

hbd-22

Amendment No. ____ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

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11 Representative(s) Stansel offered the following:

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13 **Amendment (with title amendment)**

14 On page 101, between lines 2 & 3,

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16 insert:

17 Section 94. Paragraph (e) of subsection (3) and
18 subsection (6) of section 957.03, Florida Statutes, are
19 amended to read:

20 957.03 Correctional Privatization Commission.--

21 (3) TERMS, ORGANIZATION, AND MEETINGS.--

22 (e) The commission may employ an executive director
23 and such staff as is necessary, within the limits of
24 legislative appropriation. The commission may retain such
25 consultants as it deems necessary to accomplish its mission.
26 Neither the executive director nor any consultant retained by
27 the commission may have been an employee or a contract vendor
28 of or a consultant to the department or the Department of
29 Juvenile Justice, or an employee or a contract vendor of or a
30 consultant to a bidder, for 2 years prior to employment with
31 the commission and may not become an employee or a contract

hbd-22

Bill No. HB 1967

Amendment No. ____ (for drafter's use only)

1 vendor of or a consultant to the department or the Department
 2 of Juvenile Justice, or an employee or a contract vendor of or
 3 a consultant to a bidder, for 2 years following termination of
 4 employment with the commission. The executive director, a
 5 commissioner, or an employee of the commission may not act as
 6 a consultant for any entity involved in the criminal justice
 7 system while a member of or employed by the commission. Any
 8 violation of this prohibition is punishable as provided in s.
 9 112.317.

10 (6) SUPPORT BY DEPARTMENT OF MANAGEMENT SERVICES.--The
 11 commission shall be a separate budget entity, and the
 12 executive director shall be its chief administrative officer.
 13 The Department of Management Services shall provide
 14 administrative support and service to the commission to the
 15 extent requested by the executive director. The commission and
 16 its staff are ~~not~~ subject to the control, supervision, and ~~or~~
 17 direction of ~~by~~ the Department of Management Services ~~in any~~
 18 ~~manner~~, including, but not limited to, personnel, purchasing,
 19 and budgetary matters, and ~~except~~ to the extent ~~as~~ provided in
 20 chapters 110, 216, 255, 282, and 287 for agencies of the
 21 executive branch. The executive director may designate a
 22 maximum of two policymaking or managerial positions as being
 23 exempt from the Career Service System. These two positions may
 24 be provided for as members of the Senior Management Service.

25 Section 95. Section 957.11, Florida Statutes, is
 26 amended to read:

27 957.11 Evaluation of costs and benefits of
 28 contracts.--The Office of Program Policy Analysis and
 29 Government Accountability ~~Auditor General~~ shall develop and
 30 implement an evaluation of the costs and benefits of each
 31 contract entered into under this chapter. This evaluation must

hbd-22

Bill No. HB 1967

Amendment No. ____ (for drafter's use only)

1 include a comparison of the costs and benefits of constructing
 2 and operating prisons by the state versus by private
 3 contractors. The Office of Program Policy Analysis and
 4 Government Accountability Auditor General shall also evaluate
 5 the performance of the private contractor at the end of the
 6 term of each management contract and make recommendations to
 7 the Speaker of the House of Representatives and the President
 8 of the Senate on whether to continue the contract.

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

12 And the title is amended as follows:

13 On page 2, line 19, after the semicolon

14

15 insert:

16 amending s. 957.03, F.S.; prohibiting the
 17 executive director, a member, or an employee of
 18 the commission from acting as a consultant for
 19 a criminal justice entity; providing penalties;
 20 providing for the commission and its staff to
 21 be under the control of the Department of
 22 Management Services; amending s. 957.11, F.S;
 23 providing for the Office of Program Policy
 24 Analysis and Government Accountability rather
 25 than the Auditor General to evaluate contracts
 26 and private contractors that construct and
 27 operate prisons;

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