

By Senator Wise

5-889-05

1 A bill to be entitled

2 An act relating to prison industries; creating

3 the Prison Industries Task Force within the

4 Office of the Auditor General; requiring the

5 task force to determine how well the prison

6 industries program has fulfilled its statutory

7 mission and purpose; providing for the

8 appointment of members to the task force;

9 requiring the task force to hold a minimum

10 number of public meetings; providing that the

11 meetings and records of the task force are

12 subject to public-meetings requirements and the

13 public-records law; providing for members of

14 the task force to be reimbursed for per diem

15 and travel expenses; requiring the Office of

16 Program Policy Analysis and Government

17 Accountability to provide staff support for the

18 task force; specifying the duties of the task

19 force with respect to conducting a study,

20 collecting statistics and data, and taking

21 testimony; requiring the task force to submit a

22 report to the Governor and the Legislature;

23 abolishing the task force on a future date;

24 amending s. 946.505, F.S.; clarifying the

25 state's reversionary interest in the

26 facilities, property, and assets of the

27 corporation operating a correctional work

28 program; providing an effective date.

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30 Be It Enacted by the Legislature of the State of Florida:

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1 Section 1. Prison Industries Task Force.--

2 (1)(a) There is created within the Office of the
3 Auditor General the Prison Industries Task Force for the
4 purpose of determining how well the prison industries program
5 has fulfilled its statutory mission and purposes, what
6 economic and societal value the prison industries program has
7 produced for the state, and whether the statutory mission of
8 the prison industries program is feasible and relevant today
9 and for the future.

10 (b) The task force shall consist of the following 14
11 members:

12 1. The Secretary of Corrections and three wardens of
13 prisons that have prison industries programs;

14 2. A representative from the Agency for Workforce
15 Innovation;

16 3. A representative from the Office of Workforce
17 Education within the Department of Education.

18 4. A representative from Florida TaxWatch;

19 5. A member of the Senate, appointed by the President
20 of the Senate;

21 6. A member of the House of Representatives, appointed
22 by the Speaker of the House of Representatives;

23 7. A representative from the board of directors of the
24 private nonprofit prison industries corporation, as defined in
25 section 946.503, Florida Statutes;

26 8. A representative from a governmental or
27 private-sector entity that purchases products that are
28 produced by prison industries;

29 9. A representative from a private industry that
30 employs former inmates;

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1 10. A representative from the academic community who
2 has expertise in research concerning the reentry of former
3 prisoners into society and the employment of former felons;
4 and

5 11. A former inmate who worked in the prison
6 industries program.

7 (c) The Auditor General shall appoint the members of
8 the task force described in subparagraphs (b)7.-11. by July 1,
9 2005, and the appointees shall be representative of the
10 geographic regions and ethnic and gender diversity of this
11 state.

12 (d) The task force shall hold its first meeting by
13 July 15, 2005, at which time the members shall select by
14 majority vote a chairperson from among the task force members.

15 (e) All recommendations of the task force shall be by
16 majority vote.

17 (f) The task force shall meet at the call of its
18 chairperson and shall conduct at least five public meetings.

19 (g) Meetings of the task force shall be open to the
20 public and are subject to the requirements of section 286.011,
21 Florida Statutes. Records of the task force are public records
22 and subject to chapter 119, Florida Statutes, except to the
23 extent that public access to any of those records is
24 restricted by law.

25 (h) Members of the task force shall serve without
26 compensation, but are entitled to reimbursement for per diem
27 and travel expenses in accordance with section 112.061,
28 Florida Statutes.

29 (i) The Office of Program Policy Analysis and
30 Government Accountability shall provide staff support for the
31 task force.

- 1 (2)(a) The task force shall study, collect statistics
2 and data, and take testimony concerning the following:
- 3 1. Are the statutory missions of the correctional work
4 program still valid?
- 5 2. Should other valid missions be included within the
6 program?
- 7 3. Does any current or recommended mission conflict
8 with any other valid mission?
- 9 4. Should the missions be ranked in order of priority
10 and, if so, to what extent can accomplishment of a
11 higher-priority mission be reduced in order to accomplish a
12 lower-priority mission?
- 13 5. Is the operation of the correctional work program,
14 which duplicates as closely as possible free-world production
15 and service operations, the most effective manner in which to
16 accomplish the missions of the correctional work program?
- 17 6. Is the current operation of the correctional work
18 program achieving the valid missions of the program?
- 19 7. Should the structure for managing the correctional
20 work program be changed in order to facilitate accomplishing
21 the missions of the program?
- 22 8. Is operating the correctional work program
23 independently of state government the most effective manner in
24 which to accomplish its mission?
- 25 9. Has PRIDE fulfilled the legislative intent stated
26 in section 946.502(6), Florida Statutes, that correctional
27 work programs use inmates in all levels of custody, with
28 specific emphasis on reducing idleness among inmates in close
29 custody?
- 30 10. To what extent has privatization of governmental
31 functions and changing markets reduced sales by PRIDE and

1 therefore impeded its ability to expand prison industry
2 training?

3 11. What is the effect and the effectiveness of
4 PRIDE's three main responses to declining sales over the past
5 decade, which have been corporate restructuring, creation of
6 private partnerships, and increased marketing to other levels
7 of government, such as counties, municipalities, and school
8 districts, and to nonprofit organizations and other states?

9 12. What creative strategies could enhance PRIDE's
10 ability to increase prison industry sales and increase inmate
11 training?

12 (b) The task force shall submit a report of its
13 findings and recommendations to the Governor, the President of
14 the Senate, and the Speaker of the House of Representatives by
15 January 15, 2006.

16 (3) All meetings of the task force and all business of
17 the task force for which reimbursement may be requested must
18 be concluded before the report is filed. The task force is
19 abolished July 1, 2006.

20 Section 2. Subsection (1) of section 946.505, Florida
21 Statutes, is amended to read:

22 946.505 Reversion upon dissolution of corporation or
23 termination of lease.--

24 (1) In the event the corporation is dissolved or its
25 lease of any correctional work program expires or is otherwise
26 terminated, all property relating to such correctional work
27 program which ceases to function because of such termination
28 or dissolution, including all buildings, land, furnishings,
29 equipment, and other chattels and assets, whether originally
30 leased from the department ~~or, as well as any~~ subsequently
31 constructed or otherwise acquired ~~facilities in connection~~

1 ~~with its continued operation of that program~~, automatically
2 reverts to full ownership by the department unless the
3 corporation intends to use ~~utilize~~ such property in another
4 correctional work program. Such a reversionary ownership
5 interest of the state in any and all such after-acquired
6 facilities, property, and assets by the corporation is in
7 furtherance of the goals established in s. 946.502(4), and
8 such a present ownership interest by the state is a continuing
9 and insurable state interest.

10 Section 3. This act shall take effect upon becoming a
11 law.

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14 SENATE SUMMARY

15 Creates the Prison Industries Task Force within the
16 Office of the Auditor General to determine how well the
17 prison industries program has fulfilled its mission and
18 purpose. Requires that the task force hold at least five
19 public meetings. Provides that open-meetings and
20 open-records laws apply to the task force. Requires the
21 Office of Program Policy Analysis and Government
22 Accountability to provide staff support for the task
23 force. Requires that the task force report to the
24 Governor and the Legislature. Provides that the state has
25 a reversionary ownership interest in property and assets
26 of the corporation that operates any correctional work
27 program.
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