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2006

1 A bill to be entitled

2 An act relating to prison industries; creating the Prison
3 Industries Task Force within the Office of Legislative
4 Services; requiring the task force to determine how well
5 the prison industries program has fulfilled its statutory
6 mission and purpose; providing for the appointment of
7 members to the task force; requiring the task force to
8 hold a minimum number of public meetings; providing that
9 the meetings and records of the task force are subject to
10 public meetings requirements and the public records law;
11 providing for members of the task force to be reimbursed
12 for per diem and travel expenses; requiring the
13 Legislative Committee on Intergovernmental Relations to
14 provide staff support for the task force; specifying the
15 duties of the task force with respect to taking testimony;
16 requiring the task force to submit a report to the
17 Governor and the Legislature; abolishing the task force on
18 a future date; amending s. 946.505, F.S.; clarifying the
19 state's reversionary interest in the facilities, property,
20 and assets of the corporation operating a correctional
21 work program; providing an effective date.

22
23 Be It Enacted by the Legislature of the State of Florida:

24
25 Section 1. Prison Industries Task Force.--

26 (1) (a) There is created within the Office of Legislative
27 Services the Prison Industries Task Force to review how well
28 PRIDE has fulfilled its statutory missions and purposes and

29 whether the statutory missions of the prison industries program
 30 are feasible and relevant today and in the future.

31 (b) The task force shall consist of the following 14
 32 members:

33 1. The Secretary of Corrections, who shall serve as chair,
 34 and two wardens of prisons that have prison industries programs;

35 2. A representative from the Agency for Workforce
 36 Innovation;

37 3. A representative from the Office of Workforce Education
 38 within the Department of Education;

39 4. A representative from Florida TaxWatch;

40 5. A member of the Senate, appointed by the President of
 41 the Senate;

42 6. A member of the House of Representatives, appointed by
 43 the Speaker of the House of Representatives;

44 7. A representative from the board of directors of the
 45 private nonprofit prison industries corporation, as defined in
 46 s. 946.503, Florida Statutes;

47 8. A representative from a local governmental entity that
 48 purchases products that are produced by prison industries;

49 9. A representative from a private industry that regularly
 50 employs former inmates;

51 10. A representative from a private industry that
 52 regularly trains inmates;

53 11. A representative from the academic community who has
 54 expertise in research concerning the reentry of former prisoners
 55 into society and the employment of former felons; and

56 12. A former inmate who has worked in the prison

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57 industries program.

58 (c) The President of the Senate and the Speaker of the
59 House of Representatives shall jointly appoint the members of
60 the task force specified in subparagraphs (b)7.-11. by July 1,
61 2006.

62 (d) The task force shall hold its first meeting by July
63 15, 2006, at which time the members shall select by majority
64 vote a chairperson from among themselves.

65 (e) All recommendations of the task force shall be by
66 majority vote.

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

69 (g) Meetings of the task force shall be open to the public
70 and are subject to the requirements of s. 286.011, Florida
71 Statutes. Records of the task force are public records and
72 subject to chapter 119, Florida Statutes, except to the extent
73 that public access to any of those records is restricted by law.

74 (h) Members of the task force shall serve without
75 compensation, but are entitled to reimbursement for per diem and
76 travel expenses in accordance with s. 112.061, Florida Statutes.

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

79 (2)(a) The task force shall receive testimony from the
80 Auditor General, the Chief Inspector General, the Office of
81 Program Policy Analysis and Government Accountability, PRIDE,
82 and other appropriate officials to address the following:

83 1. Are the statutory missions of the prison industries
84 program as defined in s. 946.501(2), Florida Statutes, still

85 valid?

86 2. Should other valid missions be included within the
 87 program?

88 3. How do the current or recommended missions conflict
 89 with any other valid missions?

90 4. Should the missions be ranked in order of priority and,
 91 if so, to what extent can accomplishment of a higher-priority
 92 mission be reduced in order to accomplish a lower-priority
 93 mission?

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

100 6. Should the structure for managing the correctional work
 101 program be changed in order to facilitate accomplishing the
 102 missions of the program?

103 7. Is operating the prison industries program
 104 independently of state government the most effective manner in
 105 which to accomplish its valid mission?

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

111 9. To what extent, if any, have privatization of
 112 governmental functions and changing markets reduced sales by

113 PRIDE or impeded its ability to expand prison industry training?

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

116 (b) The task force shall submit a report of its findings
 117 and recommendations to the Governor, the President of the
 118 Senate, and the Speaker of the House of Representatives by
 119 February 15, 2007.

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

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

126 946.505 Reversion upon dissolution of corporation or
 127 termination of lease.--

128 (1) In the event the corporation is dissolved or its lease
 129 of any correctional work program expires or is otherwise
 130 terminated, all property relating to such correctional work
 131 program which ceases to function because of such termination or
 132 dissolution, including all buildings, land, furnishings,
 133 equipment, and other chattels and assets, whether originally
 134 leased from the department or, ~~as well as any~~ subsequently
 135 constructed or otherwise acquired ~~facilities in connection with~~
 136 ~~its continued operation of that program,~~ automatically reverts
 137 to full ownership by the department unless the corporation
 138 intends to use ~~utilize~~ such property in another correctional
 139 work program. Such a reversionary ownership interest of the
 140 state in any and all such after-acquired facilities, property,

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141 and assets by the corporation is in furtherance of the goals
142 established in s. 946.502(4), and such a present ownership
143 interest by the state is a continuing and insurable state
144 interest.

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