

ECONOMIC DEVELOPMENT

HB 1225 — Economic Development

by Reps. Pickens, Kilmer, and others (CS/CS/SB 460 by Finance & Taxation Committee; Commerce & Economic Opportunities Committee; and Senators Clary, Smith, and Mitchell)

This bill contains a substantial rewrite of the Enterprise Zone Program, and includes provisions for community development, workforce education, comprehensive planning, and economic development, as well as \$2.8 million in appropriations.

Enterprise Zone Program

Part of this bill has been developed out of recommendations from the Senate Commerce & Economic Opportunities Committee's interim project report 2001-29, *Review and Evaluation of the Enterprise Zone Program*, November 2000. The overall finding of that report is that the Enterprise Zone Program has largely failed to achieve the primary goal of encouraging economic growth and investment in distressed areas by offering tax advantages to businesses. The report recommended transforming the jobs tax credit into a job creation tool and suggested some housing provisions to mitigate gentrification problems caused by the Enterprise Zone Program.

Jobs Tax Credit: The bill proposes a significant change to the Enterprise Zone Program that will affect both rural and urban zones by making the jobs tax credits against sales and corporate income taxes dependent upon the creation of new full-time jobs rather than being based upon the hiring of new individuals into existing jobs. The bill doubles the value of the current incentive and provides the incentive for two years instead of one, which is intended to provide four times the current incentive value for the creation of a new job. The jobs tax credit can also be used as an incentive to encourage better jobs by allowing a former part time worker to be upgraded to full-time. In addition, it can be used to encourage higher pay for welfare transition participants by the state paying half of the difference in wage increases for two years if the business provides a wage that is at least \$4 dollars (up to \$8 dollars) higher than the federal hourly minimum wage. (The credit shall range from 40 percent of the monthly wages paid for \$4 above hourly minimum wage, to 44 percent of the monthly wages paid for \$8 above hourly minimum wage.)

Community Contribution Tax Credit Program: The bill creates a sales tax refund version of the community contribution tax credit program, under which a taxpayer may receive a credit of 50 percent of a community contribution against sales taxes. This bill provides a community contribution sales tax credit as an alternative to the present corporate income tax or insurance premium tax credit, which will provide additional opportunity for a business that only pays sales tax or flexibility for a multi-tax taxpayer provided the taxpayer takes the credit against only one of the taxes specified. A sales tax refund can be submitted for the prior 12 months of taxes paid, which allows a business to receive half of its donation back within a few months without waiting

a year to apply for the credit. (The credit shall be granted as a refund against state sales and use taxes reported on returns and remitted in the 12 months preceding the date of application to the Department of Revenue for the credit.)

Rural Enterprise Zones: The bill tailors certain provisions of the Enterprise Zone Program to accurately reflect the circumstances of rural disadvantaged areas. The bill triples the value of the jobs tax credit for rural areas and provides the incentive for two years instead of one, which provides a rural business with six times the current value of the tax credit for full-time job creation. The bill also defines rural zones, and authorizes the expansion of the size of rural zones up to 20 square miles, including a noncontiguous zero population area, to reflect rural land usage patterns and population densities. In addition, the bill revises some existing rural economic development programs, such as an existing revolving loan program, a staffing grant program, and a rural job tax credit program in order to duplicate the package-of-incentives approach that appears to be successful in creating jobs in urban enterprise zones. The bill also directs state agencies to review other existing programs to see if they can be made more accessible to rural communities. The bill allows nine new rural areas to apply for designation as enterprise zones, including: three Rural Champion Communities (Hamilton, Madison, and Putnam counties), and one community in each county within a rural area of critical economic concern that does not already have a zone designation (Calhoun, Holmes, Desoto, Glades, Hardee, and Okeechobee counties).

Zone Website and Marketing: The bill provides for the creation of an Internet website to market all enterprise zones in the state. The Regional Rural Development Grants Program is amended to allow the Office of Tourism, Trade, and Economic Development (OTTED) to contract for the administration and development of an enterprise zone web portal or websites for marketing the Enterprise Zone Program for job creation in disadvantaged urban and rural enterprise zones. The bill allows OTTED the flexibility to use an additional \$150,000 in the rural staffing grants program to either contribute toward rural marketing staff or contract with Enterprise Florida, Inc., to develop and administer an enterprise zone web portal or website for each zone. Each enterprise zone web page should include downloadable links to state forms and information, as well as local message boards that help businesses and residents receive information concerning zone boundaries, job openings, zone programs, and neighborhood improvement activities.

Rural High-Speed Broadband Capability: The bill adds broadband communications investments to the “eligible project” list for the community contribution tax program if a project is the investment necessary to increase access to high-speed broadband capability in rural communities with enterprise zones, including projects that result in improvements to communications assets that are owned by a business. The bill also makes revisions in the Quick Action Closing Fund to allow a privately owned broadband infrastructure investment to receive state funds if the project improves high-speed broadband capacity in a rural county that has an enterprise zone. Businesses in counties with a rural enterprise zone can now jointly donate toward an expansion of broadband capability and receive half of their donation back in tax refunds or credits and can combine their local effort with state funds from the Quick Action

Closing Fund to expand broadband infrastructure, which may benefit schools, libraries, and medical treatment facilities, as well as expand business opportunities in rural areas.

Housing: The bill provides for housing policies that may help mitigate the effects of gentrification, which is a chronic problem for programs like the Enterprise Zone Program or community redevelopment programs that are intended to redevelop disadvantaged areas. The bill creates incentives for property owners to sell rental property in distressed areas to low-income residents and provides other affordable housing provisions. Specifically the bill:

- Allows the community contribution tax program to be used for down payment, closing costs, and lien removal for low income households, and the program can be combined with a Governor’s recognition program authorized in this bill to encourage property owners to sell their property to appropriate families that are currently renting the property. Down payment, closing costs, lien removal, and the Governor’s recognition can also be used to develop unused, distressed, or abandoned property for low-income housing.
- Allows OTTED to reserve up to 50 percent of the available annual community contribution tax credits to provide housing for very-low-income households for the first six months of the fiscal year.
- Directs OTTED to consult with the Department of Community Affairs, the Florida Housing Finance Corporation, and statewide and regional housing and financial intermediaries in the marketing of the community contribution tax credit program and also allows a community with Front Porch Florida designation to use the tax credits.
- Amends provisions of the Florida Housing Finance Corporation Act (HFCA). Specifically, it allows the Mortgage Revenue Bond Program under the HFCA to be included in the definition for elderly housing, and allows funds from the Homeowner’s Assistance Program to be used for certain programs other than those sponsored by the corporation. The bill also increases the corporation’s bonding capacity from \$200 to \$400 million under the Florida Affordable Housing Guarantee Program.

Business Property: The bill requires that business property purchased for use by businesses located in an enterprise zone must have a sales price of at least \$5,000 dollars per unit to be eligible for a sales tax refund.

Sarasota County and Satellite Enterprise Zones: The bill allows Sarasota County, or Sarasota County and the City of Sarasota jointly, to apply to OTTED for designation of one enterprise zone. The bill also revises the existing statute relating to satellite enterprise zones, deleting the specified date by which an eligible municipality must create a satellite enterprise zone. The bill provides that a satellite enterprise zone may be created retroactively to December 31, 1999, and allows for businesses in a newly created satellite zone to receive retroactively a refund of certain sales taxes paid back to that date.

Other Economic Development Initiatives

Qualified Target Industry and Qualified Defense Contractor Tax Refunds: The bill increases the allowable state share of the tax refund payments under the Qualified Target Industry and Qualified Defense Contractor Tax Refund programs from \$30 million to \$35 million for each fiscal year following FY 2001-2002.

Citrus Industry: The bill allows the Department of Citrus to collect membership dues from citrus growers on behalf of a citrus industry not-for-profit corporation if the corporation produces citrus grower market news and education and has at least 5,000 members engaged in growing citrus in this state for commercial sale.

Workforce Training and Dropout Prevention Program

The bill establishes the Jobs for Florida's Graduates Program (program) as a permanent program instead of allowing the original five-year program to expire. The program is a dropout prevention program for at-risk high school seniors which provides placement and support services after graduation. The bill also expands the eligibility for schools and students to participate in the program; revises membership of the program's board of directors; and revises criteria for outcome goals and reporting requirements.

Community Development and Comprehensive Planning

The bill contains a number of provisions related to community development and comprehensive planning. Specifically the bill:

- Authorizes the Department of Community Affairs to establish advisory committees and repeals an advisory council related to the Florida Small Cities Community Development Block Grant Loan Guarantee Program.
- Provides that local option gas tax revenue may be used to pave existing graded roads when compatible with the local comprehensive plan, by deleting from existing law a requirement to use such funds only if it is for the purpose of relieving or mitigating existing or potential adverse environmental impacts.
- Adds federally recognized Native American Indian Tribes to the definition of "public agency" for the purpose of the Florida Interlocal Agreement Act.
- Allows schools serving rural counties to use agricultural land for the location of public school facilities.
- Revises conditions governing Developments of Regional Impact (DRI) in rural areas of critical economic concern, thereby allowing for more significant development projects in

these areas without triggering the multi-jurisdictional impact studies associated with the DRI review process.

Appropriations

The bill provides \$650,000 to the Florida Commercial Space Financing Corporation and \$650,000 to the Spaceport Florida Authority for funding aerospace infrastructure. The funding can be used for infrastructure and other expenses directly related to land, buildings, and other improvements, fixtures, machinery, equipment, instruments, and software that will improve the state's capability to support, expand, or attract aerospace industry. The bill also provides \$1 million to a qualifying corporation in the information technology industry to provide \$3,000 for each full-time Florida employee hired between January 1 and December 31, 2001. The bill also provides up to \$500,000 in sales tax refunds to a qualified facility, school, or business that trains aircraft pilots and flight crews.

If approved by the Governor, these provisions take effect July 1, 2001, except for the enterprise zone jobs tax credit and the rural job tax credit provisions, which take effect January 1, 2002.

Vote: Senate 33-0; House 107-1

CS/CS/SB 668 — Enterprise Zones

by Finance & Taxation Committee; Commerce & Economic Opportunities Committee; and Senator Carlton

New Enterprise Zones

This bill allows the following counties, or cities and counties jointly, to apply to the Office of Tourism, Trade, and Economic Development (OTTED) for designation of one enterprise zone each: Hernando County and the City of Brooksville; Holmes County; Calhoun County; Okaloosa County; Sarasota County and the City of Sarasota; and Hillsborough County.

Zone Boundary Changes

The bill also allows the City of Gainesville to apply to change the boundaries of its existing enterprise zone and requires OTTED to approve the boundary change if the new boundaries do not increase the overall size of the enterprise zone and if the new boundaries are contiguous to the existing enterprise zone. The bill also allows Orange County to add up to an additional four square miles to one of the three noncontiguous areas of the county's enterprise zone, and requires OTTED to approve the boundary change if the additional area does not exceed four square miles.

Retroactive Satellite Enterprise Zones

The bill also revises the existing statute relating to satellite enterprise zones, deleting the specified date by which an eligible municipality must create a satellite enterprise zone. The bill provides that a satellite enterprise zone may be created retroactively to December 31, 1999, and

allows for businesses in a newly created satellite zone to receive retroactively a refund of certain sales taxes paid back to that date.

If approved by the Governor, these provisions take effect October 1, 2001.

Vote: Senate 33-0; House 116-0

SB 814 — Entertainment Industry

by Senators Crist and Klein

This bill renames the Office of the Film Commissioner as the Office of Film and Entertainment, the Film Commissioner as the Commissioner of Film and Entertainment, and the Florida Film Advisory Council as the Florida Film and Entertainment Advisory Council.

This bill also:

- Enables motion picture production businesses and their allied industries to apply for tax incentives under the Urban High-Crime-Area Job Tax Credit Program (s. 212.097, F.S.) and the Rural Job Tax Credit Program (s. 212.098, F.S.);
- Authorizes the Office of Film and Entertainment to request or accept grants and donations of funds or property for any of the office's strategic-plan purposes or permitted activities; and
- Changes the Florida Film and Entertainment Advisory Council by adding a representative of Workforce Florida, Inc., to the council as an ex officio, nonvoting member and by clarifying that the chair of the council must be elected annually from the council's appointed membership.

If approved by the Governor, these provisions take effect July 1, 2001.

Vote: Senate 38-0; House 117-0

CS/SB 1541 — Public Records Exemption/Economic Development Agency

by Competitive Commerce Council; Economic Development & International Trade Committee; and Rep. Prieguez and others (SB 484 by Commerce & Economic Opportunities Committee)

This bill prevents the October 2, 2001, expiration of s. 288.075(2), F.S., which specifies that records of an economic development agency which contain or would provide information on the plans, interests, or intentions of a business to locate, relocate, or expand any of its activities in this state are confidential and exempt from the public records law, upon written request of the business. The bill also revises this public records exemption by:

- Including the records of a county or a municipal economic development office within the coverage of the exemption, as well as the records of the Florida Commercial Space Financing Corporation;
- Allowing confidentiality to be maintained for longer than 24 months in the case of trade secrets, or in the case of other information if it can be shown that a business is still engaged in the site-selection process for its economic development project; and
- Clarifying a prohibition against entering into an agreement with a business that has requested confidentiality, by allowing such agreements if they are executed in the official capacity of a public officer or employee, do not accrue to the personal benefit of that officer or employee, and are necessary to effectuate the economic development project.

The bill specifies that the revised exemption expires October 2, 2006, and shall be subject to legislative review under the Open Government Sunset Review Act. Section 288.075, F.S., was reviewed in its current form during the 2000-2001 interim. (*See Florida Senate Interim Project Report 2001-030, November 2000.*)

If approved by the Governor, these provisions take effect October 1, 2001.

Vote: Senate 34-0; House 116-3

HB 387 — Public Records Exemption/Sports Promotion

by State Administration Committee and Rep. Brummer and others (SB 454 by Commerce & Economic Opportunities Committee)

This bill abrogates the scheduled expiration of a public records exemption for the identity of a donor or prospective donor to the Florida Sports Foundation who desires to remain anonymous. The foundation is a direct-support organization authorized to assist the state with the promotion of sports-related industries. The bill amends s. 288.12295, F.S., to delete language specifying that the exemption is repealed on October 2, 2001, and to delete language requiring legislative review under the Open Government Sunset Review Act. Such review was conducted during the 2000-2001 interim. (*See Florida Senate Interim Project Report 2001-033, November 2000.*)

If approved by the Governor, these provisions take effect October 1, 2001.

Vote: Senate 34-2; House 117-0

HB 393 — Public Records Exemption/Tourism Marketing

by State Administration Committee and Rep. Brummer and others (SB 456 by Commerce & Economic Opportunities Committee)

This bill abrogates the scheduled expiration of a public records exemption for the identity of a person who responds to a marketing project or an advertising research project of the Florida Tourism Industry Marketing Corporation, as well as for trade secret information obtained through such activities. The corporation, which does business under the name VISIT FLORIDA, is a direct-support organization for the Florida Commission on Tourism and conducts tourism-promotion activities on behalf of the state. The bill reenacts and amends s. 288.1226(8), F.S., to delete language specifying that the exemption is repealed on October 2, 2001, and to delete language requiring legislative review under the Open Government Sunset Review Act. Such review was conducted during the 2000-2001 interim. (*See Florida Senate Interim Project Report 2001-032, November 2000.*)

If approved by the Governor, these provisions take effect October 1, 2001.

Vote: Senate 38-0; House 113-0

BUSINESS ENTITIES AND TRANSACTIONS

CS/CS/SB 1880 — Corporations

by Judiciary Committee; Commerce & Economic Opportunities Committee; and Senator Klein

Proxy Voting

This bill amends ss. 607.01401 and 607.0722, F.S., to clarify that Florida for-profit corporations may accept proxy appointments from shareholders by electronic transmission and through the shareholder's attorney in fact. The term "electronic transmission" is defined for purposes of proxy voting to include, but not be limited to, telegrams, cablegrams, telephone transmissions, and transmissions through the Internet. Thus, the bill allows corporations to accept proxy appointments received electronically using telephonic menu systems and Internet-based systems.

The bill removes requirements that certain irrevocable proxies become revocable after three years unless renewed. Accordingly, all irrevocable proxies become revocable after the coupled interest is extinguished.

The bill also allows corporations to adopt bylaws authorizing additional procedures for proxy voting.

Filing Fees

The bill amends s. 15.16, F.S., to allow the Department of State (department) to discount the filing fees paid by business entities when electronically filing documents with the Division of Corporations. The bill requires that the discount be equal to the amount of the convenience charge for electronic filing. Thus, the fees paid by a business entity for filing documents electronically through the Internet would be the same as the fees paid by business entities that file by mail or in person.

The bill also amends s. 607.193, F.S., to require the department to waive the \$400 late charge for filing the supplemental corporate fee after May 1 of any year if the business entity did not receive the Uniform Business Report form prescribed by the department.

If approved by the Governor, these provisions take effect July 1, 2001.

Vote: Senate 38-0; House 119-0

HB 1157 — Department of State

by Rep. Miller and others (SB 2126 by Senator Garcia)

Secured Transaction Registry

This bill requires the Department of State (department) to cease performing the duties of the filing office and filing officer for secured transactions under the Uniform Commercial Code by October 1, 2001, or by the effective date of a contract for the performance of these duties, whichever occurs later. Because current law establishes the department as the proper place to file financing statements for secured transactions, the bill amends s. 679.401, F.S., effective October 1, 2001, to allow filing under the Florida Secured Transaction Registry (registry). In lieu of the department's current filing system, the bill directs the department to contract with the most qualified and capable respondent to a request for qualifications to operate and maintain the registry in a manner that:

- Is comparable and compatible with the department's current filing system;
- Is open to the public and accessible through the Internet;
- Will maintain filings as public records;
- Will provide for oversight and compliance audits by the department; and
- Will maintain the current level of filing fees and procedures for the deposit of revenues with the department, net of operating costs.

The bill specifies that the contract may not be assignable or transferable without the written consent of the department and that the department and the state retain ownership of the materials and records in the registry. In the event that a contractor fails to perform its duties or becomes bankrupt, insolvent, or is in receivership, the bill requires the department to reclaim possession and control of the materials and records in the registry and provide uninterrupted performance of the duties of the filing office and filing officer. The bill allows the department to approve the registry's forms and to authorize the certification of financing statements and amendments for admissibility in court. The bill requires the department to develop performance standards to ensure the registry is accurate and complete. The department also must periodically verify these standards are being met and may modify the standards as needed. Although these provisions take effect upon becoming law, substantially similar provisions that take effect January 1, 2002, were enacted in HB 579 by Rep. Crow (CS/SB 386 by Judiciary Committee and Senator Campbell), which revises ch. 679, F.S. (Article 9 of the Uniform Commercial Code).

Lighthouse Study

The bill requires the Coastal Management Program within the Department of Community Affairs and the Division of Historical Resources within the Department of State to study the lighthouses in the state, to determine the location, ownership, condition, and historical significance of all lighthouses in the state and ensure that all historically significant lighthouses are nominated for inclusion on the National Register of Historic Places. The study must assess the condition and restoration needs of historic lighthouses and develop plans for appropriate future public access and use. The Coastal Management Program and the Division of Historical Resources are directed to "take a leadership role in implementing plans to stabilize lighthouses and associated structures and to preserve and protect them from future deterioration." When possible, the lighthouses and associated buildings are to be made available to the public for educational and recreational purposes. The Department of Community Affairs is directed to consider these responsibilities to be a priority of the Florida Coastal Management Program and implementation of the bill a priority in the use of Coastal Management funds.

The Department of Community Affairs and the Department of State are required to request in their annual legislative budget requests funding necessary to carry out these duties and responsibilities. Funds for the rehabilitation of lighthouses are to be allocated through matching grants-in-aid to state and local government agencies and to nonprofit organizations. The Department of Community Affairs is authorized to assist the Division of Historical Resources in projects to accomplish lighthouse identification, assessment, restoration, and interpretation. An appropriation of \$100,000 is provided to implement the study.

Arrest and Detention of Foreign Citizens

The bill removes provisions in ss. 288.816(2)(f) and 901.26, F.S., which prescribe procedures for law enforcement agencies to inform the Department of State (department) when arresting or incarcerating a foreign citizen and procedures for the department to notify the appropriate foreign governmental officials. By removing these consular notification provisions, the bill relies

on the Vienna Convention on Consular Relations and other bilateral agreements as the sources of the state's consular notification procedures. Under bilateral agreements with 55 countries, consular notification is mandatory. Under the Vienna Convention, however, consular notification is the option of the foreign citizen. Because the consular notification provisions in current law are mandatory for all foreign citizens, by removing these provisions, the bill eliminates the inconsistency with the Vienna Convention.

The bill also specifies that failure to provide consular notification under the Vienna Convention or other bilateral agreements is not a defense in a criminal proceeding or cause for release of a foreign citizen from custody.

Advertising of Fictitious Names

The bill amends s. 15.16, F.S., to allow the Department of State (department) to waive the requirement in s. 865.09(3)(d), F.S., that a person advertise the intention to register a business's fictitious name at least once in a newspaper in the county where the business will be located if the department indexes the fictitious name registration in a central database available to the public on the Internet.

If approved by the Governor, these provisions take effect upon becoming law, except where otherwise provided.

Vote: Senate 39-0; House 119-0

CS/SB 2034 — Rural Electric Cooperatives

by Commerce & Economic Opportunities Committee and Senator Latvala

This bill allows rural electric cooperatives to adopt bylaws that create a form of limited proxy voting that places limits on existing proxy voting. Members voting by mail or limited proxy will not be counted on any matter raised at a meeting that was not specifically listed and identified on the mail ballot or limited proxy. A majority of a quorum is required to approve any motion or matter before a meeting of the members. This bill allows members of a rural electric cooperative to use electronic transmission to send their votes on a limited ballot to a proxy, a proxy solicitation firm, a proxy support service organization, a registrar, or the agent authorized by the person who will be designated as the proxy. This bill also prohibits voting by general proxy.

If approved by the Governor, these provisions take effect October 1, 2001.

Vote: Senate 33-0; House 117-0

WORKFORCE/EMPLOYMENT

CS/SB 252 — Release of Employee Information by Employers

by Commerce & Economic Opportunities Committee and Senator King

This bill requires the current and former employers of an applicant seeking employment as a law enforcement officer, correctional officer, or correctional probation officer to provide employment information about the applicant to the employing agency as part of a background investigation.

The bill also allows an employing agency to seek injunctive relief against an employer who refuses to disclose employment information in order to compel disclosure to the employing agency. The bill protects employers by allowing them to charge reasonable fees for furnishing records, providing them immunity from liability when releasing employment information as required, directing that they are not required to maintain employment information other than that kept in the ordinary course of business, and exempting from disclosure information that any other state or federal law prohibits disclosing and information that is subject to a legally recognized privilege the employer is otherwise entitled to invoke.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 40-0; House 115-0

CS/SB 354 — Civil Rights Complaints

by Commerce & Economic Opportunities Committee and Senators Miller and Crist

This bill amends s. 760.11, F.S., to allow individuals to file complaints brought under the Florida Civil Rights Act of 1992 with the United States Equal Employment Opportunity Commission (EEOC) or with any unit of government of the state which is a fair-employment-practice (FEP) agency, instead of being required to file duplicate complaints with the Florida Commission on Human Relations (commission).

The bill provides that the date clearly stamped on the face of a complaint, if a stamp is present, is the date of filing. The bill also specifies that, for purposes of the Florida Civil Rights Act of 1992, the date of filing with the commission is the earliest date the complaint was filed with the EEOC, the FEP agency, or the commission. Thus, the bill allows complaints filed with the EEOC or the local FEP agency within 365 days after an alleged violation to be considered timely filed under the Florida Civil Rights Act of 1992, regardless of when the complaint is actually received by the commission.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 39-0; House 112-0

CS/CS/SB 1672 — Workforce Development

by Appropriations Committee; Commerce & Economic Opportunities Committee; and Senators Lee, Miller, Sebesta, and Crist

Passport to Economic Progress Demonstration Program

This bill creates the Passport to Economic Progress demonstration program in Hillsborough and Manatee counties. The program increases the earned income disregard for recipients of cash assistance from \$200 plus one-half of the remaining income to \$300 plus one-half of the remaining income. The program also provides wage supplementation and extends transitional benefits and services from two years to four years for former recipients of cash assistance. Specifically, the program extends transitional education and training, transportation, and child care support services. Wage supplementation is provided for no more than 12 months and pays the amount needed to bring a family's income up to 100 percent of the federal poverty level. The bill specifies that, to be eligible for the wage supplement, an individual must:

- Reside in one of the designated counties for the demonstration program: Hillsborough or Manatee counties;
- Be a former recipient of temporary cash assistance;
- Have received cash assistance on or after January 1, 2000;
- Be employed full time (at least 32 hours per week); and
- Have a family income for the preceding six months which is less than 100 percent of the federal poverty level.

The demonstration program is administered by Workforce Florida, Inc., the Department of Children and Family Services, the Agency for Workforce Innovation, and the regional workforce boards and must be implemented by November 1, 2001. The bill requires that a report be submitted to the Governor and the Legislature by January 1, 2003, with recommendations about future expansion of the program. An appropriation of \$3,532,500 is provided to implement the program during FY 2001-2002.

Workforce Boards

The bill amends s. 445.004, F.S., to require the board of directors of Workforce Florida, Inc., to include at least one member who is a current or former recipient of welfare transition or workforce services. The bill also amends s. 445.007, F.S., to provide the intent of the Legislature that, whenever possible and to the greatest extent practicable, each regional workforce board should include persons who are current or former recipients of welfare transition or workforce services and that these persons should be included as ex officio members of the board or of committees organized by the board.

After-School Care Programs

The bill amends s. 445.004, F.S., to require at least 15 percent of all federal Workforce Investment Act (WIA) funds for youth services be expended for after-school care programs for children 14 through 18 years of age, which provide academic tutoring, mentoring, and other services. The bill also allows federal Temporary Assistance for Needy Families (TANF) funds to be used to provide similar services for children 6 through 13 years of age. The bill specifies that these programs will be provided through contracts with qualified community-based and faith-based organizations on an equal basis with other private organizations. These community-based and faith-based organizations must be exempt from federal taxation under s. 501(c)(3) or (4) of the Internal Revenue Code in order to provide the after-school care programs. In addition, the bill prohibits funds expended for these programs to be used for religious or sectarian purposes.

Digital Divide Council

The bill creates the Digital Divide Council (council) in the State Technology Office (STO) and authorizes the council to facilitate the design and implementation of six pilot programs through local workforce development boards to develop exportable model programs for statewide use to educate and train economically disadvantaged families to become competitively qualified for high skill/high wage employment. The council is composed of 15 members:

- STO's chief information officer;
- Director of the Office of Tourism, Trade, and Economic Development;
- President of Workforce Florida, Inc.;
- Director of the Agency for Workforce Innovation;
- Chair of itflorida.com, Inc.
- Commissioner of Education;
- Executive Director of the State Board of Community Colleges;
- Executive Director of the State Board of Career Education;
- Chair of the Network Access Point of the Americas;
- Two information technology industry representatives;
- Two ex officio nonvoting members of the Florida Senate; and
- Two ex officio nonvoting members of the Florida House of Representatives.

The bill requires the council to submit an annual report to the Governor and the Legislature by March 1, 2002, which must include the results of the council's monitor, review, and evaluation of the pilot programs and recommendations of whether these programs should be continued or expanded. The bill also requires the STO to provide administrative and technical support for the council and allows the direct and indirect costs of the STO for providing this support to be paid from appropriations authorized for that purpose.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 37-0; House 111-3

BUSINESS/CONSUMER REGULATION

SB 2104 — Hiring or Leasing Personal Property with Intent to Defraud

by Senator Crist

This bill amends s. 812.155, F.S., to provide that a person who obtains personal property from a business via a rental-purchase (“rent-to-own”) agreement, under which the rental store retains title to the property throughout the agreement period, will be criminally prosecutable if he or she fails to honor the agreement and does not return the goods to the business.

If approved by the Governor, these provisions take effect July 1, 2001.

Vote: Senate 39-0; House 117-0

