 (3)(a) Each school board or community college board of
20 trustees shall negotiate with the regional workforce board
21 ~~local personnel of the Department of Children and Family~~
22 ~~Services~~ for basic and functional literacy skills assessments
23 for participants in the welfare transition employment and
24 training programs ~~under the WAGES Program~~. Such assessments
25 shall be conducted at a site mutually acceptable to the school
26 board or community college board of trustees and the regional
27 workforce board ~~Department of Children and Family Services~~.

28 (4)

29 (e) A district school board or a community college
30 board of trustees may negotiate a contract with the regional
31 workforce board ~~local WAGES coalition~~ for specialized services

1 for participants in the welfare transition program ~~WAGES~~
2 ~~clients~~, beyond what is routinely provided for the general
3 public, to be funded by the regional workforce board ~~WAGES~~
4 ~~coalition pursuant to s. 414.065.~~

5 Section 69. Subsection (3) of section 239.514, Florida
6 Statutes, is amended to read:

7 239.514 Workforce Development Capitalization Incentive
8 Grant Program.--The Legislature recognizes that the need for
9 school districts and community colleges to be able to respond
10 to emerging local or statewide economic development needs is
11 critical to the workforce development system. The Workforce
12 Development Capitalization Incentive Grant Program is created
13 to provide grants to school districts and community colleges
14 on a competitive basis to fund some or all of the costs
15 associated with the creation or expansion of workforce
16 development programs that serve specific employment workforce
17 needs.

18 (3) The commission shall give highest priority to
19 programs that train people to enter high-skill, high-wage
20 occupations identified by the Workforce Estimating
21 ~~occupational forecasting~~ Conference and other programs
22 approved by Workforce Florida, Inc. ~~the Jobs and Education~~
23 ~~Partnership~~; programs that train people to enter occupations
24 under the welfare transition program ~~on the WAGES list~~; or
25 programs that train for the workforce adults who are eligible
26 for public assistance, economically disadvantaged, disabled,
27 not proficient in English, or dislocated workers. The
28 commission shall consider the statewide geographic dispersion
29 of grant funds in ranking the applications and shall give
30 priority to applications from education agencies that are

31

1 making maximum use of their workforce development funding by
2 offering high-performing, high-demand programs.

3 Section 70. Paragraph (b) of subsection (5) of section
4 240.209, Florida Statutes, is amended to read:

5 240.209 Board of Regents; powers and duties.--

6 (5) The Board of Regents is responsible for:

7 (b) Coordinating with the Postsecondary Education
8 Planning Commission the programs, including doctoral programs,
9 to be reviewed every 5 years or whenever the board determines
10 that the effectiveness or efficiency of a program is
11 jeopardized. The board shall define the indicators of quality
12 and the criteria for program review for every program. Such
13 indicators shall include need, student demand, industry-driven
14 competencies for advanced technology and related programs, and
15 resources available to support continuation. The results of
16 the program reviews shall be tied to the university budget
17 requests.

18 Section 71. Section 240.312, Florida Statutes, is
19 amended to read:

20 240.312 Community colleges; program review.--Program
21 reviews for the community college system shall be coordinated
22 with the Postsecondary Education Planning Commission every
23 year. Every major program shall be reviewed every 5 years or
24 whenever the effectiveness or efficiency of a program is
25 jeopardized, except that certificate career education programs
26 and programs leading to an associate in science degree shall
27 be reviewed every 3 years. Indicators of quality and criteria
28 for the program reviews shall be defined. The results of
29 these program reviews shall be tied to the budget request for
30 the community college system.

31

1 Section 72. Subsection (3) of section 240.35, Florida
2 Statutes, is amended to read:

3 240.35 Student fees.--Unless otherwise provided, the
4 provisions of this section apply only to fees charged for
5 college credit instruction leading to an associate in arts
6 degree, an associate in applied science degree, or an
7 associate in science degree and noncollege credit
8 college-preparatory courses defined in s. 239.105.

9 (3) Students enrolled in dual enrollment and early
10 admission programs under s. 240.116 and students enrolled in
11 employment and training programs under the welfare transition
12 ~~WAGES~~ program are exempt from the payment of registration,
13 matriculation, and laboratory fees; however, such students may
14 not be included within calculations of fee-waived enrollments.
15 The regional workforce board ~~local WAGES coalition~~ shall pay
16 the community college for costs incurred by that ~~WAGES~~
17 participant related to that person's classes or program. Other
18 fee-exempt instruction provided under this subsection
19 generates an additional one-fourth full-time equivalent
20 enrollment.

21 Section 73. Paragraph (a) of subsection (1) of section
22 240.40207, Florida Statutes, is amended to read:

23 240.40207 Florida Gold Seal Vocational Scholars
24 award.--The Florida Gold Seal Vocational Scholars award is
25 created within the Florida Bright Futures Scholarship Program
26 to recognize and reward academic achievement and vocational
27 preparation by high school students who wish to continue their
28 education.

29 (1) A student is eligible for a Florida Gold Seal
30 Vocational Scholars award if the student meets the general
31

1 eligibility requirements for the Florida Bright Futures
2 Scholarship Program and the student:

3 (a) Completes the secondary school portion of a
4 sequential program of studies that requires at least three
5 secondary school vocational credits taken over at least 2
6 academic years, and is continued in a planned, related
7 postsecondary education program. If the student's school does
8 not offer such a two-plus-two or tech-prep program, the
9 student must complete a job-preparatory career education
10 program selected by the Workforce Estimating Occupational
11 ~~Forecasting~~ Conference or the Workforce Florida, Inc.,
12 ~~Development Board of Enterprise Florida~~ for its ability to
13 provide high-wage employment in an occupation with high
14 potential for employment opportunities. On-the-job training
15 may not be substituted for any of the three required
16 vocational credits.

17 Section 74. Section 240.40685, Florida Statutes, is
18 amended to read:

19 240.40685 Certified Education Paraprofessional Welfare
20 Transition Program.--

21 (1) There is created the Certified Education
22 Paraprofessional Welfare Transition Program to provide
23 education and employment for recipients of public assistance
24 who are certified to work in schools that, because of the high
25 proportion of economically disadvantaged children enrolled,
26 are at risk of poor performance on traditional measures of
27 achievement. The program is designed to enable such schools
28 to increase the number of adults working with the school
29 children. However, the increase in personnel working at
30 certain schools is intended to supplement and not to supplant
31 the school staff and should not affect current school board

1 employment and staffing policies, including those contained in
2 collective bargaining agreements. The program is intended to
3 be supported by local, state, and federal program funds for
4 which the participants may be eligible. Further, the program
5 is designed to provide its participants not only with
6 entry-level employment but also with a marketable credential,
7 a career option, and encouragement to advance.

8 (2) The Commissioner of Education, the Executive
9 Director of the State Board of Community Colleges, the
10 secretary of the Department of Children and Family Services,
11 and the director of the Agency for Workforce Innovation
12 ~~Secretary of Labor and Employment Security~~ have joint
13 responsibility for planning and conducting the program.

14 (3) The agencies responsible may make recommendations
15 to the State Board of Education and the Legislature if they
16 find that implementation or operation of the program would
17 benefit from the adoption or waiver of state or federal
18 policy, rule, or law, including recommendations regarding
19 program budgeting.

20 (4) The agencies shall complete an implementation plan
21 that addresses at least the following recommended components
22 of the program:

23 (a) A method of selecting participants. The method
24 must not duplicate services provided by those assigned to
25 screen participants of the welfare transition ~~WAGES~~ program,
26 but must assure that screening personnel are trained to
27 identify recipients of public assistance whose personal
28 aptitudes and motivation make them most likely to succeed in
29 the program and advance in a career related to the school
30 community.

31

1 (b) A budget for use of incentive funding to provide
2 motivation to participants to succeed and excel. The budget
3 for incentive funding includes:

4 1. Funds allocated by the Legislature directly for the
5 program.

6 2. Funds that may be made available from the federal
7 Workforce Investment ~~Job Training Partnership~~ Act based on
8 client eligibility or requested waivers to make the clients
9 eligible.

10 3. Funds made available by implementation strategies
11 that would make maximum use of work supplementation funds
12 authorized by federal law.

13 4. Funds authorized by strategies to lengthen
14 participants' eligibility for federal programs such as
15 Medicaid, subsidized child care, and transportation.

16
17 Incentives may include a stipend during periods of college
18 classroom training, a bonus and recognition for a high
19 grade-point average, child care and prekindergarten services
20 for children of participants, and services to increase a
21 participant's ability to advance to higher levels of
22 employment. Nonfinancial incentives should include providing a
23 mentor or tutor, and service incentives should continue and
24 increase for any participant who plans to complete the
25 baccalaureate degree and become a certified teacher. Services
26 may be provided in accordance with family choice by community
27 colleges and school district technical centers, through family
28 service centers and full-service schools, or under contract
29 with providers through central agencies.

30 (5) The agencies shall select Department of Children
31 and Family Services districts to participate in the program. A

1 district that wishes to participate must demonstrate that a
2 district school board, a community college board of trustees,
3 an economic services program administrator, and a regional
4 workforce board ~~private industry council~~ are willing to
5 coordinate to provide the educational program, support
6 services, employment opportunities, and incentives required to
7 fulfill the intent of this section.

8 (6)(a) A community college or school district
9 technical center is eligible to participate if it provides a
10 technical certificate program in Child Development Early
11 Intervention as approved by Workforce Florida, Inc., ~~the Jobs~~
12 ~~and Education Partnership~~ and it is participating in the
13 ~~Performance Based Incentive Funding program authorized in s.~~
14 ~~239.249.~~ Priority programs provide an option and incentives
15 to articulate with an associate in science degree program or a
16 baccalaureate degree program.

17 (b) A participating educational agency may earn funds
18 appropriated for performance-based incentive funding for
19 successful outcomes of enrollment and placement of recipients
20 of public assistance who are in the program. In addition, an
21 educational agency is eligible for an incentive award
22 determined by Workforce Florida, Inc., ~~the Jobs and Education~~
23 ~~Partnership~~ for each recipient of public assistance who
24 successfully completes a program leading to the award of a
25 General Education Development credential.

26 (c) Historically black colleges or universities that
27 have established programs that serve participants in the
28 welfare transition ~~of the WAGES~~ program are eligible to
29 participate in the Performance Based Incentive Funding Program
30 and may earn an incentive award determined by Workforce
31 Florida, Inc., ~~the Jobs and Education Partnership~~ for

1 successful placement of program completers in jobs as
2 education paraprofessionals in at-risk schools.

3 (7)(a) A participating school district shall identify
4 at-risk schools in which the program participants will work
5 during the practicum part of their education. For purposes of
6 this act, an at-risk school is a school with grades K-3 in
7 which 50 percent or more of the students enrolled at the
8 school are eligible for free lunches or reduced-price lunches.
9 Priority schools are schools whose service zones include the
10 participants' own communities.

11 (b) A participating school district may use funds
12 appropriated by the Legislature from Job Training Partnership
13 Act service delivery area allotments to provide at least 6
14 months of on-the-job training to participants in the Certified
15 Education Paraprofessional Welfare Transition Program.
16 Participating school districts may also use funds provided by
17 grant diversion of funds from the welfare transition ~~WAGES~~
18 program for the participants during the practicum portion of
19 their training to earn the certificate required for their
20 employment.

21 (8) The agencies shall give priority for funding to
22 those programs that provide maximum security for the
23 long-range employment and career opportunities of the program
24 participants. Security is enhanced if employment is provided
25 through a governmental or nongovernmental agency other than
26 the school board, or if the plans assure in another way that
27 the participants will supplement, rather than supplant, the
28 workforce available to the school board. It is the intent of
29 the Legislature that, when a program participant succeeds in
30 becoming a certified education paraprofessional after working
31 successfully in a school during the practicum or on-the-job

1 training supported by the program, the participant shall have
2 the opportunity to continue in full-time employment at the
3 school that provided the training or at another school in the
4 district.

5 Section 75. Subsection (2) of section 240.61, Florida
6 Statutes, is amended to read:

7 240.61 College reach-out program.--

8 (2) In developing the definition for "low-income
9 educationally disadvantaged student," the State Board of
10 Education shall include such factors as: the family's taxable
11 income; family receipt of temporary cash assistance ~~under the~~
12 ~~WAGES Program~~ in the preceding year; family receipt of public
13 assistance in the preceding year; the student's cumulative
14 grade point average; the student's promotion and attendance
15 patterns; the student's performance on state standardized
16 tests; the student's enrollment in mathematics and science
17 courses; and the student's participation in a dropout
18 prevention program.

19 Section 76. Section 246.50, Florida Statutes, is
20 amended to read:

21 246.50 Certified Teacher-Aide Welfare Transition
22 Program; participation by independent postsecondary
23 schools.--An independent postsecondary school may participate
24 in the Certified Teacher-Aide Welfare Transition Program and
25 may receive incentives for successful performance from the
26 Performance Based Incentive Funding Program if:

27 (1) The school is accredited by the Southern
28 Association of Colleges and Schools and licensed by the State
29 Board of Nonpublic Career Education;

30
31

1 (2) The school serves recipients of temporary cash
2 assistance ~~under the WAGES Program~~ in a certified teacher-aide
3 program;

4 (3) A participating school district recommends the
5 school to Workforce Florida, Inc.~~the Jobs and Education~~
6 ~~Partnership~~; and

7 (4) Workforce Florida, Inc.~~The Jobs and Education~~
8 ~~Partnership~~ approves.

9 Section 77. Section 288.046, Florida Statutes, is
10 amended to read:

11 288.046 Quick-response training; legislative
12 intent.--The Legislature recognizes the importance of
13 providing a skilled workforce for attracting new industries
14 and retaining and expanding existing businesses and industries
15 in this state. It is the intent of the Legislature that a
16 program exist to meet the short-term, immediate,
17 workforce-skill needs of such businesses and industries. It
18 is further the intent of the Legislature that funds provided
19 for the purposes of s. 288.047 be expended on businesses and
20 industries that support the state's economic development
21 goals, particularly high value-added businesses ~~in Florida's~~
22 ~~Targeted Industrial Clusters~~ or businesses that locate in and
23 provide jobs in the state's distressed urban and rural areas,
24 and that instruction funded pursuant to s. 288.047 lead to
25 permanent, quality employment opportunities.

26 Section 78. Section 288.047, Florida Statutes, is
27 amended to read:

28 288.047 Quick-response training for economic
29 development.--

30 (1) The Quick-Response Training Program is created to
31 meet the workforce-skill needs of existing, new, and expanding

1 industries. The program shall be administered by Workforce
2 ~~Enterprise~~ Florida, Inc., in conjunction with Enterprise
3 Florida, Inc., and the Department of Education. Workforce
4 ~~Enterprise~~ Florida, Inc., shall adopt guidelines for the
5 administration of this program. Workforce ~~Enterprise~~ Florida,
6 Inc., shall provide technical services and shall identify
7 businesses that seek services through the program. Workforce
8 Florida, Inc. may contract with Enterprise Florida, Inc., or
9 administer this program directly, if it is determined that
10 such an arrangement maximizes the amount of the Quick Response
11 grant going to direct services. ~~The Department of Education~~
12 ~~shall provide services related to the development and~~
13 ~~implementation of instructional programs.~~

14 (2)(a) ~~A Quick-Response Advisory Committee, composed~~
15 ~~of the director of the Division of Workforce Development of~~
16 ~~the Department of Education; the director of the Division of~~
17 ~~Community Colleges of the Department of Education; and the~~
18 ~~director of the Division of Jobs and Benefits of the~~
19 ~~Department of Labor and Employment Security, or their~~
20 ~~respective designees, and four private sector members, shall~~
21 ~~review training funded through this program and shall provide~~
22 ~~policy advice to Enterprise Florida, Inc., in the~~
23 ~~implementation of this program. The committee shall elect a~~
24 ~~chair from among its members. Members of the committee may~~
25 ~~receive reimbursement for per diem and travel expenses as~~
26 ~~provided in s. 112.061.~~

27 (b) ~~The four private sector members appointed to the~~
28 ~~Quick-Response Advisory Committee must be selected from a~~
29 ~~slate of nominees submitted by the board of directors of~~
30 ~~Enterprise Florida, Inc. The president of Enterprise Florida,~~
31 ~~Inc., shall appoint private sector members from this slate for~~

1 ~~terms of 4 years, except that in making the initial~~
2 ~~appointments, the president shall appoint members for~~
3 ~~staggered terms, one for 1 year, 2 years, 3 years, and 4~~
4 ~~years, respectively. To the maximum extent possible, the~~
5 ~~president shall select private sector members who are~~
6 ~~representative of diverse industries and regions of the state.~~
7 ~~The importance of minority representation must be considered~~
8 ~~when making appointments for each private sector position.~~
9 ~~Private sector members may be removed for cause. Absence from~~
10 ~~three consecutive meetings results in the automatic removal of~~
11 ~~a private sector member.~~

12 ~~(c) The Quick-Response Advisory Committee shall meet~~
13 ~~at the call of its chair, at the request of a majority of the~~
14 ~~membership, at the request of Enterprise Florida, Inc., or at~~
15 ~~times prescribed by its rules. The committee shall serve to~~
16 ~~advise Enterprise Florida, Inc., regarding the administration~~
17 ~~of the Quick-Response Training Program.~~

18 ~~(2)(3)~~ Workforce Enterprise Florida, Inc., shall
19 ensure that instruction funded pursuant to this section is not
20 available through the local community college or, school
21 district, ~~or private industry council~~ and that the instruction
22 promotes economic development by providing specialized
23 training entry-level skills to new workers or retraining for
24 supplemental skills to current employees to meet changing
25 skill requirements caused by new technology or new product
26 lines and to prevent potential layoffs whose job descriptions
27 are changing. Such funds may not be expended to subsidize the
28 ongoing staff development program of any business or industry
29 ~~or~~ to provide training for instruction related to retail
30 businesses or to reimburse businesses for trainee wages. Funds
31 made available pursuant to this section may not be expended in

1 connection with the relocation of a business from one
2 community to another community in this state unless Workforce
3 ~~Enterprise~~ Florida, Inc., determines that without such
4 relocation the business will move outside this state or
5 determines that the business has a compelling economic
6 rationale for the relocation which creates additional jobs.

7 (3)(4) Requests for funding through the Quick-Response
8 Training Program may be produced through inquiries from a
9 specific business or industry, inquiries from a school
10 district director of career education or community college
11 occupational dean on behalf of a business or industry, or
12 through official state or local economic development efforts.
13 In allocating funds for the purposes of the program, Workforce
14 ~~Enterprise~~ Florida, Inc., shall establish criteria for
15 approval of requests for funding and shall select the entity
16 that provides the most efficient, cost-effective instruction
17 meeting such criteria. Program funds may be allocated to any
18 area technical center, community college, or state university.
19 Program funds may be allocated to private postsecondary
20 institutions only upon a review that includes, but is not
21 limited to, accreditation and licensure documentation and
22 prior approval by Workforce Florida, Inc. ~~a majority of the~~
23 ~~advisory committee.~~ Instruction funded through the program
24 must terminate when participants demonstrate competence at the
25 level specified in the request; however, the grant term
26 ~~instruction~~ may not exceed 24 ~~18~~ months. Costs and
27 expenditures for the Quick-Response Training Program must be
28 documented and separated from those incurred by the training
29 provider.

30 (4)(5) For the first 6 months of each fiscal year,
31 Workforce ~~Enterprise~~ Florida, Inc., shall set aside 30 percent

1 of the amount appropriated for the Quick-Response Training
2 Program by the Legislature to fund instructional programs for
3 businesses located in an enterprise zone or brownfield area to
4 ~~instruct residents of an enterprise zone~~. Any unencumbered
5 funds remaining undisbursed from this set-aside at the end of
6 the 6-month period may be used to provide funding for any
7 program qualifying for funding pursuant to this section.

8 ~~(5)(6)~~ Prior to the allocation of funds for any
9 request pursuant to this section, Workforce ~~Enterprise~~
10 Florida, Inc., shall prepare a grant agreement between the
11 business or industry requesting funds, the educational
12 institution receiving funding through the program, and
13 Workforce ~~Enterprise~~ Florida, Inc. Such agreement must
14 include, but is not limited to:

15 ~~(a) An identification of the facility in which the~~
16 ~~instruction will be conducted and the respective~~
17 ~~responsibilities of the parties for paying costs associated~~
18 ~~with facility use.~~

19 ~~(b) An identification of the equipment necessary to~~
20 ~~conduct the program, the respective responsibilities of the~~
21 ~~parties for paying costs associated with equipment purchase,~~
22 ~~maintenance, and repair, as well as an identification of which~~
23 ~~party owns the equipment upon completion of the instruction.~~

24 ~~(a)(c)~~ An identification of the personnel necessary to
25 conduct the instructional program, the qualifications of such
26 personnel, and the respective responsibilities of the parties
27 for paying costs associated with the employment of such
28 personnel.

29 ~~(b)(d)~~ An identification of the estimated length of
30 the instructional program. ~~Such program may not exceed 12~~
31

1 ~~months of full-time instruction or 18 months of total~~
2 ~~instruction.~~

3 (c) An identification of all direct, training-related
4 costs, including tuition and fees, curriculum development,
5 books and classroom materials, and overhead or indirect costs,
6 not to exceed 5 percent of the grant amount.

7 ~~(d)(e)~~ An identification of special program
8 requirements that are not addressed otherwise in the
9 agreement.

10 ~~(e)(f)~~ Permission to access information specific to
11 the wages and performance of participants upon the completion
12 of instruction for evaluation purposes. Information which, if
13 released, would disclose the identity of the person to whom
14 the information pertains or disclose the identity of the
15 person's employer is confidential and exempt from the
16 provisions of s. 119.07(1). The agreement must specify that
17 any evaluations published subsequent to the instruction may
18 not identify the employer or any individual participant.

19 ~~(6)(7)~~ For the purposes of this section, Workforce
20 ~~Enterprise~~ Florida, Inc., may accept grants of money,
21 materials, services, or property of any kind from any agency,
22 corporation, or individual.

23 ~~(8) Enterprise Florida, Inc., may procure equipment as~~
24 ~~necessary to meet the purposes of this section. Title to and~~
25 ~~control of such equipment is vested in the Department of~~
26 ~~Education. Upon the conclusion of instruction, the Department~~
27 ~~of Education may transfer title to the district school board,~~
28 ~~community college district board of trustees, or Board of~~
29 ~~Regents on behalf of a specific state university, where the~~
30 ~~equipment is physically located. The department may also~~
31 ~~lease such equipment to the district school board, community~~

1 ~~college district board of trustees, or Board of Regents for a~~
2 ~~maximum of 1 year. Such lease may provide for automatic~~
3 ~~renewal. Either party to a lease has the right to cancel the~~
4 ~~lease upon a 60-day notice in writing. Any equipment for which~~
5 ~~no title transfer or lease exists must be returned to a~~
6 ~~warehouse reserve and be available for use by an instructional~~
7 ~~program in any area of the state.~~

8 ~~(7)(9)~~ In providing instruction pursuant to this
9 section, materials that relate to methods of manufacture or
10 production, potential trade secrets, business transactions, or
11 proprietary information received, produced, ascertained, or
12 discovered by employees of the respective departments,
13 district school boards, community college district boards of
14 trustees, or other personnel employed for the purposes of this
15 section is confidential and exempt from the provisions of s.
16 119.07(1). The state may seek copyright protection for all
17 instructional materials and ancillary written documents
18 developed wholly or partially with state funds as a result of
19 instruction provided pursuant to this section, except for
20 materials that are confidential and exempt from the provisions
21 of s. 119.07(1).

22 ~~(8)(10)~~ There is created a Quick-Response Training
23 Program for ~~Work and Gain Economic Self-sufficiency (WAGES)~~
24 participants in the welfare transition program. Workforce
25 ~~Enterprise Florida, Inc., may, at the discretion of the State~~
26 ~~WAGES Emergency Response Team,~~ award quick-response training
27 grants and develop applicable guidelines for the training of
28 participants in the welfare transition ~~WAGES~~ program. In
29 addition to a local economic development organization, grants
30 must be endorsed by the applicable ~~local WAGES coalition and~~
31 regional workforce ~~development~~ board.

1 (a) Training funded pursuant to this subsection may
2 not exceed 12 months, and may be provided by the local
3 community college, school district, regional workforce
4 ~~development~~ board, or the business employing the participant,
5 including on-the-job training. Training will provide
6 entry-level skills to new workers, including those employed in
7 retail, who are participants in the welfare transition ~~WAGES~~
8 program.

9 (b) ~~WAGES~~ Participants trained pursuant to this
10 subsection must be employed at a wage not less than ~~\$6.56~~
11 per hour.

12 (c) Funds made available pursuant to this subsection
13 may be expended in connection with the relocation of a
14 business from one community to another community if approved
15 by Workforce Florida, Inc. ~~the State WAGES Emergency Response~~
16 ~~Team.~~

17 (9) Notwithstanding any other provision of law,
18 eligible matching contributions received under the
19 Quick-Response Training Program under this section may be
20 counted toward the private-sector support of Enterprise
21 Florida, Inc., under s. 288.90151(5)(d).

22 (10) Workforce Florida, Inc., and Enterprise Florida,
23 Inc., shall ensure maximum coordination and cooperation in
24 administering this section, in such a manner that any division
25 of responsibility between the two organizations which relates
26 to marketing or administering the Quick-Response Training
27 Program is not apparent to a business that inquires about or
28 applies for funding under this section. The organizations
29 shall provide such a business with a single point of contact
30 for information and assistance.

31

1 Section 79. Subsection (7) of section 288.0656,
2 Florida Statutes, is amended to read:

3 288.0656 Rural Economic Development Initiative.--

4 (7) REDI may recommend to the Governor up to three
5 rural areas of critical economic concern. A rural area of
6 critical economic concern must be a rural community, or a
7 region composed of such, that has been adversely affected by
8 an extraordinary economic event or a natural disaster or that
9 presents a unique economic development opportunity of regional
10 impact that will create more than 1,000 jobs over a 5-year
11 period. The Governor may by executive order designate up to
12 three rural areas of critical economic concern which will
13 establish these areas as priority assignments for REDI as well
14 as to allow the Governor, acting through REDI, to waive
15 criteria, requirements, or similar provisions of any economic
16 development incentive. Such incentives shall include, but not
17 be limited to: the Qualified Target Industry Tax Refund
18 Program under s. 288.106, the Quick Response Training Program
19 under s. 288.047, the ~~WAGES~~ Quick Response Training Program
20 for participants in the welfare transition program under s.
21 288.047(8)~~s. 288.047(10)~~, transportation projects under s.
22 288.063, the brownfield redevelopment bonus refund under s.
23 288.107, and the rural job tax credit program under ss.
24 212.098 and 220.1895. Designation as a rural area of critical
25 economic concern under this subsection shall be contingent
26 upon the execution of a memorandum of agreement among the
27 Office of Tourism, Trade, and Economic Development; the
28 governing body of the county; and the governing bodies of any
29 municipalities to be included within a rural area of critical
30 economic concern. Such agreement shall specify the terms and
31 conditions of the designation, including, but not limited to,

1 the duties and responsibilities of the county and any
2 participating municipalities to take actions designed to
3 facilitate the retention and expansion of existing businesses
4 in the area, as well as the recruitment of new businesses to
5 the area.

6 Section 80. Paragraph (f) of subsection (3) of section
7 288.901, Florida Statutes, is amended to read:

8 288.901 Enterprise Florida, Inc.; creation;
9 membership; organization; meetings; disclosure.--

10 (3) Enterprise Florida, Inc., shall be governed by a
11 board of directors. The board of directors shall consist of
12 the following members:

13 (f) The chairperson of the board of directors of ~~the~~
14 Workforce Florida, Inc. ~~Development Board.~~

15 Section 81. Paragraph (i) of subsection (1) of section
16 288.904, Florida Statutes, is amended to read:

17 288.904 Powers of the board of directors of Enterprise
18 Florida, Inc.--

19 (1) The board of directors of Enterprise Florida,
20 Inc., shall have the power to:

21 (i) Use the state seal, notwithstanding the provisions
22 of s. 15.03, when appropriate, to establish that Enterprise
23 Florida, Inc., is the principal economic, ~~workforce,~~ and trade
24 development organization for the state, and for other standard
25 corporate identity applications. Use of the state seal is not
26 to replace use of a corporate seal as provided in this
27 section.

28 Section 82. Subsections (1) and (3) of section
29 288.905, Florida Statutes, are amended to read:

30 288.905 Duties of the board of directors of Enterprise
31 Florida, Inc.--

1 (1) In the performance of its functions and duties,
2 the board of directors may establish, implement, and manage
3 policies, strategies, and programs for Enterprise Florida,
4 Inc., and its boards. These policies, strategies, and programs
5 shall promote business formation, expansion, recruitment, and
6 retention through aggressive marketing and international
7 development and export assistance; ~~and workforce development~~,
8 which together lead to more and better jobs with higher wages
9 for all geographic regions and communities of the state,
10 including rural areas and urban core areas, and for all
11 residents, including minorities. In developing such policies,
12 strategies, and programs, the board of directors shall solicit
13 advice from and consider the recommendations of its boards,
14 any advisory committees or similar groups created by
15 Enterprise Florida, Inc., and local and regional partners.

16 (3)(a) The strategic plan required under this section
17 shall include, but is not limited to, strategies for the
18 promotion of business formation, expansion, recruitment, and
19 retention through aggressive marketing, international
20 development, and export assistance, ~~and workforce development~~
21 ~~programs~~ which lead to more and better jobs and higher wages
22 for all geographic regions and disadvantaged communities and
23 populations of the state, including rural areas, minority
24 businesses, and urban core areas. Further, the strategic plan
25 shall give consideration to the economic diversity of the
26 state and its regions and their associated industrial clusters
27 and develop realistic policies and programs to further their
28 development.

29 (b)1. The strategic plan required under this section
30 shall include specific provisions for the stimulation of
31

1 economic development and job creation in rural areas and
2 midsize cities and counties of the state.

3 2. Enterprise Florida, Inc., shall involve local
4 governments, local and regional economic development
5 organizations, and other local, state, and federal economic,
6 international, and workforce development entities, both public
7 and private, in developing and carrying out policies,
8 strategies, and programs, seeking to partner and collaborate
9 to produce enhanced public benefit at a lesser cost.

10 3. Enterprise Florida, Inc., shall involve rural,
11 urban, small-business, and minority-business development
12 agencies and organizations, both public and private, in
13 developing and carrying out policies, strategies, and
14 programs.

15 ~~(c) The strategic plan required under this section~~
16 ~~shall include the creation of workforce training programs that~~
17 ~~lead to better employment opportunities and higher wages.~~

18 (c)(d) The strategic plan required under this section
19 shall include the promotion of the successful long-term
20 economic development of the state with increased emphasis in
21 market research and information to local economic development
22 entities and generation of foreign investment in the state
23 that creates jobs with above-average wages,
24 internationalization of this state, with strong emphasis in
25 reverse investment that creates high wage jobs for the state
26 and its many regions, including programs that establish viable
27 overseas markets, generate foreign investment, assist in
28 meeting the financing requirements of export-ready firms,
29 broaden opportunities for international joint venture
30 relationships, use the resources of academic and other
31 institutions, coordinate trade assistance and facilitation

1 services, and facilitate availability of and access to
2 education and training programs which will assure requisite
3 skills and competencies necessary to compete successfully in
4 the global marketplace.

5 (d)~~(e)~~ The strategic plan required under this section
6 shall include the identification of business sectors that are
7 of current or future importance to the state's economy and to
8 the state's worldwide business image, and development of
9 specific strategies to promote the development of such
10 sectors.

11 Section 83. Paragraph (f) of subsection (1) of section
12 288.906, Florida Statutes, is amended to read:

13 288.906 Annual report of Enterprise Florida, Inc.;
14 audits; confidentiality.--

15 (1) Prior to December 1 of each year, Enterprise
16 Florida, Inc., shall submit to the Governor, the President of
17 the Senate, the Speaker of the House of Representatives, the
18 Senate Minority Leader, and the House Minority Leader a
19 complete and detailed report including, but not limited to:

20 (f) An assessment of ~~employee training and job~~
21 creation that directly benefits participants in the welfare
22 transition ~~WAGES~~ program.

23
24 The detailed report required by this subsection shall also
25 include the information identified in paragraphs (a)-(g), if
26 applicable, for any board established within the corporate
27 structure of Enterprise Florida, Inc.

28 Section 84. Subsection (4) of section 320.20, Florida
29 Statutes, is amended to read:

30 320.20 Disposition of license tax moneys.--The revenue
31 derived from the registration of motor vehicles, including any

1 delinquent fees and excluding those revenues collected and
2 distributed under the provisions of s. 320.081, must be
3 distributed monthly, as collected, as follows:

4 (4) Notwithstanding any other provision of law except
5 subsections (1), (2), and (3), on July 1, 1999, and annually
6 thereafter, \$10 million shall be deposited in the State
7 Transportation Trust Fund solely for the purposes of funding
8 the Florida Seaport Transportation and Economic Development
9 Program as provided in chapter 311 and for funding seaport
10 intermodal access projects of statewide significance as
11 provided in s. 341.053. Such revenues shall be distributed to
12 any port listed in s. 311.09(1), to be used for funding
13 projects as follows:

14 (a) For any seaport intermodal access projects that
15 are identified in the 1997-1998 Tentative Work Program of the
16 Department of Transportation, up to the amounts needed to
17 offset the funding requirements of this section; ~~and~~

18 (b) For seaport intermodal access projects as
19 described in s. 341.053(5) that are identified in the 5-year
20 Florida Seaport Mission Plan as provided in s. 311.09(3).
21 Funding for such projects shall be on a matching basis as
22 mutually determined by the Florida Seaport Transportation and
23 Economic Development Council and the Department of
24 Transportation, provided a minimum of 25 percent of total
25 project funds shall come from any port funds, local funds,
26 private funds, or specifically earmarked federal funds; ~~or~~

27 (c) On a 50-50 matching basis for projects as
28 described in s. 311.07(3)(b); or.

29 (d) For seaport intermodal access projects that
30 involve the dredging or deepening of channels, turning basins,
31 or harbors; or the rehabilitation of wharves, docks, or

1 similar structures. Funding for such projects shall require a
2 25 percent match of the funds received pursuant to this
3 subsection. Matching funds shall come from any port funds,
4 federal funds, local funds, or private funds.

5
6 Such revenues may be assigned, pledged, or set aside as a
7 trust for the payment of principal or interest on bonds, tax
8 anticipation certificates, or any other form of indebtedness
9 issued by an individual port or appropriate local government
10 having jurisdiction thereof, or collectively by interlocal
11 agreement among any of the ports, or used to purchase credit
12 support to permit such borrowings. However, such debt shall
13 not constitute a general obligation of the state. This state
14 does hereby covenant with holders of such revenue bonds or
15 other instruments of indebtedness issued hereunder that it
16 will not repeal or impair or amend this subsection in any
17 manner which will materially and adversely affect the rights
18 of holders so long as bonds authorized by this subsection are
19 outstanding. Any revenues that are not pledged to the
20 repayment of bonds as authorized by this section may be
21 utilized for purposes authorized under the Florida Seaport
22 Transportation and Economic Development Program. This revenue
23 source is in addition to any amounts provided for and
24 appropriated in accordance with s. 311.07 and subsection (3).
25 The Florida Seaport Transportation and Economic Development
26 Council shall approve distribution of funds to ports for
27 projects that have been approved pursuant to s. 311.09(5)-(9),
28 or for seaport intermodal access projects identified in the
29 5-year Florida Seaport Mission Plan as provided in s.
30 311.09(3) and mutually agreed upon by the FSTED Council and
31 the Department of Transportation. All contracts for actual

1 construction of projects authorized by this subsection must
2 include a provision encouraging employment of ~~WAGES~~
3 participants in the welfare transition program. The goal for
4 employment of ~~WAGES~~ participants in the welfare transition
5 program is 25 percent of all new employees employed
6 specifically for the project, unless the Department of
7 Transportation and the Florida Seaport Transportation and
8 Economic Development Council demonstrates ~~can demonstrate to~~
9 ~~the satisfaction of the Secretary of Labor and Employment~~
10 ~~Security~~ that such a requirement would severely hamper the
11 successful completion of the project. In such an instance,
12 Workforce Florida, Inc., ~~the Secretary of Labor and Employment~~
13 ~~Security~~ shall establish an appropriate percentage of
14 employees that must be ~~WAGES~~ participants in the welfare
15 transition program. The council and the Department of
16 Transportation are authorized to perform such acts as are
17 required to facilitate and implement the provisions of this
18 subsection. To better enable the ports to cooperate to their
19 mutual advantage, the governing body of each port may exercise
20 powers provided to municipalities or counties in s.
21 163.01(7)(d) subject to the provisions of chapter 311 and
22 special acts, if any, pertaining to a port. The use of funds
23 provided pursuant to this subsection is limited to eligible
24 projects listed in this subsection. The provisions of s.
25 311.07(4) do not apply to any funds received pursuant to this
26 subsection.

27 Section 85. Paragraph (c) of subsection (9) of section
28 322.34, Florida Statutes, is amended to read:

29 322.34 Driving while license suspended, revoked,
30 canceled, or disqualified.--

31 (9)

1 (c) Notwithstanding s. 932.703(1)(c) or s. 932.7055,
2 when the seizing agency obtains a final judgment granting
3 forfeiture of the motor vehicle under this section, 30 percent
4 of the net proceeds from the sale of the motor vehicle shall
5 be retained by the seizing law enforcement agency and 70
6 percent shall be deposited in the General Revenue Fund for use
7 by regional workforce boards ~~local WAGES coalitions~~ in
8 providing transportation services for participants of the
9 welfare transition ~~WAGES~~ program. In a forfeiture proceeding
10 under this section, the court may consider the extent that the
11 family of the owner has other public or private means of
12 transportation.

13 Section 86. Subsection (1) of section 341.052, Florida
14 Statutes, is amended to read:

15 341.052 Public transit block grant program;
16 administration; eligible projects; limitation.--

17 (1) There is created a public transit block grant
18 program which shall be administered by the department. Block
19 grant funds shall only be provided to "Section 9" providers
20 and "Section 18" providers designated by the United States
21 Department of Transportation and community transportation
22 coordinators as defined in chapter 427. Eligible providers
23 must establish public transportation development plans
24 consistent, to the maximum extent feasible, with approved
25 local government comprehensive plans of the units of local
26 government in which the provider is located. In developing
27 public transportation development plans, eligible providers
28 must solicit comments from regional workforce boards ~~local~~
29 ~~WAGES coalitions~~ established under chapter 445 ~~414~~. The
30 development plans must address how the public transit provider
31 will work with the appropriate regional workforce board ~~local~~

1 ~~WAGES coalition~~ to provide services to ~~WAGES~~ participants in
2 the welfare transition program. Eligible providers must ~~review~~
3 ~~program and financial plans established under s. 414.028 and~~
4 provide information to the regional workforce board ~~local~~
5 ~~WAGES coalition~~ serving the county in which the provider is
6 located regarding the availability of transportation services
7 to assist ~~WAGES~~ program participants.

8 Section 87. Subsections (1) and (8) of section
9 402.3015, Florida Statutes, are amended, and subsection (10)
10 is added to said section, to read:

11 402.3015 Subsidized child care program; purpose; fees;
12 contracts.--

13 (1) The purpose of the subsidized child care program
14 is to provide quality child care to enhance the development,
15 including language, cognitive, motor, social, and self-help
16 skills of children who are at risk of abuse or neglect and
17 children of low-income families, and to promote financial
18 self-sufficiency and life skills for the families of these
19 children, unless prohibited by federal law. Priority for
20 participation in the subsidized child care program shall be
21 accorded to children under 13 years of age who are:

22 (a) Determined to be at risk of abuse, neglect, or
23 exploitation and who are currently clients of the department's
24 Children and Families Program Office;

25 (b) Children at risk of welfare dependency, including
26 children of participants in the welfare transition ~~WAGES~~
27 program, children of migrant farmworkers, children of teen
28 parents, and children from other families at risk of welfare
29 dependency due to a family income of less than 100 percent of
30 the federal poverty level;

31

1 (c) Children of working families whose family income
2 is equal to or greater than 100 percent, but does not exceed
3 150 percent, of the federal poverty level; ~~and~~

4 (d) Children of working families enrolled in the Child
5 Care Executive Partnership Program whose family income does
6 not exceed 200 percent of the federal poverty level; and-

7 (e) Children of working families who participate in
8 the diversion program to strengthen Florida's families under
9 s. 445.018.

10 (8) The community child care coordinating agencies
11 shall assist participants in the welfare transition ~~WAGES~~
12 program and former participants of the program who are
13 eligible for subsidized child care in developing cooperative
14 child care arrangements whereby participants support and
15 assist one another in meeting child care needs at minimal cost
16 to the individual participant.

17 (10) A family that is eligible to participate in the
18 subsidized child care program shall be considered a needy
19 family for purposes of the program funded through the federal
20 Temporary Assistance for Needy Families (TANF) block grant, to
21 the extent permitted by the appropriation of funds.

22 Section 88. Paragraph (g) of subsection (1) of section
23 402.33, Florida Statutes, is amended to read:

24 402.33 Department authority to charge fees for
25 services provided.--

26 (1) As used in this section, the term:

27 (g) "State and federal aid" means cash assistance or
28 cash equivalent benefits based on an individual's proof of
29 financial need, including, but not limited to, temporary cash
30 assistance ~~under the WAGES Program~~ and food stamps.

31

1 Section 89. Paragraph (a) of subsection (3) of section
2 402.40, Florida Statutes, is amended to read:

3 402.40 Child welfare training academies established;
4 Child Welfare Standards and Training Council created;
5 responsibilities of council; Child Welfare Training Trust Fund
6 created.--

7 (3) CHILD WELFARE STANDARDS AND TRAINING COUNCIL.--

8 (a) There is created within the Department of Children
9 and Family Services the Child Welfare Training Council,
10 hereinafter referred to as the council. The 21-member council
11 shall consist of the Commissioner of Education or his or her
12 designee; a member of the judiciary who has experience in the
13 area of dependency and has served at least 3 years in the
14 Juvenile Division of the circuit court, to be appointed by the
15 Chief Justice of the Supreme Court; and 19 members to be
16 appointed by the Secretary of Children and Family Services as
17 follows:

18 1. Nine members shall be dependency program staff:

19 a. An intake supervisor or counselor, a protective
20 services supervisor or counselor, a foster care supervisor or
21 counselor, and an adoption and related services supervisor or
22 counselor. Each such member shall have at least 5 years'
23 experience working with children and families, at least two
24 members shall each have a master's degree in social work, and
25 any member not having a master's degree in social work shall
26 have at least a bachelor's degree in social work, child
27 development, behavioral psychology, or any other discipline
28 directly related to providing care or counseling for families.

29 b. A representative from a licensed, residential
30 child-caring agency contracted with by the state; a
31 representative from a runaway shelter or similar program

1 primarily serving adolescents, which shelter or program must
2 be contracted with by the state; and a representative from a
3 licensed child-placing agency contracted with by the state.
4 At least two of these members shall each have a master's
5 degree in social work, and any member not having a master's
6 degree in social work shall have a degree as cited in
7 sub-subparagraph a. All three members shall have at least 5
8 years' experience working with children and families.

9 c. A family foster home parent and an emergency
10 shelter home parent, both of whom shall have been providing
11 such care for at least 5 years and shall have participated in
12 training for foster parents or shelter parents on an ongoing
13 basis.

14 2. One member shall be a supervisor or counselor from
15 the temporary cash assistance ~~WAGES~~ program.

16 3. Two members shall be educators from the state's
17 university and community college programs of social work,
18 child development, psychology, sociology, or other field of
19 study pertinent to the training of dependency program staff.

20 4. One member shall be a pediatrician with expertise
21 in the area of child abuse and neglect.

22 5. One member shall be a psychiatrist or licensed
23 clinical psychologist with extensive experience in counseling
24 children and families.

25 6. One member shall be an attorney with extensive
26 experience in the practice of family law.

27 7. One member shall be a guardian ad litem or a child
28 welfare attorney, either of whom shall have extensive
29 experience in the representation of children.

30
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1 8. One member shall be a state attorney with
2 experience and expertise in the area of dependency and family
3 law.

4 9. One member shall be a representative from a local
5 law enforcement unit specializing in child abuse and neglect.

6 10. One member shall be a lay citizen who is a member
7 of a child advocacy organization.

8
9 The initial members of the council shall be appointed within
10 30 days of the effective date of this section. Of the initial
11 appointments, the member appointed by the Chief Justice of the
12 Supreme Court, three members appointed pursuant to
13 subparagraph 1., one member appointed pursuant to subparagraph
14 3., and the members specified in subparagraphs 4. and 5. shall
15 be appointed to terms of 3 years each; three members appointed
16 pursuant to subparagraph 1., one of the members appointed
17 pursuant to subparagraph 3., and the members specified in
18 subparagraphs 2., 6., and 7. shall be appointed for terms of 2
19 years each; and three members appointed pursuant to
20 subparagraph 1., and the members specified in subparagraphs
21 8., 9., and 10. shall be appointed to terms of 1 year each.
22 Thereafter, all appointed members shall serve terms of 3 years
23 each. No person shall serve more than two consecutive terms.

24 Section 90. Subsection (4) of section 402.45, Florida
25 Statutes, is amended to read:

26 402.45 Community resource mother or father program.--

27 (4) A community resource mother or father shall be an
28 individual who by residence and resources is able to identify
29 with the target population, and meets the following minimum
30 criteria:

31 (a) Is at least 25 years of age.

1 (b) Is a mother or father.

2 (c) Is a recipient of temporary cash assistance ~~under~~
3 ~~the WAGES Program~~ or a person with an income below the federal
4 poverty level, or has an income equivalent to community
5 clients.

6 Section 91. Subsection (3) of section 403.973, Florida
7 Statutes, is amended to read:

8 403.973 Expedited permitting; comprehensive plan
9 amendments.--

10 (3)(a) The Governor, through the office, shall direct
11 the creation of regional permit action teams, for the purpose
12 of expediting review of permit applications and local
13 comprehensive plan amendments submitted by:

- 14 1. Businesses creating at least 100 jobs, or
- 15 2. Businesses creating at least 50 jobs if the project
16 is located in an enterprise zone, or in a county having a
17 population of less than 75,000 or in a county having a
18 population of less than 100,000 which is contiguous to a
19 county having a population of less than 75,000, as determined
20 by the most recent decennial census, residing in incorporated
21 and unincorporated areas of the county, or

22 (b) On a case-by-case basis and at the request of a
23 county or municipal government, the office may certify as
24 eligible for expedited review a project not meeting the
25 minimum job creation thresholds but creating a minimum of 10
26 jobs. The recommendation from the governing body of the county
27 or municipality in which the project may be located is
28 required in order for the office to certify that any project
29 is eligible for expedited review under this paragraph. When
30 considering projects that do not meet the minimum job creation
31 thresholds but that are recommended by the governing body in

1 which the project may be located, the office shall consider
2 economic impact factors that include, but are not limited to:

- 3 1. The proposed wage and skill levels relative to
4 those existing in the area in which the project may be
5 located;
- 6 2. The project's potential to diversify and strengthen
7 the area's economy;
- 8 3. The amount of capital investment; and
- 9 4. The number of jobs that will be made available for
10 persons served by the welfare transition ~~WAGES~~ program.

11 (c) At the request of a county or municipal
12 government, the office or a Quick Permitting County may
13 certify projects located in counties where the ratio of new
14 jobs per participant in the welfare transition program ~~WAGES~~
15 ~~client~~, as determined by ~~the~~ Workforce Florida, Inc.
16 ~~Development Board of Enterprise Florida~~, is less than one or
17 otherwise critical, as eligible for the expedited permitting
18 process. Such projects must meet the numerical job creation
19 criteria of this subsection, but the jobs created by the
20 project do not have to be high-wage jobs that diversify the
21 state's economy.

22 Section 92. Subsection (7) of section 409.2554,
23 Florida Statutes, is amended to read:

24 409.2554 Definitions.--As used in ss.
25 409.2551-409.2598, the term:

26 (7) "Public assistance" means food stamps, money
27 assistance paid on the basis of Title IV-E and Title XIX of
28 the Social Security Act, or temporary cash assistance ~~paid~~
29 ~~under the WAGES Program~~.

30 Section 93. Subsection (7) of section 409.2564,
31 Florida Statutes, is amended to read:

1 409.2564 Actions for support.--

2 (7) In a judicial circuit with a work experience and
3 job training pilot project, if the obligor is a noncustodial
4 parent of a child receiving public assistance as defined in
5 this chapter, is unemployed or underemployed or has no income,
6 then the court shall order the obligor to seek employment, if
7 the obligor is able to engage in employment, and to
8 immediately notify the court upon obtaining employment, upon
9 obtaining any income, or upon obtaining any ownership of any
10 asset with a value of \$500 or more. If the obligor is still
11 unemployed 30 days after any order for support, the court
12 shall order the obligor to enroll in a work experience, job
13 placement, and job training program ~~for noncustodial parents~~
14 ~~as established in s. 414.38.~~

15 Section 94. Subsection (1) of section 409.259, Florida
16 Statutes, is amended to read:

17 409.259 Partial payment of filing fees.--

18 (1) Notwithstanding s. 28.241, each clerk of the
19 circuit court shall only be reimbursed at the prevailing rate
20 of federal financial participation on the amount of \$40 for
21 each civil action, suit, or proceeding for support instituted
22 in the circuit court in which the parent is not receiving
23 temporary cash assistance ~~under the WAGES Program~~. The
24 prevailing rate of the state match shall be paid by the local
25 government in the form of a certified public expenditure. The
26 clerk of the circuit court shall bill the department monthly.
27 The clerk of the circuit court and the department shall
28 maintain a monthly log of the number of civil actions, suits,
29 or proceedings filed in which the parent does not receive
30 temporary assistance. These monthly logs will be used to
31 determine the number of \$40 filings the clerk of court may

1 submit for reimbursement at the prevailing rate of federal
2 financial participation.

3 Section 95. Paragraph (c) of subsection (1) of section
4 409.903, Florida Statutes, is amended to read:

5 409.903 Mandatory payments for eligible persons.--The
6 agency shall make payments for medical assistance and related
7 services on behalf of the following persons who the agency
8 determines to be eligible, subject to the income, assets, and
9 categorical eligibility tests set forth in federal and state
10 law. Payment on behalf of these Medicaid eligible persons is
11 subject to the availability of moneys and any limitations
12 established by the General Appropriations Act or chapter 216.

13 (1) Low-income families with children are eligible for
14 Medicaid provided they meet the following requirements:

15 (c) The family's countable income and resources do not
16 exceed the applicable Aid to Families with Dependent Children
17 (AFDC) income and resource standards under the AFDC state plan
18 in effect in July 1996, except as amended in the Medicaid
19 state plan to conform as closely as possible to the
20 requirements of the welfare transition ~~WAGES~~ program ~~as~~
21 ~~created in s. 414.015~~, to the extent permitted by federal law.

22 Section 96. Section 409.942, Florida Statutes, is
23 amended to read:

24 409.942 Electronic benefit transfer program.--

25 (1) The Department of Children and Family Services
26 shall establish an electronic benefit transfer program for the
27 dissemination of food stamp benefits and temporary assistance
28 payments, including refugee cash assistance payments, asylum
29 applicant payments, and child support disregard payments. If
30 the Federal Government does not enact legislation or
31 regulations providing for dissemination of supplemental

1 security income by electronic benefit transfer, the state may
2 include supplemental security income in the electronic benefit
3 transfer program.

4 (2) The department shall, in accordance with
5 applicable federal laws and regulations, develop minimum
6 program requirements and other policy initiatives for the
7 electronic benefit transfer program ~~and shall have at least~~
8 ~~one operational pilot program in place by July 1, 1996.~~

9 (3) The department shall enter into public-private
10 contracts for all provisions of electronic transfer of public
11 assistance benefits, including, but not limited to, the
12 necessary electronic equipment and technical support for the
13 electronic benefit transfer pilot program.

14 (4) Workforce Florida, Inc., through the Agency for
15 Workforce Innovation, shall establish an electronic benefit
16 transfer program for the use and management of education,
17 training, childcare, transportation, and other program
18 benefits under its direction. The workforce electronic benefit
19 transfer program shall fulfill all federal and state
20 requirements for Individual Training Accounts, Retention
21 Incentive Training Accounts, Individual Development Accounts,
22 and Individual Services Accounts. The workforce electronic
23 benefit transfer program shall be designed to enable an
24 individual who receives an electronic benefit transfer card
25 under subsection (1) to use that card for purposes of benefits
26 provided under the workforce development system as well. The
27 Department of Children and Family Services shall assist
28 Workforce Florida, Inc., in developing an electronic benefit
29 transfer program for the workforce development system that is
30 fully compatible with the department's electronic benefit
31 transfer program. The agency shall reimburse the department

1 for all costs incurred in providing such assistance and shall
2 pay all costs for the development of the workforce electronic
3 benefit transfer program.

4 Section 97. Paragraph (b) of subsection (4) and
5 paragraph (a) of subsection (6) of section 411.01, Florida
6 Statutes, are amended to read:

7 411.01 Florida Partnership for School Readiness;
8 school readiness coalitions.--

9 (4) FLORIDA PARTNERSHIP FOR SCHOOL READINESS.--

10 (b)1. The Florida Partnership for School Readiness
11 shall include the Lieutenant Governor or his or her designee,
12 the Commissioner of Education, the Secretary of Children and
13 Family Services, the Secretary of Health, the chair of the
14 Child Care Executive Partnership Board, and the chairperson of
15 the ~~WAGES Program State~~ board of directors of Workforce
16 Florida, Inc.

17 2. The partnership shall also include 10 members of
18 the public who shall be business, community, and civic leaders
19 in the state who are not elected to public office. These
20 members and their families must not be providers in the early
21 education and child care industry. The members must be
22 geographically and demographically representative of the
23 state. Each member shall be appointed by the Governor. Eight
24 of the members shall be appointed from a list of 10 nominees,
25 of which five must be submitted by the President of the Senate
26 and five must be submitted by the Speaker of the House of
27 Representatives. Members shall be appointed to 4-year terms of
28 office. However, of the initial appointees, two shall be
29 appointed to 1-year terms, two shall be appointed to 2-year
30 terms, three shall be appointed to 3-year terms, and three
31 shall be appointed to 4-year terms. The members of the

1 partnership shall elect a chairperson annually from the
2 nongovernmental members of the partnership. Any vacancy on the
3 partnership shall be filled in the same manner as the original
4 appointment.

5
6 To ensure that the system for measuring school readiness is
7 comprehensive and appropriate statewide, as the system is
8 developed and implemented, the partnership must consult with
9 representatives of district school systems, providers of
10 public and private child care, health care providers, large
11 and small employers, experts in education for children with
12 disabilities, and experts in child development.

13 (6) PROGRAM ELIGIBILITY.--The school readiness program
14 shall be established for children under the age of
15 kindergarten eligibility. Priority for participation in the
16 school readiness program shall be given to children who meet
17 one or more of the following criteria:

18 (a) Children under the age of kindergarten eligibility
19 who are:

20 1. Children determined to be at risk of abuse,
21 neglect, or exploitation and who are currently clients of the
22 Children and Family Services Program Office of the Department
23 of Children and Family Services.

24 2. Children at risk of welfare dependency, including
25 economically disadvantaged children, children of participants
26 in the welfare transition ~~WAGES~~ program, children of migrant
27 farmworkers, and children of teen parents.

28 3. Children of working families whose family income
29 does not exceed 150 percent of the federal poverty level.

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1 An "economically disadvantaged" child means a child whose
2 family income is below 150 percent of the federal poverty
3 level. Notwithstanding any change in a family's economic
4 status, but subject to additional family contributions in
5 accordance with the sliding fee scale, a child who meets the
6 eligibility requirements upon initial registration for the
7 program shall be considered eligible until the child reaches
8 kindergarten age.

9 Section 98. Paragraph (a) of subsection (3) of section
10 411.232, Florida Statutes, is amended to read:

11 411.232 Children's Early Investment Program.--

12 (3) ESSENTIAL ELEMENTS.--

13 (a) Initially, the program shall be directed to
14 geographic areas where at-risk young children and their
15 families are in greatest need because of an unfavorable
16 combination of economic, social, environmental, and health
17 factors, including, without limitation, extensive poverty,
18 high crime rate, great incidence of low birthweight babies,
19 high incidence of alcohol and drug abuse, and high rates of
20 teenage pregnancy. The selection of a geographic site shall
21 also consider the incidence of young children within these
22 at-risk geographic areas who are cocaine babies, children of
23 single mothers who receive temporary cash assistance
24 ~~participate in the WAGES Program~~, children of teenage parents,
25 low birthweight babies, and very young foster children. To
26 receive funding under this section, an agency, board, council,
27 or provider must demonstrate:

28 1. Its capacity to administer and coordinate the
29 programs and services in a comprehensive manner and provide a
30 flexible range of services;

31

1 2. Its capacity to identify and serve those children
2 least able to access existing programs and case management
3 services;

4 3. Its capacity to administer and coordinate the
5 programs and services in an intensive and continuous manner;

6 4. The proximity of its facilities to young children,
7 parents, and other family members to be served by the program,
8 or its ability to provide offsite services;

9 5. Its ability to use existing federal, state, and
10 local governmental programs and services in implementing the
11 investment program;

12 6. Its ability to coordinate activities and services
13 with existing public and private, state and local agencies and
14 programs such as those responsible for health, education,
15 social support, mental health, child care, respite care,
16 housing, transportation, alcohol and drug abuse treatment and
17 prevention, income assistance, employment training and
18 placement, nutrition, and other relevant services, all the
19 foregoing intended to assist children and families at risk;

20 7. How its plan will involve project participants and
21 community representatives in the planning and operation of the
22 investment program;

23 8. Its ability to participate in the evaluation
24 component required in this section; and

25 9. Its consistency with the strategic plan pursuant to
26 s. 411.221.

27 Section 99. Paragraph (a) of subsection (3) of section
28 411.242, Florida Statutes, is amended to read:

29 411.242 Florida Education Now and Babies Later (ENABL)
30 program.--

31 (3) ESSENTIAL ELEMENTS.--

1 (a) The ENABL program should be directed to geographic
2 areas in the state where the childhood birth rate is higher
3 than the state average and where the children and their
4 families are in greatest need because of an unfavorable
5 combination of economic, social, environmental, and health
6 factors, including, without limitation, extensive poverty,
7 high crime rate, great incidence of low birthweight babies,
8 high incidence of alcohol and drug abuse, and high rates of
9 childhood pregnancy. The selection of a geographic site shall
10 also consider the incidence of young children within these
11 at-risk geographic areas who are cocaine babies, children of
12 single mothers who receive temporary cash assistance
13 ~~participate in the WAGES Program~~, children of teenage parents,
14 low birthweight babies, and very young foster children. To
15 receive funding under this section, a community-based local
16 contractor must demonstrate:

17 1. Its capacity to administer and coordinate the ENABL
18 pregnancy prevention public education program and services for
19 children and their families in a comprehensive manner and to
20 provide a flexible range of age-appropriate educational
21 services.

22 2. Its capacity to identify and serve those children
23 least able to access existing pregnancy prevention public
24 education programs.

25 3. Its capacity to administer and coordinate the ENABL
26 programs and services in an intensive and continuous manner.

27 4. The proximity of its program to young children,
28 parents, and other family members to be served by the ENABL
29 program, or its ability to provide offsite educational
30 services.

31

1 5. Its ability to incorporate existing federal, state,
2 and local governmental educational programs and services in
3 implementing the ENABL program.

4 6. Its ability to coordinate its activities and
5 educational services with existing public and private state
6 and local agencies and programs, such as those responsible for
7 health, education, social support, mental health, child care,
8 respite care, housing, transportation, alcohol and drug abuse
9 treatment and prevention, income assistance, employment
10 training and placement, nutrition, and other relevant
11 services, all of the foregoing intended to assist children and
12 families at risk.

13 7. How its plan will involve project participants and
14 community representatives in the planning and operation of the
15 ENABL program.

16 8. Its ability to participate in the evaluation
17 component required in this section.

18 9. Its consistency with the strategic plan pursuant to
19 s. 411.221.

20 10. Its capacity to match state funding for the ENABL
21 program at the rate of \$1 in cash or in matching services for
22 each dollar funded by the state.

23 Section 100. Subsection (6) of section 413.82, Florida
24 Statutes, is amended to read:

25 413.82 Definitions.--As used in ss. 413.81-413.93, the
26 term:

27 (6) "Region" means a service area for a regional
28 workforce ~~development~~ board established by ~~the~~ Workforce
29 Florida Inc. Development Board.

30 Section 101. Paragraph (d) of subsection (1) of
31 section 421.10, Florida Statutes, is amended to read:

1 421.10 Rentals and tenant selection.--

2 (1) In the operation or management of housing projects
3 an authority shall at all times observe the following duties
4 with respect to rentals and tenants selection:

5 (d) The Department of Children and Family Services,
6 pursuant to 45 C.F.R. s. 233.20(a)(3)(vii)(c), may not
7 consider as income for recipients of temporary cash assistance
8 ~~any participants in the WAGES Program~~ assistance received by
9 recipients from other agencies or organizations such as public
10 housing authorities.

11 Section 102. Subsection (27) of section 427.013,
12 Florida Statutes, is amended to read:

13 427.013 The Commission for the Transportation
14 Disadvantaged; purpose and responsibilities.--The purpose of
15 the commission is to accomplish the coordination of
16 transportation services provided to the transportation
17 disadvantaged. The goal of this coordination shall be to
18 assure the cost-effective provision of transportation by
19 qualified community transportation coordinators or
20 transportation operators for the transportation disadvantaged
21 without any bias or presumption in favor of multioperator
22 systems or not-for-profit transportation operators over single
23 operator systems or for-profit transportation operators. In
24 carrying out this purpose, the commission shall:

25 (27) Ensure that local community transportation
26 coordinators work cooperatively with regional workforce boards
27 ~~local WAGES coalitions~~ established in chapter 445 ~~414~~ to
28 provide assistance in the development of innovative
29 transportation services for ~~WAGES~~ participants in the welfare
30 transition program.

31

1 Section 103. Subsection (9) of section 427.0155,
2 Florida Statutes, is amended to read:

3 427.0155 Community transportation coordinators; powers
4 and duties.--Community transportation coordinators shall have
5 the following powers and duties:

6 (9) Work cooperatively with regional workforce boards
7 ~~local WAGES coalitions~~ established in chapter 445 414 to
8 provide assistance in the development of innovative
9 transportation services for ~~WAGES~~ participants in the welfare
10 transition program.

11 Section 104. Subsection (7) of section 427.0157,
12 Florida Statutes, is amended to read:

13 427.0157 Coordinating boards; powers and duties.--The
14 purpose of each coordinating board is to develop local service
15 needs and to provide information, advice, and direction to the
16 community transportation coordinators on the coordination of
17 services to be provided to the transportation disadvantaged.
18 The commission shall, by rule, establish the membership of
19 coordinating boards. The members of each board shall be
20 appointed by the metropolitan planning organization or
21 designated official planning agency. The appointing authority
22 shall provide each board with sufficient staff support and
23 resources to enable the board to fulfill its responsibilities
24 under this section. Each board shall meet at least quarterly
25 and shall:

26 (7) Work cooperatively with regional workforce boards
27 ~~local WAGES coalitions~~ established in chapter 445 414 to
28 provide assistance in the development of innovative
29 transportation services for ~~WAGES~~ participants in the welfare
30 transition program.

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1 Section 105. Paragraph (b) of subsection (1) of
2 section 443.091, Florida Statutes, is amended to read:

3 443.091 Benefit eligibility conditions.--

4 (1) An unemployed individual shall be eligible to
5 receive benefits with respect to any week only if the division
6 finds that:

7 (b) She or he has registered for work at, and
8 thereafter continued to report at, the division, which shall
9 be responsible for notification of the Agency for Workforce
10 Innovation ~~Division of Jobs and Benefits~~ in accordance with
11 such rules as the division may prescribe; except that the
12 division may, by rule not inconsistent with the purposes of
13 this law, waive or alter either or both of the requirements of
14 this subsection as to individuals attached to regular jobs;
15 but no such rule shall conflict with s. 443.111(1).

16 Section 106. Subsection (8) of section 443.151,
17 Florida Statutes, is amended to read:

18 443.151 Procedure concerning claims.--

19 (8) BILINGUAL REQUIREMENTS.--

20 (a) Based on the estimated total number of households
21 in a county which speak the same non-English language, a
22 single-language minority, the division shall provide printed
23 bilingual instructional and educational materials in the
24 appropriate language in those counties in which 5 percent or
25 more of the households in the county are classified as a
26 single-language minority.

27 (b) The division shall ensure that one-stop career
28 centers ~~jobs and benefits offices~~ and appeals bureaus in
29 counties subject to the requirements of paragraph (c)
30 prominently post notices in the appropriate languages that
31

1 translators are available in those centers ~~offices~~ and
2 bureaus.

3 (c) Single-language minority refers to households
4 which speak the same non-English language and which do not
5 contain an adult fluent in English. The division shall develop
6 estimates of the percentages of single-language minority
7 households for each county by using data made available by the
8 United States Bureau of the Census.

9 Section 107. Section 443.181, Florida Statutes, is
10 amended to read:

11 443.181 State Employment Service.--

12 (1) A state public employment service is ~~hereby~~
13 established in the Agency for Workforce Innovation, under
14 policy direction from Workforce Florida, Inc.~~Division of Jobs~~
15 ~~and Benefits.~~The agency division shall establish and maintain
16 free public employment offices in such number and in such
17 places as may be necessary for the proper administration of
18 this chapter and for the purposes of performing such duties as
19 are within the purview of the Act of Congress entitled "An Act
20 to provide for the establishment of a national employment
21 system and for cooperation with the states in the promotion of
22 such system and for other purposes," approved June 6, 1933 (48
23 Stat. 113; 29 U.S.C. s. 49(c)), as amended. Notwithstanding
24 any provisions in this section to the contrary, the one-stop
25 delivery system shall be the primary method for delivering
26 services under this section, consistent with Pub. L. No.
27 105-220 and chapter 445.It shall be the duty of the agency
28 ~~division~~ to cooperate with any official or agency of the
29 United States having power or duties under the provisions of
30 the Act of Congress, as amended, and to do and perform all
31 things necessary to secure to this state the benefits of said

1 Act of Congress, as amended, in the promotion and maintenance
2 of a system of public employment offices. The provisions of
3 the said Act of Congress, as amended, are hereby accepted by
4 this state, in conformity with s. 4 of that act, and this
5 state will observe and comply with the requirements thereof.
6 The Agency for Workforce Innovation ~~Division of Jobs and~~
7 ~~Benefits of the Department of Labor and Employment Security~~ is
8 hereby designated and constituted the agency of this state for
9 the purpose of that act. The agency division is authorized and
10 directed to appoint sufficient employees to carry out the
11 purposes of this section. The agency division may cooperate
12 with or enter into agreements with the Railroad Retirement
13 Board with respect to the establishment, maintenance, and use
14 of free employment service facilities.

15 (2) FINANCING.--All moneys received by this state
16 under the said Act of Congress, as amended, shall be paid into
17 the Employment Security Administration Trust Fund, and such
18 moneys are hereby made available to the agency division to be
19 expended as provided by this chapter and by said Act of
20 Congress. For the purpose of establishing and maintaining
21 free public employment offices, the agency division is
22 authorized to enter into agreements with the Railroad
23 Retirement Board or any other agency of the United States
24 charged with the administration of an unemployment
25 compensation law, with any political subdivision of this
26 state, or with any private, nonprofit organization, and as a
27 part of any such agreement the agency division may accept
28 moneys, services, or quarters as a contribution to the
29 Employment Security Administration Trust Fund.

30
31

1 (3) References to "the agency division" in this
2 section mean the Agency for Workforce Innovation Division of
3 ~~Jobs and Benefits~~.

4 Section 108. Subsections (2) and (5) of section
5 443.211, Florida Statutes, are amended to read:

6 443.211 Employment Security Administration Trust Fund;
7 appropriation; reimbursement.--

8 (2) SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST
9 FUND.--There is created in the State Treasury a special fund,
10 to be known as the "Special Employment Security Administration
11 Trust Fund," into which shall be deposited or transferred all
12 interest on contributions, penalties, and fines or fees
13 collected under this chapter. Interest on contributions,
14 penalties, and fines or fees deposited during any calendar
15 quarter in the clearing account in the Unemployment
16 Compensation Trust Fund shall, as soon as practicable after
17 the close of such calendar quarter and upon certification of
18 the division, be transferred to the Special Employment
19 Security Administration Trust Fund. However, there shall be
20 withheld from any such transfer the amount certified by the
21 division to be required under this chapter to pay refunds of
22 interest on contributions, penalties, and fines or fees
23 collected and erroneously deposited into the clearing account
24 in the Unemployment Compensation Trust Fund. Such amounts of
25 interest and penalties so certified for transfer shall be
26 deemed to have been erroneously deposited in the clearing
27 account, and the transfer thereof to the Special Employment
28 Security Administration Trust Fund shall be deemed to be a
29 refund of such erroneous deposits. All moneys in this fund
30 shall be deposited, administered, and disbursed in the same
31 manner and under the same conditions and requirements as are

1 provided by law for other special funds in the State Treasury.
2 These moneys shall not be expended or be available for
3 expenditure in any manner which would permit their
4 substitution for, or permit a corresponding reduction in,
5 federal funds which would, in the absence of these moneys, be
6 available to finance expenditures for the administration of
7 the Unemployment Compensation Law. But nothing in this
8 section shall prevent these moneys from being used as a
9 revolving fund to cover expenditures, necessary and proper
10 under the law, for which federal funds have been duly
11 requested but not yet received, subject to the charging of
12 such expenditures against such funds when received. The
13 moneys in this fund, with the approval of the Executive Office
14 of the Governor, shall be used by the Division of Unemployment
15 Compensation and the Agency for Workforce Innovation ~~Division~~
16 ~~of Jobs and Benefits~~ for the payment of costs of
17 administration which are found not to have been properly and
18 validly chargeable against funds obtained from federal
19 sources. All moneys in the Special Employment Security
20 Administration Trust Fund shall be continuously available to
21 the division for expenditure in accordance with the provisions
22 of this chapter and shall not lapse at any time. All payments
23 from the Special Employment Security Administration Trust Fund
24 shall be approved by the division or by a duly authorized
25 agent thereof and shall be made by the Treasurer upon warrants
26 issued by the Comptroller. The moneys in this fund are hereby
27 specifically made available to replace, as contemplated by
28 subsection (3), expenditures from the Employment Security
29 Administration Trust Fund, established by subsection (1),
30 which have been found by the Bureau of Employment Security, or
31 other authorized federal agency or authority, because of any

1 action or contingency, to have been lost or improperly
2 expended. The Treasurer shall be liable on her or his
3 official bond for the faithful performance of her or his
4 duties in connection with the Special Employment Security
5 Administration Trust Fund.

6 (5) In connection with its duties under s. 443.181,
7 the Agency for Workforce Innovation ~~Division of Jobs and~~
8 ~~Benefits~~ shall have several authority and responsibility for
9 deposit, requisition, expenditure, approval of payment,
10 reimbursement, and reporting in regard to the trust funds
11 established by this section.

12 Section 109. Subsection (3) of section 443.221,
13 Florida Statutes, is amended to read:

14 443.221 Reciprocal arrangements.--

15 (3) The administration of this chapter and of other
16 state and federal unemployment compensation and public
17 employment service laws will be promoted by cooperation
18 between this state and such other states and the appropriate
19 federal agencies and therefore the division is authorized to
20 enter into reciprocal arrangements with appropriate and duly
21 authorized agencies of other states or the Federal Government
22 or both in exchanging services, determining and enforcing
23 payment obligations, and making available facilities and
24 information. The Division of Unemployment Compensation and
25 the Agency for Workforce Innovation ~~Division of Jobs and~~
26 ~~Benefits~~ are each, therefore, authorized to make such
27 investigations, secure and transmit such information, make
28 available such services and facilities, and exercise such of
29 the other powers provided herein with respect to the
30 administration of this chapter as each deems necessary or
31 appropriate to facilitate the administration of any such

1 unemployment compensation or public employment service law
2 and, in like manner, to accept and utilize information,
3 services, and facilities made available to this state by the
4 agency charged with the administration of any such other
5 unemployment compensation or public employment service law.

6 Section 110. Subsection (6) of section 443.231,
7 Florida Statutes, is amended to read:

8 443.231 Florida Training Investment Program.--The
9 Florida Training Investment Program is designed to extend
10 additional benefit eligibility to dislocated workers
11 throughout Florida who have lost their jobs, have limited
12 marketable skills, and enroll in vocational training intended
13 to lead to employment in a recognized occupation for which
14 there is labor market demand. Pursuant thereto:

15 (6) PROCEDURE.--

16 (a) Any dislocated worker may apply to receive
17 benefits under this section while enrolled in an approved
18 course of training pursuant to this section.

19 (b) Upon approval of an application the division shall
20 notify both the applicant and the training institution by mail
21 of the applicant's status under this section and shall request
22 the training institution to promptly notify the regular claims
23 reporting office in writing if the participant's attendance or
24 progress should become unsatisfactory.

25 (c) The division is required to notify applicants of
26 the determination of eligibility by mail at the claimant's
27 last known address. In addition to the initial approval or
28 denial of the applicant, the division shall make any further
29 determinations pursuant to s. 443.151(3) and rules 38B-3.016
30 and 38B-3.017, Florida Administrative Code.

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1 (d) A determination or redetermination will become
2 final unless the claimant files, by mail or in person at the
3 local one-stop career center ~~jobs and benefits office~~, an
4 appeal of a determination or redetermination within 20
5 calendar days after the mailing of the Notice of Determination
6 or Redetermination to the claimant's last known address, or if
7 such notice is not mailed, within 20 calendar days after the
8 date of delivery of such notice. Appeals by mail shall be
9 considered filed when postmarked by the United States Postal
10 Service.

11 Section 111. Subsections (2) and (3) of section
12 446.011, Florida Statutes, are amended to read:

13 446.011 Legislative intent regarding apprenticeship
14 training.--

15 (2) It is the intent of the Legislature that the
16 Division of Workforce Development ~~Jobs and Benefits~~ of the
17 Department of Education ~~Labor and Employment Security~~ have
18 responsibility for the development of the apprenticeship and
19 preapprenticeship uniform minimum standards for the
20 apprenticeable trades and that the Division of Workforce
21 Development of the Department of Education have responsibility
22 for assisting district school boards and community college
23 district boards of trustees in developing preapprenticeship
24 programs ~~in compliance with the standards established by the~~
25 ~~Division of Jobs and Benefits~~.

26 (3) It is the further intent of ss. 446.011-446.092
27 ~~this act~~ that the Division of Workforce Development ~~Jobs and~~
28 ~~Benefits~~ ensure quality training through the adoption and
29 enforcement of uniform minimum standards and that the Bureau
30 of Apprenticeship ~~of the division of Jobs and Benefits~~
31 promote, register, monitor, and service apprenticeship and

1 training programs and ensure that such programs adhere to the
2 standards.

3 Section 112. The Office of Program Policy Analysis and
4 Government Accountability, in cooperation with Workforce
5 Florida, Inc., and the Department of Education, shall submit a
6 report to the Legislature by January 1, 2002, regarding joint
7 programs, nonjoint programs, and other programs that provide
8 formalized on-the-job training for skilled trades. The report
9 must include recommendations for improving the efficiency of
10 the programs, decreasing the cost of the programs, improving
11 or retaining current practices regarding admission
12 requirements, reducing the duration of the programs, and
13 increasing the number of persons who successfully complete the
14 programs.

15 Section 113. Subsections (1), (5), (12), and (13) of
16 section 446.021, Florida Statutes, are amended to read:

17 446.021 Definitions of terms used in ss.
18 446.011-446.092.--As used in ss. 446.011-446.092, the
19 following words and terms shall have the following meanings
20 unless the context clearly indicates otherwise:

21 (1) "Preapprentice" means any person 16 years of age
22 or over engaged in any course of instruction in the public
23 school system or elsewhere, which course is registered as a
24 preapprenticeship program with the Division of Workforce
25 Development Jobs and Benefits of the Department of Education
26 ~~Labor and Employment Security~~.

27 (5) "Preapprenticeship program" means an organized
28 course of instruction in the public school system or
29 elsewhere, which course is designed to prepare a person 16
30 years of age or older to become an apprentice and which course
31 is approved by and registered with the Bureau of

1 Apprenticeship of the Division of Workforce Development ~~Jobs~~
2 ~~and Benefits~~ and sponsored by a registered apprenticeship
3 program.

4 (12) "Division" means the Division of Workforce
5 Development ~~Jobs and Benefits~~ of the Department of Education
6 ~~Labor and Employment Security~~.

7 (13) "Director" means the director of the Division of
8 Workforce Development ~~Jobs and Benefits~~.

9 Section 114. Section 446.032, Florida Statutes, is
10 amended to read:

11 446.032 General duties of division with respect to
12 apprenticeship training.--The Division of Workforce
13 Development ~~Jobs and Benefits~~ shall:

14 (1) Establish uniform minimum standards and policies
15 governing apprentice programs and agreements. Such standards
16 and policies shall govern the terms and conditions of the
17 apprentice's employment and training, including the quality
18 training of the apprentice with respect to, but not limited
19 to, such matters as ratios of apprentices to journeymen,
20 safety, related instruction, and on-the-job training; but such
21 standards and policies shall not include rules, standards, or
22 guidelines that require the use of apprentices and job
23 trainees on state, county, or municipal contracts. The
24 division may adopt rules as necessary to carry out such
25 standards and policies.

26 (2) Establish ~~by rule~~ procedures to be used ~~utilized~~
27 by the State Apprenticeship Advisory Council ~~in accordance~~
28 ~~with the provisions of s. 446.045~~.

29 (3) Establish a Bureau of Apprenticeship pursuant to
30 the instructions of the Commissioner of Education ~~Secretary of~~
31 ~~Labor and Employment Security~~.

1 Section 115. Section 446.041, Florida Statutes, is
2 amended to read:

3 446.041 Apprenticeship program, duties of
4 division.--The Division of Workforce Development ~~Jobs and~~
5 ~~Benefits~~ shall:

6 (1) Administer the provisions of ss. 446.011-446.092.

7 (2) Administer the standards established by the
8 division.

9 (3) Register in accordance with this chapter any
10 apprenticeship or preapprenticeship program, regardless of
11 affiliation, which meets standards established by the
12 division.

13 (4) Investigate complaints concerning the failure of
14 any registered program to meet the standards established by
15 the division.

16 (5) Cancel the registration of any program that ~~which~~
17 fails to comply with the standards and policies of the
18 division or that ~~which~~ unreasonably fails or refuses to
19 cooperate with the division in monitoring and enforcing
20 compliance with such standards.

21 (6) Develop and encourage apprenticeship programs.

22 (7) Cooperate with and assist local apprenticeship
23 sponsors in the development of their apprenticeship standards
24 and training requirements.

25 ~~(8) Cooperate with and assist the Division of~~
26 ~~Workforce Development of the Department of Education and~~
27 ~~appropriate education institutions in the development of~~
28 ~~viable apprenticeship and preapprenticeship programs.~~

29 (8)(9) Encourage registered apprenticeship programs to
30 grant consideration and credit to individuals completing
31 registered preapprenticeship programs.

1 ~~(9)(10)~~ Monitor registered apprenticeship programs to
2 ensure that they are being operated in compliance with all
3 applicable standards.

4 ~~(10)(11)~~ Supervise all apprenticeship programs which
5 are registered with the division.

6 (11) Ensure that minority and gender diversity are
7 considered in administering this program.

8 (12) Adopt rules as required to implement ss.
9 446.011-446.092 ~~the provisions of this act.~~

10 Section 116. Section 446.045, Florida Statutes, is
11 amended to read:

12 446.045 State Apprenticeship Advisory Council.--

13 (1) For the purposes of this section, the term:

14 (a) "Joint employee organization" means an
15 apprenticeship sponsor who participates in a collective
16 bargaining agreement and represents employees.

17 (b) "Nonjoint employer organization" means an
18 apprenticeship sponsor who does not participate in a
19 collective bargaining agreement and who represents management.

20 (2)(a) There is created a State Apprenticeship
21 Advisory Council to be composed of 13 members, which shall be
22 advisory to the Division of Workforce Development. ~~Jobs and~~
23 ~~Benefits of the Department of Labor and Employment Security.~~
24 The purpose of the advisory council is to advise the division
25 and the council on matters relating to apprenticeship. The
26 advisory council may not establish policy, adopt rules, or
27 consider whether particular apprenticeship programs should be
28 approved by the division ~~or bureau~~. ~~Only those matters~~
29 ~~contained in the notice of meeting provided by the division~~
30 ~~shall be considered by the council at council meetings.~~

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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
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1 vacancy shall be filled for the remainder of the unexpired
2 term.

3 (c) The council shall meet at the call of the chair or
4 at the request of a majority of its membership, but at least
5 twice a year. A majority of the voting members shall
6 constitute a quorum, and the affirmative vote of a majority of
7 a quorum is necessary to take action.

8 (d) The Governor may remove any member for cause.

9 (e) The council shall maintain minutes of each
10 meeting. The division shall keep on file the minutes of each
11 meeting and shall make such minutes available to any
12 interested person.

13 (f) Members of the council shall serve without
14 compensation, but shall be entitled to receive reimbursement
15 for per diem and travel expenses as provided in s. 112.061.

16 Section 117. Subsection (3) of section 446.052,
17 Florida Statutes, is amended to read:

18 446.052 Preapprenticeship program.--

19 (3) The Division of Workforce Development, the
20 district school boards, and the community college district
21 boards of trustees, ~~and the Division of Jobs and Benefits~~
22 shall work together with existing registered apprenticeship
23 programs so that individuals completing such preapprenticeship
24 programs may be able to receive credit towards completing a
25 registered apprenticeship program.

26 Section 118. Section 446.061, Florida Statutes, is
27 amended to read:

28 446.061 Expenditures.--The Division of Workforce
29 Development of the Department of Education ~~Jobs and Benefits~~
30 shall make necessary expenditures from the appropriation
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1 provided by law for personal services, travel, printing,
2 equipment, office space, and supplies as provided by law.

3 Section 119. Subsection (1) of section 446.071,
4 Florida Statutes, is amended to read:

5 446.071 Apprenticeship sponsors.--

6 (1) One or more local apprenticeship sponsors shall be
7 approved in any trade or group of trades by the Division of
8 Workforce Development of the Department of Education ~~Jobs and~~
9 ~~Benefits~~, upon a determination of need, provided the
10 apprenticeship sponsor meets all of the standards established
11 by the division. "Need" refers to the need of state residents
12 for apprenticeship training. In the absence of proof to the
13 contrary, it shall be presumed that there is need for
14 apprenticeship and preapprenticeship training in each county
15 in this state.

16 Section 120. Section 446.075, Florida Statutes, is
17 amended to read:

18 446.075 Federal and state cooperation.--The Division
19 of Workforce Development of the Department of Education may
20 ~~Jobs and Benefits of the Department of Labor and Employment~~
21 ~~Security is authorized to~~ make and enter into contracts with
22 the United States Department of Labor, and may ~~to~~ assume ~~such~~
23 other functions and duties as are necessary for the division
24 to serve as registration agent for federal apprenticeship
25 registration purposes, except that the division may ~~shall~~ not
26 enforce any federal apprenticeship requirement unless the
27 division first adopts such requirement as a rule. All rules
28 adopted ~~promulgated~~ and administrative hearings afforded by
29 the division under ~~because of~~ this section must ~~shall~~ be in
30 accordance with the requirements of chapter 120.

31

1 Section 121. Section 446.40, Florida Statutes, is
2 amended to read:

3 446.40 Rural Workforce Manpower Services Act; short
4 title.--Sections 446.40-446.44 may ~~shall~~ be cited as the
5 "Rural Workforce Manpower Services Act."

6 Section 122. Section 446.41, Florida Statutes, is
7 amended to read:

8 446.41 Legislative intent with respect to rural
9 workforce manpower training and development; establishment of
10 Rural Workforce Manpower Services Program.--In order that the
11 state may achieve its full economic and social potential,
12 consideration must be given to rural workforce manpower
13 training and development to enable its rural citizens as well
14 as urban citizens to develop their maximum capacities and
15 participate productively in our society. It is, therefore,
16 the policy of the state to make available those services
17 needed to assist individuals and communities in rural areas to
18 improve their quality of life. It is with a great sense of
19 urgency that a Rural Workforce Manpower Services Program is
20 established within the Agency for Workforce Innovation, under
21 the direction of Workforce Florida, Inc.,~~Division of Jobs and~~
22 ~~Benefits of the Department of Labor and Employment Security~~ to
23 provide equal access to all manpower training programs
24 available to rural as well as urban areas.

25 Section 123. Section 446.42, Florida Statutes, is
26 amended to read:

27 446.42 General purpose of Rural Workforce Manpower
28 Services Program.--A trained labor force is an essential
29 ingredient for industrial as well as agricultural growth.
30 Therefore, it shall be the general responsibility of the Rural
31 Workforce Manpower Services Program to provide rural business

1 and potential rural businesses with the employment and
2 workforce ~~manpower~~ training services and resources necessary
3 to train and retain Florida's rural workforce.

4 Section 124. Section 446.43, Florida Statutes, is
5 amended to read:

6 446.43 Scope and coverage of Rural Workforce ~~Manpower~~
7 Services Program.--The scope of the area to be covered by the
8 Rural Workforce ~~Manpower~~ Services Program will include all
9 counties of the state not classified as standard metropolitan
10 statistical areas (SMSA) by the United States Department of
11 Labor Manpower Administration. Florida's designated SMSA labor
12 areas include: Broward, Dade, Duval, Escambia, Hillsborough,
13 Pinellas, Leon, Orange, and Palm Beach Counties.

14 Section 125. Section 446.44, Florida Statutes, is
15 amended to read:

16 446.44 Duties of Rural Workforce ~~Manpower~~ Services
17 Program.--It shall be the direct responsibility of the Rural
18 Workforce ~~Manpower~~ Services Program to promote and deliver ~~all~~
19 employment and workforce ~~manpower~~ services and resources to
20 the rural undeveloped and underdeveloped counties of the state
21 in an effort to:

22 (1) Slow down out-migration of untrained rural
23 residents to the state's overcrowded large metropolitan
24 centers.

25 (2) Assist Enterprise Florida, Inc., ~~the department's~~
26 ~~Economic Development Division~~ in attracting light,
27 pollution-free industry to the rural counties.

28 (3) Improve the economic status of the impoverished
29 rural residents.

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1 (4) Provide present and new industry with the
2 workforce ~~manpower~~ training resources necessary for them to
3 train the untrained rural workforce toward gainful employment.

4 (5) Develop rural workforce ~~manpower~~ programs that
5 ~~which~~ will be evaluated, planned, and implemented through
6 communications and planning with appropriate:

7 (a) Departments of state and federal governments.

8 (b) Units of Enterprise Florida, Inc. ~~Divisions,~~
9 ~~bureaus, or sections of the Department of Commerce.~~

10 (c) Agencies and organizations of the public and
11 private sectors at the state, regional, and local levels.

12 Section 126. Section 446.50, Florida Statutes, is
13 amended to read:

14 446.50 Displaced homemakers; multiservice programs;
15 report to the Legislature; Displaced Homemaker Trust Fund
16 created.--

17 (1) INTENT.--It is the intent of the Legislature to
18 require the Agency for Workforce Innovation ~~Division of~~
19 ~~Community Colleges of the Department of Education~~ to enter
20 into contracts with, and make grants to, public and nonprofit
21 private entities for purposes of establishing multipurpose
22 service programs to provide necessary training, counseling,
23 and services for displaced homemakers so that they may enjoy
24 the independence and economic security vital to a productive
25 life.

26 (2) DEFINITIONS.--For the purposes of this section
27 ~~act~~:

28 (a) "Displaced homemaker" means an individual who:

29 1. Is 35 years of age or older;

30 2. Has worked in the home, providing unpaid household
31 services for family members;

1 3. Is not adequately employed, as defined by rule of
2 the division;

3 4. Has had, or would have, difficulty in securing
4 adequate employment; and

5 5. Has been dependent on the income of another family
6 member but is no longer supported by such income, or has been
7 dependent on federal assistance.

8 (b) "~~Agency Division~~" means the Agency for Workforce
9 Innovation ~~Division of Community Colleges of the Department of~~
10 ~~Education.~~

11 (3) AGENCY DIVISION POWERS AND DUTIES.--

12 (a) The agency division, under plans established by
13 Workforce Florida, Inc., shall establish, or contract for the
14 establishment of, programs for displaced homemakers which
15 shall include:

16 1. Job counseling, by professionals and peers,
17 specifically designed for a person entering the job market
18 after a number of years as a homemaker.

19 2. Job training and placement services, including:

20 a. Training programs for available jobs in the public
21 and private sectors, taking into account the skills and job
22 experiences of a homemaker and developed by working with
23 public and private employers.

24 b. Assistance in locating available employment for
25 displaced homemakers, some of whom could be employed in
26 existing job training and placement programs.

27 c. Utilization of the services of the state employment
28 service, ~~which shall cooperate with the division~~ in locating
29 employment opportunities.

30 3. Financial management services providing information
31 and assistance with respect to insurance, including, but not

1 limited to, life, health, home, and automobile insurance, and
2 taxes, estate and probate problems, mortgages, loans, and
3 other related financial matters.

4 4. Educational services, including high school
5 equivalency degree and such other courses as the agency
6 ~~division~~ determines would be of interest and benefit to
7 displaced homemakers.

8 5. Outreach and information services with respect to
9 federal and state employment, education, health, and
10 unemployment assistance programs which the division determines
11 would be of interest and benefit to displaced homemakers.

12 (b)1. The agency ~~division~~ shall enter into contracts
13 with, and make grants to, public and nonprofit private
14 entities for purposes of establishing multipurpose service
15 programs for displaced homemakers under this section ~~act~~.
16 Such grants and contracts shall be awarded pursuant to chapter
17 287 and based on criteria established in the state plan
18 developed pursuant to this section. The agency ~~division~~ shall
19 designate catchment areas which together shall comprise the
20 entire state, and, to the extent possible from revenues in the
21 Displaced Homemaker Trust Fund, the agency ~~division~~ shall
22 contract with, and make grants to, entities which will serve
23 entire catchment areas so that displaced homemaker service
24 programs are available statewide. These catchment areas shall
25 be coterminous with the state's workforce development regions.
26 The agency ~~division~~ may give priority to existing displaced
27 homemaker programs when evaluating bid responses to the
28 agency's ~~division's~~ request for proposals.

29 2. In order to receive funds under this section, and
30 unless specifically prohibited by law from doing so, an entity
31 that provides displaced homemaker service programs must, ~~by~~

1 ~~the 1991-1992 fiscal year,~~ receive at least 25 percent of its
2 funding from one or more local, municipal, or county sources
3 or nonprofit private sources. In-kind contributions may be
4 evaluated by the agency division and counted as part of the
5 required local fundi ng.

6 3. The agency division shall require an entity that
7 receives funds under this section to maintain appropriate data
8 to be compiled in an annual report to the agency division.
9 Such data shall include, but shall not be limited to, the
10 number of clients served, the units of services provided,
11 designated client-specific information including intake and
12 outcome information specific to each client, costs associated
13 with specific services and program administration, total
14 program revenues by source and other appropriate financial
15 data, and client followup information at specified intervals
16 after the placement of a displaced home maker in a job.

17 (c) The agency division shall consult and cooperate
18 with the Commissioner of Education, the United States
19 Commissioner of the Social Security Administration, and such
20 other persons in the executive branch of the state government
21 as the agency division considers appropriate to facilitate the
22 coordination of multipurpose service programs established
23 under this section act with existing programs of a similar
24 nature.

25 (d) Supervisory, technical, and administrative
26 positions relating to programs established under this section
27 act shall, to the maximum extent practicable, be filled by
28 displaced homemakers.

29 (e) The agency division shall adopt rules establishing
30 minimum standards necessary for entities that provide
31 displaced homemaker service programs to receive funds from the

1 ~~agency division~~ and any other rules necessary to administer
2 this section.

3 (4) STATE PLAN.--

4 (a) The Agency for Workforce Innovation ~~division~~ shall
5 develop a 3-year state plan for the displaced homemaker
6 program which shall be updated annually. The plan must
7 address, at a minimum, the need for programs specifically
8 designed to serve displaced homemakers, any necessary service
9 components for such programs in addition to those enumerated
10 in this section, goals of the displaced homemaker program with
11 an analysis of the extent to which those goals are being met,
12 and recommendations for ways to address any unmet program
13 goals. Any request for funds for program expansion must be
14 based on the state plan.

15 (b) Each annual update must address any changes in the
16 components of the 3-year state plan and a report which must
17 include, but need not be limited to, the following:

- 18 1. The scope of the incidence of displaced homemakers;
- 19 2. A compilation and report, by program, of data
20 submitted to the agency division pursuant to subparagraph 3.
21 by funded displaced homemaker service programs;
- 22 3. An identification and description of the programs
23 in the state that receive funding from the agency division,
24 including funding information; and
- 25 4. An assessment of the effectiveness of each
26 displaced homemaker service program based on outcome criteria
27 established by rule of the agency division.

28 (c) The 3-year state plan must be submitted to the
29 President of the Senate, the Speaker of the House of
30 Representatives, and the Governor on or before January 1, 2001

31

1 ~~1989~~, and annual updates of the plan must be submitted by
2 January 1 of each subsequent year.

3 (5) DISPLACED HOMEMAKER TRUST FUND.--

4 (a) There is established within the State Treasury a
5 Displaced Homemaker Trust Fund to be used by the agency
6 ~~division~~ for its administration of the displaced homemaker
7 program and to fund displaced homemaker service programs
8 according to criteria established under this section.

9 (b) The trust fund shall receive funds generated from
10 an additional fee on marriage license applications and
11 dissolution of marriage filings as specified in ss. 741.01(3)
12 and 28.101, respectively, and may receive funds from any other
13 public or private source.

14 (c) Funds that are not expended by the agency ~~division~~
15 at the end of the budget cycle or through a supplemental
16 budget approved by the agency ~~division~~ shall revert to the
17 trust fund.

18 Section 127. Subsection (3) of section 447.02, Florida
19 Statutes, is amended to read:

20 447.02 Definitions.--The following terms, when used in
21 this chapter, shall have the meanings ascribed to them in this
22 section:

23 (3) The term "department" ~~"division"~~ means the
24 ~~Division of Jobs and Benefits~~ of the Department of Labor and
25 Employment Security.

26 Section 128. Subsections (2), (3), and (4) of section
27 447.04, Florida Statutes, are amended to read:

28 447.04 Business agents; licenses, permits.--

29 (2)(a) Every person desiring to act as a business
30 agent in this state shall, before doing so, obtain a license
31 or permit by filing an application under oath therefor with

1 ~~the Division of Jobs and Benefits of the department of Labor~~
2 ~~and Employment Security~~, accompanied by a fee of \$25 and a
3 full set of fingerprints of the applicant taken by a law
4 enforcement agency qualified to take fingerprints. There
5 shall accompany the application a statement signed by the
6 president and the secretary of the labor organization for
7 which he or she proposes to act as agent, showing his or her
8 authority to do so. The department ~~division~~ shall hold such
9 application on file for a period of 30 days, during which time
10 any person may file objections to the issuing of such license
11 or permit.

12 (b) The department ~~division~~ may also conduct an
13 independent investigation of the applicant; and, if objections
14 are filed, it may hold, or cause to be held, a hearing in
15 accordance with the requirements of chapter 120. The
16 objectors and the applicant shall be permitted to attend such
17 hearing and present evidence.

18 (3) After the expiration of the 30-day period,
19 regardless of whether or not any objections have been filed,
20 the department ~~division~~ shall review the application, together
21 with all information that it may have, including, but not
22 limited to, any objections that may have been filed to such
23 application, any information that may have been obtained
24 pursuant to an independent investigation, and the results of
25 any hearing on the application. If the department ~~division~~,
26 from a review of the information, finds that the applicant is
27 qualified, pursuant to the terms of this chapter, it shall
28 issue such license or permit; and such license or permit shall
29 run for the calendar year for which issued, unless sooner
30 surrendered, suspended, or revoked.

31

1 (4) Licenses and permits shall expire at midnight,
2 December 31, but may be renewed by the department division on
3 a form prescribed by it; however, if any such license or
4 permit has been surrendered, suspended, or revoked during the
5 year, then such applicant must go through the same formalities
6 as a new applicant.

7 Section 129. Section 447.041, Florida Statutes, is
8 amended to read:

9 447.041 Hearings.--

10 (1) Any person or labor organization denied a license,
11 permit, or registration shall be afforded the opportunity for
12 a hearing by the department division in accordance with the
13 requirements of chapter 120.

14 (2) The department division may, pursuant to the
15 requirements of chapter 120, suspend or revoke the license or
16 permit of any business agent or the registration of any labor
17 organization for the violation of any provision of this
18 chapter.

19 Section 130. Section 447.045, Florida Statutes, is
20 amended to read:

21 447.045 Information confidential.--Neither the
22 department division nor any investigator or employee of the
23 department division shall divulge in any manner the
24 information obtained pursuant to the processing of applicant
25 fingerprint cards, and such information is confidential and
26 exempt from the provisions of s. 119.07(1).

27 Section 131. Section 447.06, Florida Statutes, is
28 amended to read:

29 447.06 Registration of labor organizations required.--

30 (1) Every labor organization operating in the state
31 shall make a report under oath, in writing, to ~~the Division of~~

1 ~~Jobs and Benefits of the department of Labor and Employment~~
2 ~~Security~~ annually, on or before December 31. Such report shall
3 be filed by the secretary or business agent of such labor
4 organization, shall be in such form as the department
5 prescribes ~~division may prescribe~~, and shall show the
6 following facts:

7 (a) The name of the labor organization;
8 (b) The location of its office; and
9 (c) The name and address of the president, secretary,
10 treasurer, and business agent.

11 (2) At the time of filing such report, it shall be the
12 duty of every such labor organization to pay the department
13 ~~division~~ an annual fee therefor in the sum of \$1.

14 Section 132. Section 447.12, Florida Statutes, is
15 amended to read:

16 447.12 Fees for registration.--All fees collected by
17 ~~the Division of Jobs and Benefits of the department under this~~
18 part of Labor and Employment Security hereunder shall be paid
19 to the Treasurer and credited to the General Revenue Fund.

20 Section 133. Section 447.16, Florida Statutes, is
21 amended to read:

22 447.16 Applicability of chapter ~~when effective~~--Any
23 labor business agent licensed on July 1, 1965, may renew such
24 license each year on forms provided by ~~the Division of Jobs~~
25 ~~and Benefits of the department of Labor and Employment~~
26 ~~Security~~ without submitting fingerprints so long as such
27 license or permit has not expired or has not been surrendered,
28 suspended, or revoked. The fingerprinting requirements of
29 this act shall become effective for a new applicant for a
30 labor business agent license immediately upon this act
31 becoming a law.

1 Section 134. Subsection (4) of section 447.305,
2 Florida Statutes, is amended to read:

3 447.305 Registration of employee organization.--

4 (4) Notification of registrations and renewals of
5 registration shall be furnished at regular intervals by the
6 commission to ~~the Division of Jobs and Benefits of the~~
7 Department of Labor and Employment Security.

8 Section 135. Subsection (4) of section 450.012,
9 Florida Statutes, is amended to read:

10 450.012 Definitions.--For the purpose of this chapter,
11 the word, phrase, or term:

12 (4) "Department" ~~"Division"~~ means ~~the Division of Jobs~~
13 ~~and Benefits of the Department of Labor and Employment~~
14 Security.

15 Section 136. Subsection (3) of section 450.061,
16 Florida Statutes, is amended to read:

17 450.061 Hazardous occupations prohibited;
18 exemptions.--

19 (3) No minor under 18 years of age, whether such
20 person's disabilities of nonage have been removed by marriage
21 or otherwise, shall be employed or permitted or suffered to
22 work in any place of employment or at any occupation hazardous
23 or injurious to the life, health, safety, or welfare of such
24 minor, as such places of employment or occupations may be
25 determined and declared by ~~the Division of Jobs and Benefits~~
26 ~~of the department of Labor and Employment Security~~ to be
27 hazardous and injurious to the life, health, safety, or
28 welfare of such minor.

29 Section 137. Paragraph (c) of subsection (5) of
30 section 450.081, Florida Statutes, is amended to read:

31 450.081 Hours of work in certain occupations.--

1 (5) The provisions of subsections (1) through (4)
2 shall not apply to:

3 (c) Minors enrolled in a public educational
4 institution who qualify on a hardship basis such as economic
5 necessity or family emergency. Such determination shall be
6 made by the school superintendent or his or her designee, and
7 a waiver of hours shall be issued to the minor and the
8 employer. The form and contents thereof shall be prescribed by
9 the department ~~division~~.

10 Section 138. Section 450.095, Florida Statutes, is
11 amended to read:

12 450.095 Waivers.--In extenuating circumstances when it
13 clearly appears to be in the best interest of the child, the
14 department ~~division~~ may grant a waiver of the restrictions
15 imposed by the Child Labor Law on the employment of a child.
16 Such waivers shall be granted upon a case-by-case basis and
17 shall be based upon such factors as the department ~~division~~,
18 by rule, establishes as determinative of whether such waiver
19 is in the best interest of a child.

20 Section 139. Subsections (1), (2), and (5) of section
21 450.121, Florida Statutes, are amended to read:

22 450.121 Enforcement of Child Labor Law.--

23 (1) The department ~~Division of Jobs and Benefits~~ shall
24 administer this chapter. It shall employ such help as is
25 necessary to effectuate the purposes of this chapter. Other
26 agencies of the state may cooperate with the department
27 ~~division~~ in the administration and enforcement of this part.
28 To accomplish this joint, cooperative effort, the department
29 ~~division~~ may enter into intergovernmental agreements with
30 other agencies of the state whereby the other agencies may
31 assist the department ~~division~~ in the administration and

1 enforcement of this part. Any action taken by an agency
2 pursuant to an intergovernmental agreement entered into
3 pursuant to this section shall be considered to have been
4 taken by the department ~~division~~.

5 (2) It is the duty of the department ~~division~~ and its
6 agents and all sheriffs or other law enforcement officers of
7 the state or of any municipality of the state to enforce the
8 provisions of this law, to make complaints against persons
9 violating its provisions, and to prosecute violations of the
10 same. The department ~~division~~ and its agents have authority to
11 enter and inspect at any time any place or establishment
12 covered by this law and to have access to age certificates
13 kept on file by the employer and such other records as may aid
14 in the enforcement of this law. A designated school
15 representative acting in accordance with s. 232.17 shall
16 report to the department ~~division~~ all violations of the Child
17 Labor Law that may come to his or her knowledge.

18 (5) The department ~~division~~ may adopt rules:

19 (a) Defining words, phrases, or terms used in the
20 child labor rule or in this part, as long as the word, phrase,
21 or term is not a word, phrase, or term defined in s. 450.012.

22 (b) Prescribing additional documents that may be used
23 to prove the age of a minor and the procedure to be followed
24 before a person who claims his or her disability of nonage has
25 been removed by a court of competent jurisdiction may be
26 employed.

27 (c) Requiring certain safety equipment and a safe
28 workplace environment for employees who are minors.

29 (d) Prescribing the deadlines applicable to a response
30 to a request for records under subsection (2).

31

1 (e) Providing an official address from which child
2 labor forms, rules, laws, and posters may be requested and
3 prescribing the forms to be used in connection with this part.

4 Section 140. Subsections (1), (2), (3), (4), and (5)
5 of section 450.132, Florida Statutes, are amended to read:

6 450.132 Employment of children by the entertainment
7 industry; rules; procedures.--

8 (1) Children within the protection of our child labor
9 statutes may, notwithstanding such statutes, be employed by
10 the entertainment industry in the production of motion
11 pictures, legitimate plays, television shows, still
12 photography, recording, publicity, musical and live
13 performances, circuses, and rodeos, in any work not determined
14 by the department ~~Division of Jobs and Benefits~~ to be
15 hazardous, or detrimental to their health, morals, education,
16 or welfare.

17 (2) The department ~~Division of Jobs and Benefits~~
18 shall, as soon as convenient, and after such investigation as
19 to the department ~~division~~ may seem necessary or advisable,
20 determine what work in connection with the entertainment
21 industry is not hazardous or detrimental to the health,
22 morals, education, or welfare of minors within the purview and
23 protection of our child labor laws. When so adopted, such
24 rules shall have the force and effect of law in this state.

25 (3) Entertainment industry employers or agents wishing
26 to qualify for the employment of minors in work not hazardous
27 or detrimental to their health, morals, or education shall
28 make application to the department ~~division~~ for a permit
29 qualifying them to employ minors in the entertainment
30 industry. The form and contents thereof shall be prescribed by
31 the department ~~division~~.

1 (4) Any duly qualified entertainment industry employer
2 may employ any minor. However, if any entertainment industry
3 employer employing a minor causes, permits, or suffers such
4 minor to be placed under conditions which are dangerous to the
5 life or limb or injurious or detrimental to the health or
6 morals or education of the minor, the right of that
7 entertainment industry employer and its representatives and
8 agents to employ minors as provided herein shall stand
9 revoked, unless otherwise ordered by the department ~~division~~,
10 and the person responsible for such unlawful employment is
11 guilty of a misdemeanor of the second degree, punishable as
12 provided in s. 775.082 or s. 775.083.

13 (5) Any entertainment industry employer and its agents
14 employing minors hereunder are required to notify the
15 department ~~division~~, showing the date of the commencement of
16 work, the number of days worked, the location of the work, and
17 the date of termination.

18 Section 141. Subsections (2) and (3) of section
19 450.141, Florida Statutes, are amended to read:

20 450.141 Employing minor children in violation of law;
21 penalties.--

22 (2) Any person, firm, corporation, or governmental
23 agency, or agent thereof, that has employed minors in
24 violation of this part, or any rule adopted pursuant thereto,
25 may be subject by the department ~~division~~ to fines not to
26 exceed \$2,500 per offense. The department ~~division~~ shall
27 adopt, by rule, disciplinary guidelines specifying a
28 meaningful range of designated penalties based upon the
29 severity and repetition of the offenses, and which distinguish
30 minor violations from those which endanger a minor's health
31 and safety.

1 (3) If the department ~~division~~ has reasonable grounds
2 for believing there has been a violation of this part or any
3 rule adopted pursuant thereto, it shall give written notice to
4 the person alleged to be in violation. Such notice shall
5 include the provision or rule alleged to be violated, the
6 facts alleged to constitute such violation, and requirements
7 for remedial action within a time specified in the notice. No
8 fine may be levied unless the person alleged to be in
9 violation fails to take remedial action within the time
10 specified in the notice.

11 Section 142. Paragraph (j) of subsection (1) of
12 section 450.191, Florida Statutes, is amended to read:

13 450.191 Executive Office of the Governor; powers and
14 duties.--

15 (1) The Executive Office of the Governor is authorized
16 and directed to:

17 (j) Cooperate with the farm labor office of the
18 Department of Labor and Employment Security ~~Florida State~~
19 ~~Employment Service~~ in the recruitment and referral of migrant
20 laborers and other persons for the planting, cultivation, and
21 harvesting of agricultural crops in Florida.

22 Section 143. Subsection (2) of section 450.28, Florida
23 Statutes, is amended to read:

24 450.28 Definitions.--

25 (2) "Department" ~~"Division"~~ means ~~the Division of Jobs~~
26 ~~and Benefits~~ of the Department of Labor and Employment
27 Security.

28 Section 144. Section 450.30, Florida Statutes, is
29 amended to read:

30 450.30 Requirement of certificate of registration;
31 education and examination program.--

1 (1) No person may act as a farm labor contractor until
2 a certificate of registration has been issued to him or her by
3 the department ~~division~~ and unless such certificate is in full
4 force and effect and is in his or her possession.

5 (2) No certificate of registration may be transferred
6 or assigned.

7 (3) Unless sooner revoked, each certificate of
8 registration, regardless of the date of issuance, shall be
9 renewed on the last day of the birth month following the date
10 of issuance and, thereafter, each year on the last day of the
11 birth month of the registrant. The date of incorporation shall
12 be used in lieu of birthdate for registrants that are
13 corporations. Applications for certificates of registration
14 and renewal thereof shall be on a form prescribed by the
15 department ~~division~~.

16 (4) The department ~~division~~ shall provide a program of
17 education and examination for applicants under this part. The
18 program may be provided by the department ~~division~~ or through
19 a contracted agent. The program shall be designed to ensure
20 the competency of those persons to whom the department
21 ~~division~~ issues certificates of registration.

22 (5) The department ~~division~~ shall require each
23 applicant to demonstrate competence by a written or oral
24 examination in the language of the applicant, evidencing that
25 he or she is knowledgeable concerning the duties and
26 responsibilities of a farm labor contractor. The examination
27 shall be prepared, administered, and evaluated by the
28 department ~~division~~ or through a contracted agent.

29 (6) The department ~~division~~ shall require an applicant
30 for renewal of a certificate of registration to retake the
31 examination only if:

1 (a) During the prior certification period, the
2 department ~~division~~ issued a final order assessing a civil
3 monetary penalty or revoked or refused to renew or issue a
4 certificate of registration; or

5 (b) The department ~~division~~ determines that new
6 requirements related to the duties and responsibilities of a
7 farm labor contractor necessitate a new examination.

8 (7) The department ~~division~~ shall charge each
9 applicant a \$35 fee for the education and examination program.
10 Such fees shall be deposited in the Crew Chief Registration
11 Trust Fund.

12 (8) The department ~~division~~ may adopt rules
13 prescribing the procedures to be followed to register as a
14 farm labor contractor.

15 Section 145. Subsections (1), (2), and (4) of section
16 450.31, Florida Statutes, are amended to read:

17 450.31 Issuance, revocation, and suspension of, and
18 refusal to issue or renew, certificate of registration.--

19 (1) The department ~~division~~ shall not issue to any
20 person a certificate of registration as a farm labor
21 contractor, nor shall it renew such certificate, until:

22 (a) Such person has executed a written application
23 therefor in a form and pursuant to regulations prescribed by
24 the department ~~division~~ and has submitted such information as
25 the department ~~division~~ may prescribe.

26 (b) Such person has obtained and holds a valid federal
27 certificate of registration as a farm labor contractor, or a
28 farm labor contractor employee, unless exempt by federal law.

29 (c) Such person pays to the department ~~division~~, in
30 cash, certified check, or money order, a nonrefundable
31 application fee of \$75. Fees collected by the department

1 ~~division~~ under this subsection shall be deposited in the State
2 Treasury into the Crew Chief Registration Trust Fund, which is
3 hereby created, and shall be utilized for administration of
4 this part.

5 (d) Such person has successfully taken and passed the
6 farm labor contractor examination.

7 (2) The department ~~division~~ may revoke, suspend, or
8 refuse to renew any certificate of registration when it is
9 shown that the farm labor contractor has:

10 (a) Violated or failed to comply with any provision of
11 this part or the rules adopted pursuant to s. 450.36.

12 (b) Made any misrepresentation or false statement in
13 his or her application for a certificate of registration.

14 (c) Given false or misleading information concerning
15 terms, conditions, or existence of employment to persons who
16 are recruited or hired to work on a farm.

17 (4) The department ~~division~~ may refuse to issue or
18 renew, or may suspend or revoke, a certificate of registration
19 if the applicant or holder is not the real party in interest
20 in the application or certificate of registration and the real
21 party in interest is a person who has been refused issuance or
22 renewal of a certificate, has had a certificate suspended or
23 revoked, or does not qualify under this section for a
24 certificate.

25 Section 146. Subsections (1), (4), (5), (6), (8), (9),
26 and (10) of section 450.33, Florida Statutes, are amended to
27 read:

28 450.33 Duties of farm labor contractor.--Every farm
29 labor contractor must:

30 (1) Carry his or her certificate of registration with
31 him or her at all times and exhibit it to all persons with

1 whom the farm labor contractor intends to deal in his or her
2 capacity as a farm labor contractor prior to so dealing and,
3 upon request, to persons designated by the department
4 ~~division~~.

5 (4) Display prominently, at the site where the work is
6 to be performed and on all vehicles used by the registrant for
7 the transportation of employees, a single posting containing a
8 written statement in English and in the language of the
9 majority of the non-English-speaking employees disclosing the
10 terms and conditions of employment in a form prescribed by the
11 department ~~division~~ or by the United States Department of
12 Labor for this purpose.

13 (5) Take out a policy of insurance with any insurance
14 carrier which policy insures such registrant against liability
15 for damage to persons or property arising out of the operation
16 or ownership of any vehicle or vehicles for the transportation
17 of individuals in connection with his or her business,
18 activities, or operations as a farm labor contractor. In no
19 event may the amount of such liability insurance be less than
20 that required by the provisions of the financial
21 responsibility law of this state. Any insurance carrier that
22 is licensed to operate in this state and that has issued a
23 policy of liability insurance to operate a vehicle used to
24 transport farm workers shall notify the department ~~division~~
25 when it intends to cancel such policy.

26 (6) Maintain such records as may be designated by the
27 department ~~division~~.

28 (8) File, within such time as the department ~~division~~
29 may prescribe, a set of his or her fingerprints.

30 (9) Produce evidence to the department ~~division~~ that
31 each vehicle he or she uses for the transportation of

1 employees complies with the requirements and specifications
2 established in chapter 316, s. 316.620, or Pub. L. No. 93-518
3 as amended by Pub. L. No. 97-470 meeting Department of
4 Transportation requirements or, in lieu thereof, bears a valid
5 inspection sticker showing that the vehicle has passed the
6 inspection in the state in which the vehicle is registered.

7 (10) Comply with all applicable statutes, rules, and
8 regulations of the United States and of the State of Florida
9 for the protection or benefit of labor, including, but not
10 limited to, those providing for wages, hours, fair labor
11 standards, social security, workers' compensation,
12 unemployment compensation, child labor, and transportation.

13 The department ~~division~~ shall not suspend or revoke a
14 certificate of registration pursuant to this subsection
15 unless:

16 (a) A court or agency of competent jurisdiction
17 renders a judgment or other final decision that a violation of
18 one of the laws, rules, or regulations has occurred and, if
19 invoked, the appellate process is exhausted;

20 (b) An administrative hearing pursuant to ss. 120.569
21 and 120.57 is held on the suspension or revocation and the
22 administrative law judge finds that a violation of one of the
23 laws, rules, or regulations has occurred and, if invoked, the
24 appellate process is exhausted; or

25 (c) The holder of a certificate of registration
26 stipulates that a violation has occurred or defaults in the
27 administrative proceedings brought to suspend or revoke his or
28 her registration.

29 Section 147. Section 450.35, Florida Statutes, is
30 amended to read:

31

1 450.35 Certain contracts prohibited.--It is unlawful
2 for any person to contract for the employment of farm workers
3 with any farm labor contractor as defined in this act until
4 the labor contractor displays to him or her a current
5 certificate of registration issued by the department ~~division~~
6 pursuant to the requirements of this part.

7 Section 148. Section 450.36, Florida Statutes, is
8 amended to read:

9 450.36 Rules and regulations.--The department ~~division~~
10 may adopt rules necessary to enforce and administer this part.

11 Section 149. Section 450.37, Florida Statutes, is
12 amended to read:

13 450.37 Cooperation with federal agencies.--The
14 department ~~division~~ shall, whenever appropriate, cooperate
15 with any federal agency.

16 Section 150. Subsections (2), (3), and (4) of section
17 450.38, Florida Statutes, are amended to read:

18 450.38 Enforcement of farm labor contractor laws.--

19 (2) Any person who, on or after June 19, 1985, commits
20 a violation of this part or of any rule adopted thereunder may
21 be assessed a civil penalty of not more than \$1,000 for each
22 such violation. Such assessed penalties shall be paid in cash,
23 certified check, or money order and shall be deposited into
24 the General Revenue Fund. The department ~~division~~ shall not
25 institute or maintain any administrative proceeding to assess
26 a civil penalty under this subsection when the violation is
27 the subject of a criminal indictment or information under this
28 section which results in a criminal penalty being imposed, or
29 of a criminal, civil, or administrative proceeding by the
30 United States government or an agency thereof which results in
31 a criminal or civil penalty being imposed. The department

1 ~~division~~ may adopt rules prescribing the criteria to be used
2 to determine the amount of the civil penalty and to provide
3 notification to persons assessed a civil penalty under this
4 section.

5 (3) Upon a complaint of the department ~~division~~ being
6 filed in the circuit court of the county in which the farm
7 labor contractor may be doing business, any farm labor
8 contractor who fails to obtain a certificate of registration
9 as required by this part may, in addition to such penalties,
10 be enjoined from engaging in any activity which requires the
11 farm labor contractor to possess a certificate of
12 registration.

13 (4) For the purpose of any investigation or proceeding
14 conducted by the department ~~division~~, the secretary of the
15 department or the secretary's designee shall have the power to
16 administer oaths, take depositions, make inspections when
17 authorized by statute, issue subpoenas which shall be
18 supported by affidavit, serve subpoenas and other process, and
19 compel the attendance of witnesses and the production of
20 books, papers, documents, and other evidence. The secretary of
21 the department or the secretary's designee shall exercise this
22 power on the secretary's own initiative.

23 Section 151. Subsection (7) of section 497.419,
24 Florida Statutes, is amended to read:

25 497.419 Cancellation of, or default on, preneed
26 contracts.--

27 (7) All preneed contracts are cancelable and revocable
28 as provided in this section, provided that a preneed contract
29 does not restrict any contract purchaser who is a qualified
30 applicant for, or a recipient of, supplemental security
31

1 income, temporary cash assistance ~~under the WAGES Program~~, or
2 Medicaid from making her or his contract irrevocable.

3 Section 152. Subsection (3) of section 240.3341,
4 Florida Statutes, is amended, and subsection (5) is added to
5 said section, to read:

6 240.3341 Incubator facilities for small business
7 concerns.--

8 (3)~~(a)~~ The incubator facility and any improvements to
9 the facility shall be owned by or leased the community
10 college. The community college may charge residents of the
11 facility all or part of the cost for facilities, utilities,
12 and support personnel and equipment. No small business
13 concern shall reside in the incubator facility for more than 5
14 calendar years. The state shall not be liable for any act or
15 failure to act of any small business concern residing in an
16 incubator facility pursuant to this section or of any such
17 concern benefiting from the incubator facilities program.

18 ~~(b) Notwithstanding any provision of paragraph (a) to~~
19 ~~the contrary, and for the 1999-2000 fiscal year only, the~~
20 ~~incubator facility may be leased by the community college.~~
21 ~~This paragraph is repealed on July 1, 2000.~~

22 (5) Community colleges are encouraged to establish
23 incubator facilities through which emerging small businesses
24 supportive of development of content and technology for
25 digital broadband media and digital broadcasting may be
26 served.

27 Section 153. Section 240.710, Florida Statutes, is
28 created to read:

29 240.710 Digital Media Education Coordination Group.--

30 (1) The Board of Regents shall create a Digital Media
31 Education Coordination Group composed of representatives of

1 the universities within the State University System that shall
2 work in conjunction with the Department of Education, the
3 State Board of Community Colleges, and the Articulation
4 Coordinating Committee on the development of a plan to enhance
5 Florida's ability to meet the current and future workforce
6 needs of the digital media industry. The following purposes
7 of the group shall be included in its plan development
8 process:

9 (a) Coordination of the use of existing academic
10 programs and research and faculty resources to promote the
11 development of a digital media industry in this state.

12 (b) Address strategies to improve opportunities for
13 interdisciplinary study and research within the emerging field
14 of digital media through the development of tracts in existing
15 degree programs, new interdisciplinary degree programs, and
16 interdisciplinary research centers.

17 (c) Address the sharing of resources among
18 universities in such a way as to allow a student to take
19 courses from multiple departments or multiple educational
20 institutions in pursuit of competency, certification, and
21 degrees in digital information and media technology.

22 (2) Where practical, private accredited institutions
23 of higher learning in this state should be encouraged to
24 participate.

25 (3) In addition to the elements of the plan governed
26 by the purposes described in subsection (1), the plan shall
27 include, to the maximum extent practical, the coordination of
28 educational resources to be provided by distance learning and
29 shall facilitate to the maximum extent possible articulation
30 and transfer of credits between community colleges and the
31 state universities. The plan shall address student enrollment

1 in affected programs with emphasis on enrollment beginning as
2 early as fall term, 2001.

3 (4) The Digital Media Education Coordination Group
4 shall submit its plan to the President of the Senate and the
5 Speaker of the House of Representatives no later than January
6 1, 2001.

7 Section 154. Workforce Florida, Inc., through the
8 Agency for Workforce Innovation, may use funds dedicated for
9 Incumbent Worker Training for the digital media industry.
10 Training may be provided by public or private training
11 providers for broadband digital media jobs listed on the
12 targeted occupations list developed by the Workforce
13 Estimating Conference or Workforce Florida Inc. Programs that
14 operate outside the normal semester time periods and
15 coordinate the use of industry and public resources should be
16 given priority status for funding.

17 Section 155. Section 445.012, Florida Statutes, is
18 created to read:

19 445.012 Careers for Florida's Future Incentive Grant
20 Program.--

21 (1) The Careers for Florida's Future Incentive Grant
22 Program is created to encourage students in this state to
23 obtain degrees or certificates in postsecondary programs that
24 produce graduates with job skills in advanced technology which
25 are critical to the economic future of this state. The program
26 shall provide for a forgivable loan that requires a student to
27 enroll in and complete an eligible program and then to
28 maintain employment in an eligible occupation in this state
29 for 1 year for each year of grant receipt. The recipient must
30 begin repayment of the grant 1 year after the recipient is no
31 longer enrolled in an eligible institution or completes the

1 program, unless the recipient obtains employment in an
2 eligible occupation.

3 (2) Workforce Florida, Inc., shall manage the Careers
4 for Florida's Future Incentive Grant Program in accordance
5 with rules and procedures established for this purpose.

6 Workforce Florida, Inc., shall contract with the Office of
7 Student Financial Assistance in the Department of Education to
8 administer the incentive grant program for students pursuing
9 baccalaureate degrees or degree career education programs that
10 articulate into baccalaureate degree programs. The office
11 shall advertise the availability of the grant program and
12 collect all delinquent incentive grant repayments.

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

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

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

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

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

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

1 enrollment for any reason during the period that would permit
2 a refund by the institution's refund policy.

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

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

16 (5) A recipient who is pursuing a baccalaureate degree
17 shall receive \$100 for each lower-division credit hour in
18 which the student is enrolled at an eligible college or
19 university, up to a maximum of \$1,500 per semester, and \$200
20 for each upper-division credit hour in which the student is
21 enrolled at an eligible college or university, up to a maximum
22 of \$3,000 per semester. For purposes of this section, a
23 student is pursuing a baccalaureate degree if he or she is in
24 a program that articulates into a baccalaureate degree program
25 by agreement of the Articulation Coordinating Committee. A
26 student in an applied technology diploma program, a
27 certificate career education program, or a degree career
28 education program that does not articulate into a
29 baccalaureate degree program shall receive \$2 for each
30 vocational contact hour, or the equivalent, for certificate
31 programs, or \$60 for each credit hour, or the equivalent, for

1 degree career education programs and applied technology
2 programs for which the student is enrolled at an eligible
3 college, technical center, or nonpublic career education
4 school.

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

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

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

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

21 Section 156. Section 445.0121, Florida Statutes, is
22 created to read:

23 445.0121 Student eligibility requirements for initial
24 awards.--

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

28 (a)1. Have been a resident of this state for no less
29 than 3 years for purposes other than to obtain an education;
30 or

31

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

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

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

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

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

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

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

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

24 (a) Have been a resident of this state for the
25 previous 3 years for purposes other than to obtain an
26 education.

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

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

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

5 (a) Have been a resident of this state for not less
6 than 3 years for noneducational purposes.

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

10 Section 157. Section 445.0122, Florida Statutes, is
11 created to read:

12 445.0122 Student eligibility requirements for renewal
13 awards.--

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

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

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

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

27 (3) To be eligible to renew an incentive grant for an
28 applied technology diploma program or a certificate or degree
29 career education program that does not articulate into a
30 baccalaureate degree program, a student must have successfully
31 attained the last occupational completion point attempted. If

1 an occupational completion point requires more than one term
2 to complete, a student may receive grants for the additional
3 terms if the institution reports that the student is making
4 adequate progress toward completion.

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

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

23 Section 158. Section 445.0123, Florida Statutes, is
24 created to read:

25 445.0123 Eligible postsecondary education
26 institutions.--A student is eligible for an award or the
27 renewal of an award from the Careers for Florida's Future
28 Incentive Grant Program if the student meets the requirements
29 for the program as described in ss. 445.012-445.0125 and is
30 enrolled in a postsecondary education institution that meets
31 the description of any one of the following:

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

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

6 (3) An independent postsecondary education institution
7 in this state which is chartered in Florida and accredited by
8 the Commission on Colleges of the Southern Association of
9 Colleges and Schools.

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

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

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

17 (5) An independent postsecondary education institution
18 in this state which is licensed by the State Board of
19 Nonpublic Career Education and which:

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

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

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

30
31

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

4 Section 159. Section 445.0124, Florida Statutes, is
5 created to read:

6 445.0124 Eligible programs.--

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

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

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

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

1 Section 160. Section 445.0125, Florida Statutes, is
2 created to read:

3 445.0125 Repayment schedule.--

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

7 (a) Repayment must begin:

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

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

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

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

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

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

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

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

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

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

21 Section 161. Section 445.014, Florida Statutes, is
22 created to read:

23 445.014 Small business workforce service initiative.--

24 (1) Subject to legislative appropriation, Workforce
25 Florida, Inc., shall establish a program to encourage regional
26 workforce development boards to establish one-stop delivery
27 systems that maximize the provision of workforce and
28 human-resource support services to small businesses. Under the
29 program, a regional workforce board may apply, on a
30 competitive basis, for funds to support the provision of such
31

1 services to small businesses through the region's one-stop
2 delivery system.

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

5 (a) Identifying common training needs among small
6 businesses;

7 (b) Developing curriculum to address common training
8 needs among small businesses;

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

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

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

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

26 (4) For purposes of this section, the term "small
27 business" means an independently owned and operated business
28 concern that employs 30 or fewer permanent full-time employees
29 and that, together with its affiliates, has a net worth of not
30 more than \$3 million and an average net income, after federal
31

1 income taxes and excluding any carryover losses, of not more
2 than \$2 million for the preceding 2 years.

3 Section 162. Temporary decennial census
4 employment.--Notwithstanding any provision of state law, and
5 within the procedures, requirements, and limitations of
6 federal law and regulation, income earned through temporary
7 decennial census employment shall be disregarded when
8 determining eligibility or continued eligibility for
9 participation in programs requiring a financial determination
10 for receipt of benefits, payments, or services, including the
11 WAGES Program under chapter 414, Florida Statutes, subsidized
12 child care under section 402.3015, Florida Statutes, and any
13 other social or economic assistance funded through the state
14 share of Temporary Assistance for Needy Families (TANF) block
15 grant funds. For purposes of this section, "temporary
16 decennial census employment" means employment for 120 days or
17 less, within the period January 1, 2000, to December 31, 2000,
18 with the United States Department of Commerce as a
19 census-taker or block canvasser.

20 Section 163. (1) For the purchase of workforce
21 marketing materials required by section 445.006, Florida
22 Statutes, the sum of \$250,000 in nonrecurring general revenue
23 is appropriated to the Agency for Workforce Innovation.

24 (2) For the workforce training institute established
25 pursuant to section 445.008, Florida Statutes, the sum of
26 \$200,000 is appropriated from nonrecurring Temporary
27 Assistance for Needy Families funds to the Agency for
28 Workforce Innovation.

29 (3) For diversion services for needy families
30 authorized by section 445.018, Florida Statutes, the sum of \$8
31 million is appropriated from recurring Temporary Assistance

1 for Needy Families funds to the Agency for Workforce
2 Innovation.

3 (4) For the workforce information systems required by
4 section 445.011, Florida Statutes, the sum of \$10 million is
5 appropriated from nonrecurring Temporary Assistance for Needy
6 Families funds to the Agency for Workforce Innovation.
7 Workforce Florida, Inc., shall develop implementation plans
8 for workforce information systems in consultation with the
9 State Technology Office. The plans shall ensure optimal
10 delivery of workforce services to all clients of the workforce
11 system, provide the best long-term solution, and ensure that
12 previous investments and current appropriations made by the
13 state for workforce information systems are maximized. All
14 automated workforce information systems shall be compatible
15 with the WAGES information system provided for in Specific
16 Appropriation 1817 of Chapter 99-226, Laws of Florida.

17 (5) For the Careers for Florida's Future Incentive
18 Grant Program established pursuant to sections
19 445.012-445.0125, Florida Statutes, the sum of \$12 million in
20 recurring General Revenue is appropriated to the Agency for
21 Workforce Innovation.

22 (6) For the Small Business Workforce Service
23 Initiative established pursuant to section 445.014, Florida
24 Statutes, the sum of \$500,000 in nonrecurring General Revenue
25 is appropriated to the Agency for Workforce Innovation.

26 (7) For grants to support local economic development
27 projects that lead to jobs for needy Florida families
28 authorized by section 445.015, Florida Statutes, the sum of \$5
29 million is appropriated from nonrecurring Temporary Assistance
30 for Needy Families funds to the Agency for Workforce
31 Innovation.

1 Section 164. Paragraph (b) of subsection (4) of
2 section 402.305, Florida Statutes, is amended to read:

3 402.305 Licensing standards; child care facilities.--

4 (4) STAFF-TO-CHILDREN RATIO.--

5 (b) This subsection does not apply to nonpublic
6 schools and their integral programs as defined in s.
7 402.3025(2)(d)1. In addition, an individual participating in a
8 community service work experience activity under s.
9 445.024(1)(d)~~414.065(1)(d)~~, or a work experience activity
10 under s. 445.024(1)(e)~~414.065(1)(e)~~, at a child care facility
11 may not be considered in calculating the staff-to-children
12 ratio.

13 Section 165. Nothing in this act shall be construed as
14 creating an entitlement to services or benefits authorized by
15 any section of the act.

16 Section 166. If any provision of this act or its
17 application to any person or circumstance is held invalid, the
18 invalidity does not affect other provisions or applications of
19 the act which can be given effect without the invalid
20 provision or application, and to this end the provisions of
21 this act are severable.

22 Section 167. Except as otherwise expressly provided in
23 this act, this act shall take effect July 1, 2000.