

By the Committee on Governmental Oversight and Productivity;  
and Senator Lee

302-2049-99

1                                   A bill to be entitled  
2           An act relating to state-owned property;  
3           amending s. 230.23162, F.S.; directing the  
4           Department of Management Services to seek  
5           proposals for the use or transfer of a  
6           specified state facility; requiring the  
7           department to take steps to preserve the  
8           facility; providing an effective date.  
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10           WHEREAS, the Legislature has affirmed its commitment to  
11           the development of public safety, and  
12           WHEREAS, this commitment must take into consideration  
13           the needs of local communities that wish to enter partnerships  
14           with the state of Florida, and  
15           WHEREAS, the foundation for a justice partnership is no  
16           more evident or important than with our youth, and  
17           WHEREAS, the state's commitment to public safety has  
18           been evidenced in the development of alternative residential  
19           facilities for troubled youth, and  
20           WHEREAS, the state must explore all opportunities that  
21           make the commitment of public resources the most  
22           cost-effective and sound for all residents, and  
23           WHEREAS, a working group of public officials,  
24           representing state and local government, has made an extensive  
25           evaluation and detailed preliminary recommendations for  
26           possible uses for the site and assets acquired and owned under  
27           former section 985.402, Florida Statutes, and  
28           WHEREAS, the interest of the local community in such  
29           site continues to be of great concern, and local residents are  
30           to be commended for the many hours they have spent in  
31           providing information to the working group, and

1           WHEREAS, the commitment to public safety can best be  
2 fulfilled through further exploration of creative partnerships  
3 with state and local government and the public and private  
4 sectors, NOW, THEREFORE,

5  
6 Be It Enacted by the Legislature of the State of Florida:

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8           Section 1. Section 230.23162, Florida Statutes, 1998  
9 Supplement, is amended to read:

10           230.23162 Residential public education facility.--

11           (1) Ownership of the facility and related assets  
12 authorized under former s. 985.402, is transferred to the  
13 Department of Management Services. The Department of  
14 Management Services shall direct change orders in existing  
15 construction contracts necessary to complete construction to  
16 the extent necessary to stabilize assets and prepare the  
17 facility for future utilization. The Department of Management  
18 Services shall provide administrative, site inspection, and  
19 security services as necessary to carry out the provisions of  
20 this section. The Department of Management Services shall have  
21 access to all state funds previously appropriated to the  
22 Alternative Education Institute for this purpose.

23           (a) The Department of Management Services shall  
24 continue to work with contractors to weatherize, close in, and  
25 stabilize the facility, protect the assets, and resolve any  
26 claims regarding the facility.

27           (b) The Department of Management Services should  
28 continue to facilitate interest by private entities or public  
29 entities capable of serving as either owner, occupant, or  
30 fiscal agent for a public-private partnership. Any entity,  
31 public, private, or a public-private partnership, must meet

1 all of the criteria specified in the revised Department of  
2 Management Services Request for Proposal dated August 21,  
3 1998, and issued pursuant to chapter 98-209, Laws of Florida.

4 (2) The Department of Management Services, in  
5 cooperation with the relevant state agencies, is directed to  
6 continue to receive and evaluate proposals for the use or  
7 transfer of the facility described in subsection (1) and,  
8 after taking into account local and state concerns and  
9 interests, may make a final disposition for use or transfer of  
10 such facility, subject to the notice, review, and objection  
11 procedures of s. 216.177.

12 (a) The Department of Management Services shall  
13 continue to invite public-agency proposals and related funding  
14 requests, from either state or local agencies, to provide an  
15 education program for nonadjudicated youth, and also to  
16 continue to encourage other proposals and funding requests  
17 consistent with state and local community needs and concerns.

18 (b) Upon request, the Department of Management  
19 Services shall continue to work with project proposers who  
20 submitted proposals, and an addendum to proposals, to the  
21 working group pursuant to chapter 98-209, Laws of Florida.

22 (c) In considering proposals, the Department of  
23 Management Services and the Legislature shall take into  
24 account local and state interests and concerns.

25 ~~(2)(a) A working group is formed to develop a plan for~~  
26 ~~the use of the facility and to develop a request for proposals~~  
27 ~~or request for information for operation of the program by a~~  
28 ~~private contractor. The working group shall be composed of~~  
29 ~~eight members: one member each from the Department of~~  
30 ~~Education, Department of Juvenile Justice, and Department of~~  
31 ~~Children and Family Services; one member appointed by the~~

1 ~~President of the Senate; one member appointed by the Speaker~~  
2 ~~of the House of Representatives; one representative of the~~  
3 ~~13th judicial circuit of Hillsborough County, to be appointed~~  
4 ~~by the Chief Circuit Judge; one representative of the~~  
5 ~~Hillsborough School District, and one representative from~~  
6 ~~local law enforcement to be appointed by the Sheriff of~~  
7 ~~Hillsborough County. The Department of Education shall provide~~  
8 ~~administrative support for the working group.~~

9 ~~(b) The group shall assess needs of categories of~~  
10 ~~clients served by the member agencies in evaluating possible~~  
11 ~~uses for the facility in meeting the needs of the clients. The~~  
12 ~~group shall identify client categories that may be served~~  
13 ~~through the use of the facility, shall outline a program~~  
14 ~~structure, and shall make further recommendations, including a~~  
15 ~~proposed private provider for implementation. The group should~~  
16 ~~consider previous recommendations for use of the facility, and~~  
17 ~~shall specifically consider the viability of prior proposals~~  
18 ~~submitted for use of the facility in the fiscal year~~  
19 ~~1997-1998. The group shall be formed and activated when this~~  
20 ~~act becomes law.~~

21 ~~(3) The Department of Management Services shall survey~~  
22 ~~state agencies, and shall invite bids and proposals from state~~  
23 ~~agencies, local government agencies, federal agencies, and the~~  
24 ~~private sector for the use or disposition of the facility and~~  
25 ~~related assets, no later than June 15, 1998. Notwithstanding~~  
26 ~~any law to the contrary, the Department of Management Services~~  
27 ~~shall set a deadline for receipt of bids and proposals of not~~  
28 ~~less than 3 months after the invitation for bids and proposals~~  
29 ~~is advertised. By October 1, 1998, the Department of~~  
30 ~~Management Services shall evaluate all bids and proposals and~~  
31 ~~make a recommendation to the working group created under this~~

1 ~~section regarding proposed uses for the facility, taking into~~  
2 ~~account local and state interests and concerns.~~

3 ~~(4) Taking into consideration the recommendation of~~  
4 ~~the Department of Management Services, and local and state~~  
5 ~~concerns and interests, the working group shall, no later than~~  
6 ~~November 1, 1998, make a final determination for the use or~~  
7 ~~disposition of the facility and related assets planned,~~  
8 ~~constructed, acquired, and equipped pursuant to Specific~~  
9 ~~Appropriation 2012A of the 1994-1995 General Appropriations~~  
10 ~~Act, and shall be disbanded upon that date. Such~~  
11 ~~determination shall be subject to the notice, review, and~~  
12 ~~objection procedures of s. 216.177. If the final determination~~  
13 ~~made by the working group is objected to under s. 216.177, the~~  
14 ~~final determination for the facility and related assets shall~~  
15 ~~be made by the Legislature during the 1999 Regular Session.~~

16 Section 2. This act shall take effect upon becoming a  
17 law.

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19 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
20 COMMITTEE SUBSTITUTE FOR  
21 SB 1774

22 Requires the Department of Management Services to stabilize  
23 the facility by weatherizing and enclosing it.

24 Requires the department to continue to facilitate interest in  
the site by private and public entities.

25 Requires the department to invite proposals to provide an  
26 educational program for nonadjudicated youths.

27 Requires the department to continue to work with entities who  
submitted project proposals.

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