

Committee Substitute for
Committee Substitute for Senate Bill No. 1672

An act relating to welfare transition; providing a short title; providing legislative intent; authorizing the Passport to Economic Progress demonstration program in specified areas; requiring Workforce Florida, Inc., and the Department of Children and Family Services to pursue federal-government waivers as necessary; increasing the amount of income that may be disregarded in determining eligibility for temporary cash assistance for families residing in the demonstration areas; authorizing an extended period of time for the receipt of welfare-transition benefits by families residing in the demonstration areas; providing legislative findings; directing Workforce Florida, Inc., to create a transitional wage supplementation program; authorizing wage supplementation payments to certain individuals; requiring an evaluation and reports on the demonstration program; providing for conflicts of laws; providing appropriations; amending s. 445.004, F.S.; specifying an additional member of the board of directors of Workforce Florida, Inc.; requiring certain funds to be expended for after-school care programs; prohibiting certain uses of such funds; prescribing eligibility criteria for certain organizations providing such programs; amending s. 445.007, F.S.; providing legislative intent relating to involving certain persons in board activities; providing legislative findings and intent; creating the Digital Divide Council in the State Technology Office; specifying membership; providing for terms, filling vacancies, and compensation; providing for council meetings and officers; requiring the State Technology Office to provide administrative and technical support; providing powers and duties of the council; authorizing design and implementation of certain programs; providing program objectives and goals; requiring the council to monitor, review, and assess program performances; requiring reports; providing an effective date.

WHEREAS, the state has achieved dramatic success in reforms to the welfare system, with more than 200,000 families leaving the welfare rolls since such reforms were enacted in 1996, and

WHEREAS, the majority of those who have left the welfare rolls have done so because of employment and have held no more than two different jobs since leaving welfare, and

WHEREAS, however, many of those who have left the welfare rolls are generating incomes below the federal poverty level, leaving them vulnerable to falling back into the welfare system, and

WHEREAS, there also are families that remain within the welfare system who are at risk of exhausting their eligibility for assistance and who would benefit from greater incentives to increase their earnings, and

WHEREAS, a strategy that encourages employment, training, and education represents the best approach for increasing family incomes and promoting economic self-sufficiency, and

WHEREAS, the Workforce Innovation Act of 2000 restructured the state's workforce system to provide individuals with enhanced opportunities to develop skills to secure, maintain, and advance in employment through training and education, and

WHEREAS, the expansion of incentives for employment, the extension of transitional support services, and the provision of wage supplements will further enhance the ability of families who are participants in the welfare system or who are leaving the welfare system to raise their incomes and achieve economic progress, NOW, THEREFORE,

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

Section 1. Legislative intent.—The purpose of the Passport to Economic Progress Act is to provide incentives and services designed to assist individuals who are recipients of temporary cash assistance or who are former recipients of temporary cash assistance generate family income levels that help foster the achievement and maintenance of economic self-sufficiency. It is the intent of the Legislature to create through this act a demonstration program for the provision of such incentives and services, with the goal of developing a model for the continued evolution and enhancement of the welfare-reform efforts of the state.

Section 2. Passport to Economic Progress demonstration program.—

(1) AUTHORIZATION.—Notwithstanding any law to the contrary, Workforce Florida, Inc., in conjunction with the Department of Children and Family Services and the Agency for Workforce Innovation, shall implement a Passport to Economic Progress demonstration program by November 1, 2001, consistent with the provisions of this section in Hillsborough and Manatee counties. Workforce Florida, Inc., must consult with the applicable regional workforce boards and the applicable local offices of the department which serve the demonstration areas and must encourage community input into the implementation process.

(2) WAIVERS.—If Workforce Florida, Inc., in consultation with the Department of Children and Family Services, finds that federal waivers would facilitate implementation of the demonstration program, the department shall immediately request such waivers, and Workforce Florida, Inc., shall report to the Governor, the President of the Senate, and the Speaker of the House of Representatives if any refusal of the federal government to grant such waivers prevents the implementation of the demonstration program. If Workforce Florida, Inc., finds that federal waivers to provisions of the Food Stamp Program would facilitate implementation of the demonstration program, the Department of Children and Family Services shall immediately request such waivers in accordance with section 414.175, Florida Statutes.

(3) INCOME DISREGARD.—In order to provide an additional incentive for employment, and notwithstanding the amount specified in section 414.095(12), Florida Statutes, for individuals residing in the areas designated for this demonstration program, the first \$300 plus one-half of the remainder of earned income shall be disregarded in determining eligibility for temporary cash assistance. All other conditions and requirements of section 414.095(12), Florida Statutes, shall continue to apply to such individuals.

(4) TRANSITIONAL BENEFITS AND SERVICES.—In order to assist them in making the transition to economic self-sufficiency, former recipients of temporary cash assistance residing within the areas designated for this demonstration program shall be eligible for the following benefits and services:

(a) Notwithstanding the time period specified in section 445.030, Florida Statutes, transitional education and training support services as specified in section 445.030, Florida Statutes, for up to 4 years after the family is no longer receiving temporary cash assistance;

(b) Notwithstanding the time period specified in section 445.031, Florida Statutes, transitional transportation support services as specified in section 445.031, Florida Statutes, for up to 4 years after the family is no longer receiving temporary cash assistance; and

(c) Notwithstanding the time period specified in section 445.032, Florida Statutes, transitional child care as specified in section 445.032, Florida Statutes, for up to 4 years after the family is no longer receiving temporary cash assistance.

All other provisions of sections 445.030, 445.031, and 445.032, Florida Statutes, shall apply to such individuals, as appropriate. This subsection does not constitute an entitlement to transitional benefits and services. If funds are insufficient to provide benefits and services under this subsection, the board of directors of Workforce Florida, Inc., may limit such benefits and services or otherwise establish priorities for the provisions of such benefits and services.

(5) WAGE SUPPLEMENTATION.—

(a) The Legislature finds that:

1. There are former recipients of temporary cash assistance who are working full time but whose incomes are below the federal poverty level.

2. Having incomes below the federal poverty level makes such individuals particularly vulnerable to reliance on public assistance despite their best efforts to achieve or maintain economic independence through employment.

3. It is necessary to supplement the wages of such individuals for a limited period of time in order to assist them in fulfilling the transition to economic self-sufficiency.

(b) Workforce Florida, Inc., in cooperation with the Department of Children and Family Services and the Agency for Workforce Innovation, shall create a transitional wage supplementation program by November 1, 2001, as a component of the Passport to Economic Progress demonstration program in the areas designated for the demonstration program. This wage supplementation program does not constitute an entitlement to wage supplementation. If funds appropriated are insufficient to provide wage supplementation, the board of directors of Workforce Florida, Inc., may limit wage supplementation or otherwise establish priorities for wage supplementation.

(c) To be eligible for wage supplementation under this subsection, an individual must:

1. Be a former recipient of temporary cash assistance who last received such assistance on or after January 1, 2000;

2. Be employed full time, which for the purposes of this subsection means employment averaging at least 32 hours per week; and

3. Have an average family income for the 6 months preceding the date of application for wage supplementation which is less than 100 percent of the federal poverty level.

(d) Workforce Florida, Inc., shall determine the schedule for the payment of wage supplementation under this subsection. An individual eligible for wage supplementation under this subsection may receive a payment that equals the amount necessary to bring the individual's total family income for the period covered by the payment to 100 percent of the federal poverty level. An individual may not receive wage supplementation payments for more than a total of 12 months.

(e) The wage supplementation program authorized by this subsection shall be administered through the regional workforce boards and the one-stop delivery system, under policy guidelines, criteria, and applications developed by Workforce Florida, Inc., in cooperation with the Department of Children and Family Services and the Agency for Workforce Innovation. To the maximum extent possible, the regional workforce boards shall use electronic debit card technologies to provide wage supplementation payments under this program.

(6) EVALUATIONS AND RECOMMENDATIONS.—Workforce Florida, Inc., in conjunction with the Department of Children and Family Services, the Agency for Workforce Innovation, and the regional workforce boards in the areas designated for this demonstration program, shall conduct a comprehensive evaluation of the effectiveness of the demonstration program operated under this section. By January 1, 2003, Workforce Florida, Inc., shall submit a report on such evaluation to the Governor, the President of the Senate, and the Speaker of the House of Representatives. The report must include recommendations as to whether the demonstration program should be expanded to other service areas or statewide and whether the program should be revised to enhance its administration or effectiveness.

(7) CONFLICTS.—If there is a conflict between the implementation procedures described in this section and federal requirements and regulations, federal requirements and regulations shall control.

Section 3. There is appropriated from the Federal Grants Trust Fund to the Department of Children and Family Services \$310,000 to provide funds for 9 months to implement the additional income disregard for fiscal year 2001-2002. There is appropriated from the Employment Security Administration Trust Fund to the Agency for Workforce Innovation \$3,222,500 to provide funds for 9 months to extend transitional benefits and services and to implement the wage supplementation program for fiscal year 2001-2002. The source of these funds is the Temporary Assistance for Needy Families block grant.

Section 4. Paragraph (a) of subsection (3) and paragraph (a) of subsection (10) of section 445.004, Florida Statutes, are amended to read:

445.004 Workforce Florida, Inc.; creation; purpose; membership; duties and powers.—

(3)(a) Workforce Florida, Inc., shall be governed by a board of directors, the number of directors to be determined by the Governor, whose membership and appointment must be consistent with Pub. L. No. 105-220, Title I, s. 111(b), and contain one member representing the licensed nonpublic post-secondary educational institutions authorized as individual training account providers, one member from the staffing service industry, at least one member who is a current or former recipient of welfare transition services as defined in s. 445.002(3) or workforce services as provided in s. 445.009(1), and five representatives of organized labor who shall be appointed by the Governor. Notwithstanding s. 114.05(1)(f), the Governor may appoint remaining members to Workforce Florida, Inc., from the current Workforce Development Board and the WAGES Program State Board of Directors, established pursuant to chapter 96-175, Laws of Florida, to serve on the reconstituted board. By July 1, 2000, the Workforce Development Board will provide to the Governor a transition plan to incorporate the changes required by this act and Pub. L. No. 105-220, specifying the manner of changes to the board. This plan shall govern the transition, unless otherwise notified by the Governor. The importance of minority, gender, and geographic representation shall be considered when making appointments to the board.

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

(a) First Jobs/First Wages is the state's strategy to promote successful entry into the workforce through education and workplace experience that lead to self-sufficiency and career advancement. The components of the strategy include efforts that enlist business, education, and community support for students to achieve long-term career goals, ensuring that young people have the academic and occupational skills required to succeed in the workplace. A minimum of 15 percent of all Workforce Investment Act youth services funds shall be expended for after-school care programs, through

contracts with qualified community-based organizations and faith-based organizations, on an equal basis with other private organizations, to provide after-school care programs to eligible children 14 through 18 years of age. These programs shall include academic tutoring, mentoring, and other appropriate services. Similar services may be provided for eligible children 6 through 13 years of age using Temporary Assistance for Needy Families funds. Funds expended under this paragraph may not be used for religious or sectarian purposes. To provide after-school care programs under this paragraph, a community-based organization or a faith-based organization must be a nonprofit organization that holds a current exemption from federal taxation under s. 501(c)(3) or (4) of the Internal Revenue Code or must be a religious organization that is not required to apply for recognition of its exemption from federal taxation under s. 501(c)(3) of the Internal Revenue Code.

Section 5. Subsection (1) of section 445.007, Florida Statutes, is amended to read:

445.007 Regional workforce boards.—

(1) One regional workforce board shall be appointed in each designated service delivery area and shall serve as the local workforce investment board pursuant to Pub. L. No. 105-220. The membership of the board shall be consistent with Pub. L. No. 105-220, Title I, s. 117(b), and contain one representative from a nonpublic postsecondary educational institution that is an authorized individual training account provider within the region and confers certificates and diplomas, one representative from a nonpublic postsecondary educational institution that is an authorized individual training account provider within the region and confers degrees, and three representatives of organized labor. Individuals serving as members of regional workforce development boards or local WAGES coalitions, as of June 30, 2000, are eligible for appointment to regional workforce boards, pursuant to this section. It is the intent of the Legislature that, whenever possible and to the greatest extent practicable, membership of a regional workforce board include persons who are current or former recipients of welfare transition assistance as defined in s. 445.002(3) or workforce services as provided in s. 445.009(1), or that such persons be included as ex officio members of the board or of committees organized by the board. The importance of minority and gender representation shall be considered when making appointments to the board. If the regional workforce board enters into a contract with an organization or individual represented on the board of directors, the contract must be approved by a two-thirds vote of the entire board, and the board member who could benefit financially from the transaction must abstain from voting on the contract. A board member must disclose any such conflict in a manner that is consistent with the procedures outlined in s. 112.3143.

Section 6. Legislative findings and intent; Digital Divide Council; powers and duties; program objectives and goals; review and assessment of program performances; annual report.—

(1) LEGISLATIVE FINDINGS AND INTENT.—The Legislature finds as follows:

(a) Frequent access to use of information technology and possession of the knowledge and skills required to use information technology productively is becoming increasingly more important to being competitively qualified for high-skill, high-wage employment.

(b) The availability of reasonable opportunities to have frequent access to use of information technology and to obtain the education and training necessary to acquire the knowledge and skills required to use information technology productively is critical to becoming competitively qualified for high-skill, high-wage employment.

(c) Families that are living near or below the poverty level are without adequate economic resources to have reasonable opportunities to obtain frequent access to use of information technology or the education and training necessary to acquire the knowledge and skills required to become competitively qualified for high-skill, high-wage employment.

(d) The absence of such economic resources divides such families from those who have adequate economic resources to have such opportunities, places such families at risk of never realizing their employment and income earning potential, and prevents the state's economy from prospering to the extent possible if such families realized their employment and income earning potential.

(e) The divide between the members of such at-risk families and those who have adequate economic resources to have reasonable opportunities to obtain access to frequent use of information technology and the education and training necessary to acquire the knowledge and skills required to become competitively qualified for high-skill, high-wage employment could be reduced, and the economy of the state could be enhanced, by designing and implementing programs that provide such opportunities to members of such at-risk families.

It is the intent of the Legislature to provide the authority and resources reasonably necessary to facilitate design and implementation of such programs.

(2) DIGITAL DIVIDE COUNCIL.—The Digital Divide Council is created in the State Technology Office. The council shall consist of:

(a) The chief information officer in the State Technology Office.

(b) The director of the Office of Tourism, Trade, and Economic Development in the Executive Office of the Governor.

(c) The president of Workforce Florida, Inc.

(d) The director of the Agency for Workforce Innovation.

(e) The chair of itflorida.com, Inc.

(f) The Commissioner of Education.

- (g) The executive director of the State Board of Community Colleges.
- (h) The executive director of the State Board for Career Education.
- (i) The chair of the Network Access Point of the Americas.
- (j) A representative of the information technology industry in this state appointed by the Speaker of the House of Representatives.
- (k) A representative of the information technology industry in this state appointed by the President of the Senate.
- (l) Two members of the House of Representatives, who shall be ex officio, nonvoting members of the council, appointed by the Speaker of the House of Representatives, one of whom shall be a member of the Republican caucus and the other of whom shall be a member of the Democratic caucus.
- (m) Two members of the Senate, who shall be ex officio, nonvoting members of the council, appointed by the President of the Senate, one of whom shall be a member of the Republican caucus and the other of whom shall be a member of the Democratic caucus.

(3) TERMS OF APPOINTED MEMBERS OF COUNCIL; VACANCIES; COMPENSATION OF MEMBERS.—The appointed members of the council shall serve an initial term of 1 year commencing July 1, 2001, and ending June 30, 2002, and successor appointees shall serve a term of 2 years, the first of which shall commence July 1, 2002, and end June 30, 2004. Successive 2-year terms shall commence and end on the same schedule in subsequent years. Any vacancy in the membership of the council resulting from resignation, incapacity, or death shall be filled within 30 days after the date the vacancy is effective. The appointed members of the council shall serve without compensation, but such appointees and the other members of the council shall be entitled to receive per diem and reimbursement for travel expenses as provided in section 112.061, Florida Statutes. Payment of such per diem and reimbursement of such travel expenses may be made from appropriations authorized to be used for such purposes.

(4) COUNCIL MEETINGS; ELECTION OF OFFICERS.—The council shall conduct its initial meeting by August 1, 2001, and shall meet thereafter at least once every 60 days. In its initial meeting, the members of the council shall elect a member to serve as chair and another to serve as vice chair, each for a term of 1 year from the date of the election. Any vacancy in the offices of chair and vice chair resulting from resignation, incapacity, or death shall be filled by similar election within 30 days after the date the vacancy is effective.

(5) ADMINISTRATIVE AND TECHNICAL SUPPORT; PAYMENT OF SUPPORT COSTS.—The State Technology Office shall provide such administrative and technical support to the council as is reasonably necessary for the council to effectively and timely carry out its duties and responsibilities. All direct and indirect costs of providing such support and performing the other duties assigned to the State Technology Office related to design and implementation of the programs authorized by this section may be paid from appropriations authorized to be used for such purposes.

(6) POWERS AND DUTIES OF COUNCIL.—The council, through the State Technology Office, is authorized and empowered to facilitate the design and implementation of programs that are aimed at achieving the objectives and goals stated in this section. The State Technology Office shall present and demonstrate to the council the design characteristics and functional elements of each program proposed to be implemented to achieve the objectives and goals stated in this section and each such program shall be reviewed and approved by the council before being implemented. Such programs shall initially be implemented as pilot programs in a minimum of six different areas of the state to develop model programs that are likely to be successful if implemented throughout the state. The areas of the state where the pilot programs are implemented shall be selected by the council with the objectives of testing the merits of the programs in each geographic region of the state and providing equal exposure of the programs to urban and rural communities alike. Implementation of all such pilot and model programs shall be administered by and through the local workforce development boards and each such board shall coordinate and confirm the ready availability and timely delivery of all elements of such programs to ensure the highest probability of such programs achieving their intended results.

(7) PROGRAM OBJECTIVES AND GOALS.—The programs authorized by this section shall have the following objectives and goals:

(a) Maximizing efficient and productive use of existing facilities, equipment, personnel, programs, and funds available from federal, state, and local government agencies and from any private person or entity.

(b) Using innovative concepts employing newly developed technologies in educating and training those who are enrolled in the programs authorized by this section.

(c) Developing viable partnerships between public agencies and private persons and entities based on mutual commitment to responsible and dedicated participation in designing and implementing the programs authorized by this section.

(d) Recruiting, enrolling, retaining, and graduating as many at-risk family members as feasible to ensure that they have reasonable opportunities to obtain access to frequent use of information technology and the education and training necessary to competitively qualify them for high-skill, high-wage employment.

(e) Reducing the number of underachieving and failing students in the state's public school systems who are members of at-risk families.

(f) Reducing the number of underemployed and unemployed members of at-risk families.

(g) Using information technology to facilitate achievement of the Sunshine State Standards by all children enrolled in the state's K-12 school system who are members of at-risk families.

(h) Training teachers in the state's K-12 school system to efficiently and effectively use information technology to plan, teach, and administer all

courses of instruction required and available by election of children enrolled in the system.

(i) Using information technology to enable members of at-risk families who are no longer enrolled in K-12 schools to obtain the education needed to achieve successful completion of general education development test preparation to earn a high school diploma, an applied technology diploma, a vocational certificate, an associate of arts degree, or a baccalaureate degree.

(j) Bridge the digital divide in developing a competitive workforce to meet the employment needs of state-based information technology businesses and establish this state as having the most information technology ready workforce in the western hemisphere.

(8) MONITORING, REVIEWING, AND EVALUATING PROGRAM PERFORMANCES; REPORTING RESULTS.—The council, through the State Technology Office, shall continually monitor, review, and evaluate the progress of performances realized from implementation of the programs authorized by this section. The State Technology Office shall prepare and submit a report to the council at least 10 days before each of its meetings subsequent to its initial meeting and each such report shall, at a minimum, identify and describe the functional elements of each program being implemented and identify and describe the facilities, equipment, personnel, programs, and funds used to design and implement the program. For each such program, the report shall also identify by name, address, age, and sex the school-age children, and their older siblings and parents, who are enrolled in the program, state the educational level achieved by each enrollee as of the date he or she enrolled in the program, state the attendance and achievement level recorded for each enrollee in the program, evaluate the progress each enrollee is making toward successful completion of the program, and identify by name, address, age, and sex each enrollee who successfully completes the program. For each such program that is designed to prepare enrollees for high-skill, high-wage employment, the report shall identify each enrollee who successfully completes the program, describe each such employment position for which each enrollee has applied, identify by name, address, and nature of business each employer based in this state to whom each such application for employment has been addressed, state the results each enrollee obtained from making each such application, and describe the nature of any employment obtained and terms of compensation being earned from such employment by each enrollee as a result of making such applications.

(9) ANNUAL REPORT.—By March 1, 2002, the council, through the State Technology Office, shall report to the Executive Office of the Governor, the Speaker of the House of Representatives, and the President of the Senate the results of the council's monitoring, reviewing, and evaluating such programs since their inception and the council's recommendations as to whether such programs should be continued and expanded to achieve the objectives and goals stated in this section.

Section 7. This act shall take effect upon becoming a law.

Approved by the Governor June 6, 2001.

Filed in Office Secretary of State June 6, 2001.