

Bill No. CS for SB 1742

Amendment No. ____

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Brown-Waite moved the following amendment:

Senate Amendment (with title amendment)

On page 16, line 31,

insert:

Section 6. (1) The Office of Program Policy Analysis and Government Accountability shall conduct a performance review of the Department of Corrections' reorganization efforts pursuant to the passage of HB 2161 or any similar legislation passed in the 1999 Legislative session.

(2) The review shall describe the methods and goals of the department's reorganization efforts and determine immediate and long term effects of such efforts upon department personnel and, to the extent possible, the operational effectiveness and accountability of the department anticipated by reorganization efforts.

(3) The Office of Program Policy Analysis and Governmental Accountability shall conduct the review in consultation with staff from the Governor's Office of Planning and Budgeting, the Florida Corrections Commission, the

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1 Correctional Medical Authority, and appropriate substantive
2 and fiscal committees of the Senate and House of
3 Representatives.

4 (4) The Office of Program Policy Analysis and
5 Governmental Accountability shall submit a report to the
6 Governor, the President of the Senate and the Speaker of the
7 House of Representatives with findings and recommendations no
8 later than December 31, 2000.

9 Section 7. (1) In implementing the reorganization of
10 the Department of Corrections pursuant to HB 2161 or any
11 similar legislation passed in the 1999 legislative session, it
12 is the intent of the Legislature that, to the extent possible,
13 no employee of the department shall lose their job as a result
14 of the realignment of job functions anticipated by the
15 reorganization plan.

16 (2) Furthermore, although no employee of the
17 department will be required to change job locations due to
18 reorganization efforts, employees of the department may choose
19 to be reassigned to another position at their current job
20 location or accept other opportunities at other locations with
21 the department.

22 (3) No employee of the department shall receive a
23 reduction in salary as a result of reorganization efforts and
24 all personnel actions made as a result of reorganization
25 efforts shall be in accordance with career service rules and
26 regulations.

27 Section 8. (1) The Office of Program Policy Analysis
28 and Government Accountability shall conduct a performance
29 review of the Department of Corrections' reorganization
30 efforts pursuant to the passage of HB 2161 or any similar
31 legislation passed in the 1999 Legislative session.

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1 (2) The review shall describe the methods and goals of
2 the department's reorganization efforts and determine
3 immediate and long term effects of such efforts upon
4 department personnel and, to the extent possible, the
5 operational effectiveness and accountability of the department
6 anticipated by reorganization efforts.

7 (3) The Office of Program Policy Analysis and
8 Government Accountability shall conduct the review in
9 consultation with staff from the Governor's Office of Planning
10 and Budgeting, the Florida Corrections Commission, the
11 Correctional Medical Authority, and appropriate substantive
12 and fiscal committees of the Senate and House of
13 Representatives.

14 (4) The Office of Program Policy Analysis and
15 Government Accountability shall submit a report to the
16 Governor, the President of the Senate and the Speaker of the
17 House of Representatives with findings and recommendations no
18 later than December 31, 2000.

19 Section 9. Section 944.8031, Florida Statutes, is
20 created to read:

21 944.8031 Inmate's family visitation; legislative
22 intent; minimum services provided to visitors; budget
23 requests.--

24 (1) The Legislature finds that maintaining an inmate's
25 family and community relationships through enhancing visitor
26 services and programs and increasing the frequency and quality
27 of the visits is an underutilized correctional resource that
28 can improve an inmate's behavior in the correctional facility
29 and, upon an inmate's release from a correctional facility,
30 will help to reduce recidivism.

31 (2) The department shall provide, at a minimum, the

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1 following services at designated visiting areas for approved
2 visitors in state correctional facilities:

3 (a) Information relating to applicable visiting
4 regulations, dress codes, and visiting procedures.

5 (b) A sheltered area, outside the security perimeter,
6 for visitors waiting before and after visiting inmates.

7 (c) Food services with food choices which are
8 nutritious and acceptable for children and youth visitors.

9 (d) Minimal equipment and supplies which assist staff
10 and visitors in managing and occupying the time and meeting
11 the needs of children and youth visitors.

12 (3) Upon determining any deficiencies and barriers to
13 the effective and efficient operation of the department's
14 visitation program and services, the secretary shall submit
15 annual budget requests identifying capital improvements,
16 staffing, and programmatic needs necessary to improve the
17 quality and frequency of family visits and the visitation
18 program and services.

19 Section 10. Paragraphs (a), (b), and (c) of subsection
20 (1) of section 945.215, Florida Statutes, 1998 Supplement, are
21 amended to read:

22 945.215 Inmate welfare and employee benefit trust
23 funds.--

24 (1) INMATE WELFARE TRUST FUND; DEPARTMENT OF
25 CORRECTIONS.--

26 (a) The Inmate Welfare Trust Fund constitutes a trust
27 held by the department for the benefit and welfare of inmates
28 incarcerated in correctional facilities operated directly by
29 the department and for visitation and family programs and
30 services in such correctional facilities. Funds shall be
31 credited to the trust fund as follows:

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1 1. All funds held in any auxiliary, canteen, welfare,
2 or similar fund in any correctional facility operated directly
3 by the department.

4 2. All net proceeds from operating inmate canteens,
5 vending machines used primarily by inmates and visitors, hobby
6 shops, and other such facilities; however, funds necessary to
7 purchase items for resale at inmate canteens and vending
8 machines must be deposited into local bank accounts designated
9 by the department.

10 3. All proceeds from contracted telephone commissions.
11 The department shall develop and update, as necessary,
12 administrative procedures to verify that:

13 a. Contracted telephone companies accurately record
14 and report all telephone calls made by inmates incarcerated in
15 correctional facilities under the department's jurisdiction;

16 b. Persons who accept collect calls from inmates are
17 charged the contracted rate; and

18 c. The department receives the contracted telephone
19 commissions.

20 4. Any funds that may be assigned by inmates or
21 donated to the department by the general public or an inmate
22 service organization; however, the department shall not accept
23 any donation from, or on behalf of, any individual inmate.

24 5. Repayment of the one-time sum of \$500,000
25 appropriated in fiscal year 1996-1997 from the Inmate Welfare
26 Trust Fund for correctional work programs pursuant to s.
27 946.008.

28 6. All proceeds from:

29 a. The confiscation and liquidation of any contraband
30 found upon, or in the possession of, any inmate;

31 b. Disciplinary fines imposed against inmates;

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1 c. Forfeitures of inmate earnings; and
2 d. Unexpended balances in individual inmate trust fund
3 accounts of less than \$1.

4 7. All interest earnings and other proceeds derived
5 from investments of funds deposited in the trust fund. In the
6 manner authorized by law for fiduciaries, the secretary of the
7 department, or the secretary's designee, may invest any funds
8 in the trust fund when it is determined that such funds are
9 not needed for immediate use.

10 (b) Funds in the Inmate Welfare Trust Fund must be
11 used exclusively for the following purposes at correctional
12 facilities operated directly by the department:

13 1. To operate inmate canteens and vending machines,
14 including purchasing items for resale at inmate canteens and
15 vending machines; employing personnel and inmates to manage,
16 supervise, and operate inmate canteens and vending machines;
17 and covering other operating and fixed capital outlay expenses
18 associated with operating inmate canteens and vending
19 machines;

20 2. To employ personnel to manage and supervise the
21 proceeds from telephone commissions;

22 3. To develop, implement, and maintain the medical
23 copayment accounting system;

24 4. To provide literacy programs, vocational training
25 programs, and educational programs that comply with standards
26 of the Department of Education, including employing personnel
27 and covering other operating and fixed capital outlay expenses
28 associated with providing such programs;

29 5. To operate inmate chapels, faith-based programs,
30 visiting pavilions, visiting services and programs, family
31 services and programs, libraries, and law libraries, including

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1 employing personnel and covering other operating and fixed
2 capital outlay expenses associated with operating inmate
3 chapels, faith-based programs, visiting pavilions, visiting
4 services and programs, family services and programs,
5 libraries, and law libraries;

6 6. To provide for expenses associated with various
7 inmate clubs;

8 7. To provide for expenses associated with legal
9 services for inmates;

10 8. To provide inmate substance abuse treatment
11 programs and transition and life skills training programs,
12 including employing personnel and covering other operating and
13 fixed capital outlay expenses associated with providing such
14 programs.

15 (c) The Legislature shall annually appropriate the
16 funds deposited in the Inmate Welfare Trust Fund. It is the
17 intent of the Legislature that total annual expenditures for
18 providing literacy programs, vocational training programs, and
19 educational programs exceed the combined total annual
20 expenditures for operating inmate chapels, faith-based
21 programs, visiting pavilions, visiting services and programs,
22 family services and programs, libraries, and law libraries,
23 covering expenses associated with inmate clubs, and providing
24 inmate substance abuse treatment programs and transition and
25 life skills training programs.

26 Section 11. No later than July 1, 1999, the Gadsden
27 Correctional Institution, currently operated under a contract
28 between the Department of Corrections and the Corrections
29 Corporation of America pursuant to ss. 944.710-944.72, Florida
30 Statutes, shall be transferred to the Correctional
31 Privatization Commission created in chapter 957, Florida

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1 Statutes, to be the sole contract manager and monitor for that
2 facility.

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5 ===== T I T L E A M E N D M E N T =====

6 And the title is amended as follows:

7 On page 1, line 28, after the semicolon

8

9 insert:

10 requiring the Office of Program Policy Analysis
11 and Government Accountability to conduct a
12 performance review of the Department of
13 Corrections' reorganization efforts; requiring
14 a report; providing legislative intent
15 regarding the reorganization of the Department
16 of Corrections; creating s. 944.8031, F.S.;
17 relating to inmate's family visitation services
18 and programs; providing legislative intent;
19 requiring the department to provide certain
20 minimum services and programs for persons
21 visiting inmates; requiring the secretary to
22 submit legislative budget requests necessary to
23 improve the quality and frequency of family
24 visits and improve visitation services and
25 programs; amending s. 945.215, F.S., relating
26 to the Inmate Welfare Trust Fund; requiring
27 such funds to be used for visitation and family
28 programs and services; requiring funds from
29 vending machines used by visitors to go into
30 the fund; transferring the contract for the
31 Gadsden Correctional Institution from the

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Department of Corrections to the Correctional
Privatization Commission;