

By the Committee on Criminal Justice; and Senator Wise

591-1651-05

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 Legislative Service; 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 Legislative
16 Committee on Intergovernmental Relations to
17 provide staff support for the task force;
18 specifying the duties of the task force with
19 respect to taking testimony; requiring the task
20 force to submit a report to the Governor and
21 the Legislature; abolishing the task force on a
22 future date; amending s. 946.505, F.S.;
23 clarifying the state's reversionary interest in
24 the facilities, property, and assets of the
25 corporation operating a correctional work
26 program; providing an effective date.

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

29
30 Section 1. Prison Industries Task Force.--

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1 (1)(a) There is created within the Office of
2 Legislative Services the Prison Industries Task Force for the
3 purpose of reviewing how well the prison industries program
4 has fulfilled its statutory missions and purposes and whether
5 the statutory missions of the prison industries program are
6 feasible and relevant today and for the future.

7 (b) The task force shall consist of the following 13
8 members:

9 1. The Secretary of Corrections and two wardens of
10 prisons that have prison industries programs;

11 2. A representative from the Agency for Workforce
12 Innovation;

13 3. A representative from the Office of Workforce
14 Education within the Department of Education;

15 4. A representative from Florida TaxWatch;

16 5. A member of the Senate, appointed by the President
17 of the Senate;

18 6. A member of the House of Representatives, appointed
19 by the Speaker of the House of Representatives;

20 7. A representative from the board of directors of the
21 private nonprofit prison industries corporation, as defined in
22 section 946.503, Florida Statutes;

23 8. A representative from a local governmental entity
24 that purchases products that are produced by prison
25 industries;

26 9. A representative from a private industry that
27 regularly employs former inmates;

28 10. A representative from the academic community who
29 has expertise in research concerning the reentry of former
30 prisoners into society and the employment of former felons;

31 and

1 11. A former inmate who worked in the prison
2 industries program.

3 (c) The President of Senate and the Speaker of the
4 House of Representatives shall jointly appoint the members of
5 the task force described in subparagraphs (b)7.-11. by July 1,
6 2005.

7 (d) The task force shall hold its first meeting by
8 July 15, 2005, and the representative of Florida TaxWatch
9 shall serve as chairperson.

10 (e) All recommendations of the task force shall be by
11 majority vote.

12 (f) The task force shall meet at the call of its
13 chairperson and shall conduct at least three public meetings.

14 (g) Meetings of the task force shall be open to the
15 public and are subject to the requirements of section 286.011,
16 Florida Statutes. Records of the task force are public records
17 and subject to chapter 119, Florida Statutes, except to the
18 extent that public access to any of those records is
19 restricted by law.

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

24 (i) The Legislative Committee on Intergovernmental
25 Relations shall provide staff support for the task force.

26 (2)(a) The task force shall receive testimony from the
27 Auditor General, the Governor's Inspector General, the Office
28 of Program Policy Analysis and Government Accountability,
29 PRIDE, and other appropriate officials to address the
30 following:

- 1 1. Are the statutory missions as defined in section
2 946.501(2), Florida Statutes, of the prison industries program
3 still valid?
- 4 2. Should other valid missions be included within the
5 program?
- 6 3. How do the current or recommended missions conflict
7 with any other valid missions?
- 8 4. Should the missions be ranked in order of priority
9 and, if so, to what extent can accomplishment of a
10 higher-priority mission be reduced in order to accomplish a
11 lower-priority mission?
- 12 5. Is fulfillment of the legislative finding in
13 section 946.501(3), Florida Statutes, that it is in the best
14 interest of the state, inmates, and the general public to
15 duplicate as closely as possible free-enterprise production
16 and service operations also the most effective manner in which
17 to accomplish the missions of the prison industries program?
- 18 6. Should the structure for managing the correctional
19 work program be changed in order to facilitate accomplishing
20 the missions of the program?
- 21 7. Is operating the prison industries program
22 independently of state government the most effective manner in
23 which to accomplish its valid mission?
- 24 8. To what extent can PRIDE fulfill the legislative
25 intent stated in section 946.502(6), Florida Statutes, that
26 prison industries programs use inmates in all levels of
27 custody, with specific emphasis on reducing idleness among
28 inmates in close custody?
- 29 9. To what extent has privatization of governmental
30 functions and changing markets reduced sales by PRIDE and
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1 therefore impeded its ability to expand prison industry
2 training?

3 10. What creative strategies could enhance the prison
4 industries program's ability to meet its valid missions?

5 (b) The task force shall submit a report of its
6 findings and recommendations to the Governor, the President of
7 the Senate, and the Speaker of the House of Representatives by
8 February 15, 2006.

9 (3) All meetings of the task force and all business of
10 the task force for which reimbursement may be requested must
11 be concluded before the report is filed. The task force is
12 abolished July 1, 2006.

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

15 946.505 Reversion upon dissolution of corporation or
16 termination of lease.--

17 (1) In the event the corporation is dissolved or its
18 lease of any correctional work program expires or is otherwise
19 terminated, all property relating to such correctional work
20 program which ceases to function because of such termination
21 or dissolution, including all buildings, land, furnishings,
22 equipment, and other chattels and assets, whether originally
23 leased from the department ~~or, as well as any~~ subsequently
24 constructed or otherwise acquired ~~facilities in connection~~
25 ~~with its continued operation of that program~~, automatically
26 reverts to full ownership by the department unless the
27 corporation intends to use ~~utilize~~ such property in another
28 correctional work program. Such a reversionary ownership
29 interest of the state in any and all such after-acquired
30 facilities, property, and assets by the corporation is in
31 furtherance of the goals established in s. 946.502(4), and

1 such a present ownership interest by the state is a continuing
2 and insurable state interest.

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

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6 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
7 COMMITTEE SUBSTITUTE FOR
8 Senate Bill 886

- 9 - Houses the task force within the Office of Legislative
10 Services with staff support provided by the Legislative
11 Committee on Intergovernmental Relations, instead of
12 housing it within the Office of the Auditor General with
13 staff support provided by OPPAGA.
- 14 - Reduces the size of the task force from 14 members to 13
15 members by including 2, instead of 3, wardens of
16 institutions with correctional work programs.
- 17 - Provides for the President of the Senate and Speaker of
18 the House of Representatives, to jointly appoint certain
19 members, instead of having the appointments made by the
20 Auditor General.
- 21 - Specifies that the representative of Tax Watch will be
22 the task force chairman, rather than having the chairman
23 elected by the members.
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