

By the Committees on Justice Appropriations; Governmental Oversight and Productivity; and Senator Wise

604-2393-06

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 Services; 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 for  
11            members of the task force to be reimbursed for  
12            per diem and travel expenses; requiring the  
13            Legislative Committee on Intergovernmental  
14            Relations to provide staff support for the task  
15            force; specifying the duties of the task force  
16            with respect to taking testimony; requiring the  
17            task force to submit a report to the Governor  
18            and the Legislature; abolishing the task force  
19            on a future date; amending s. 946.505, F.S.;  
20            clarifying the state's reversionary interest in  
21            the facilities, property, and assets of the  
22            corporation operating a correctional work  
23            program; providing an effective date.

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25 Be It Enacted by the Legislature of the State of Florida:  
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27            Section 1. Prison Industries Task Force.--  
28            (1)(a) There is created within the Office of  
29 Legislative Services the Prison Industries Task Force to  
30 review how well PRIDE has fulfilled its statutory missions and  
31 purposes and whether the statutory missions of the prison

1 industries program are feasible and relevant today and in the  
2 future.

3 (b) The task force shall consist of the following 13  
4 members:

5 1. The Secretary of Corrections, who shall serve as  
6 chair, and two wardens of prisons that operate prison  
7 industries programs;

8 2. A representative from the Agency for Workforce  
9 Innovation;

10 3. A representative from the Office of Workforce  
11 Education within the Department of Education;

12 4. A member of the Senate, appointed by the President  
13 of the Senate;

14 5. A member of the House of Representatives, appointed  
15 by the Speaker of the House of Representatives;

16 6. A representative from the board of directors of the  
17 private nonprofit prison industries corporation, as defined in  
18 s. 946.503, Florida Statutes;

19 7. A representative from a local governmental entity  
20 that purchases products that are produced by prison  
21 industries;

22 8. A representative from a private industry that  
23 regularly employs former inmates;

24 9. A representative from a private industry that  
25 regularly trains inmates;

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

30 11. A former inmate who has worked in the prison  
31 industries program.

1           (c) The President of the Senate and the Speaker of the  
2 House of Representatives shall jointly appoint the members of  
3 the task force specified in subparagraphs (b)6.-11. by July 1,  
4 2006.

5           (d) The task force shall hold its first meeting by  
6 July 15, 2006.

7           (e) All recommendations of the task force shall be by  
8 majority vote.

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

11           (g) Members of the task force shall serve without  
12 compensation, but are entitled to reimbursement for per diem  
13 and travel expenses in accordance with s. 112.061, Florida  
14 Statutes.

15           (h) The Legislative Committee on Intergovernmental  
16 Relations shall provide staff support for the task force.

17           (2)(a) The task force shall receive testimony from the  
18 Auditor General, the Governor's Inspector General, the Office  
19 of Program Policy Analysis and Government Accountability,  
20 PRIDE, and other appropriate officials to address the  
21 following:

22           1. Are the statutory missions of the prison industries  
23 program as defined in s. 946.501(2), Florida Statutes, still  
24 valid?

25           2. Should other valid missions be included within the  
26 program?

27           3. How do the current or recommended missions conflict  
28 with any other valid missions?

29           4. Should the missions be ranked in order of priority  
30 and, if so, to what extent can accomplishment of a  
31

1 higher-priority mission be reduced in order to accomplish a  
2 lower-priority mission?

3 5. Is the method of addressing the legislative finding  
4 in s. 946.501(3), Florida Statutes, which is that it is in the  
5 best interest of the state, inmates, and the general public to  
6 duplicate as closely as possible free-enterprise production  
7 and service operations, also the most effective manner in  
8 which to accomplish the missions of the prison industries  
9 program?

10 6. Should the structure for managing the correctional  
11 work program be changed in order to facilitate accomplishing  
12 the missions of the program?

13 7. Is operating the prison industries program  
14 independently of state government the most effective manner in  
15 which to accomplish its valid mission?

16 8. To what extent can PRIDE fulfill the legislative  
17 intent stated in s. 946.502(6), Florida Statutes, which is  
18 that prison industries programs use inmates in all levels of  
19 custody, with specific emphasis on reducing idleness among  
20 inmates in close custody?

21 9. To what extent, if any, have privatization of  
22 governmental functions and changing markets reduced sales by  
23 PRIDE or impeded its ability to expand prison industry  
24 training?

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

27 (b) The task force shall submit a report of its  
28 findings and recommendations to the Governor, the President of  
29 the Senate, and the Speaker of the House of Representatives by  
30 February 15, 2007.

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1           (3) All meetings of the task force and all business of  
2 the task force for which reimbursement may be requested must  
3 be concluded before the report is filed. The task force is  
4 abolished July 1, 2007.

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

7           946.505 Reversion upon dissolution of corporation or  
8 termination of lease.--

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

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

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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
COMMITTEE SUBSTITUTE FOR  
CS for Senate Bill 192

Removes language requiring meetings and records of the task force to be subject to the provisions of ss. 286.011 and chapter 119, Florida Statutes, respectively.