

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

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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The Committee on State Administration offered the following:

Amendment (with title amendment)

Remove from the bill: Everything after the enacting clause
and insert in lieu thereof:

Section 1. Paragraph (e) of subsection (3) and
subsection (6) of section 957.03, Florida Statutes, are
amended to read:

957.03 Correctional Privatization Commission.--

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

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

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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 section 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 2. 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

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

10 Section 3. This act shall take effect July 1, 2001.

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

14 And the title is amended as follows:
 15 remove from the title of the bill: the entire title
 16
 17 and insert in lieu thereof:

18 A bill to be entitled
 19 An act relating to the Correctional
 20 Privatization Commission; amending s. 957.03,
 21 F.S.; prohibiting the executive director, a
 22 commissioner, or an employee of the commission
 23 from acting as a consultant for a criminal
 24 justice entity; providing penalties; providing
 25 for the commission and its staff to be under
 26 the control of the Department of Management
 27 Services; amending s. 957.11, F.S; providing
 28 for the Office of Program Policy Analysis and
 29 Government Accountability rather than the
 30 Auditor General to evaluate contracts and
 31 private contractors that construct and operate

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prisons; providing an effective date.