

CS/HB 1213

2008

1 A bill to be entitled
2 An act relating to correctional work programs; creating
3 the Correctional Work Program Council; assigning the
4 council to the Agency for Workforce Innovation for
5 administrative purposes; providing a purpose for the
6 council; providing for membership of the council;
7 requiring that the council meet by a specified date;
8 requiring the council to present a report to the Governor
9 and the Legislature; providing requirements for the
10 findings and the recommendations; providing for future
11 expiration of the council; amending s. 946.523, F.S.;
12 requiring a prison industry enhancement certificate to be
13 relinquished to the Department of Corrections on a
14 specified date; providing for the deposit of deductions
15 from prison industry employee wages made after a specified
16 date; amending s. 946.510, F.S.; providing that employees
17 of the private nonprofit corporation operating prison
18 industries are deemed state employees for workers'
19 compensation purposes; providing an effective date.

20
21 Be It Enacted by the Legislature of the State of Florida:

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23 Section 1. Correctional Work Program Council; creation;
24 members; powers and duties.--

25 (1) The Correctional Work Program Council is established
26 within the Agency for Workforce Innovation. The purpose of the
27 council is to evaluate correctional work programs operating in
28 the state and to make findings and recommendations concerning

29 the practices and laws relating to correctional work programs.
 30 The council shall serve in an advisory capacity to the
 31 Legislature and the Governor.

32 (2) The council shall consist of the following eight
 33 members:

34 (a) A person appointed by the Governor.

35 (b) A Senator appointed by the President of the Senate.

36 (c) A Representative appointed by the Speaker of the House
 37 of Representatives.

38 (d) The Commissioner of Agriculture, or his or her
 39 designee.

40 (e) The Chief Financial Officer, or his or her designee.

41 (f) The Attorney General, or his or her designee.

42 (g) The Secretary of Corrections.

43 (h) The chair of Prison Rehabilitative Industries and
 44 Diversified Enterprises, Inc.

45 (3) The chair of the council shall be selected by the
 46 members. The council is not subject to control, supervision, or
 47 direction by the Agency for Workforce Innovation or the
 48 Department of Corrections.

49 (4) The council shall hold its first meeting by September
 50 1, 2008. The council shall meet at least quarterly and at other
 51 times at the call of the chair or as determined by a majority of
 52 council members. A majority of the members of the council
 53 constitutes a quorum.

54 (5) On or before January 15, 2009, the council shall
 55 report its findings and recommendations to the Governor, the
 56 President of the Senate, and the Speaker of the House of

57 Representatives. The findings and recommendations shall include,
58 but not be limited to:

59 (a) How the current correctional work programs created
60 under part II of chapter 946, Florida Statutes, operate.

61 (b) Whether the goals and objectives of the correctional
62 work programs fulfill a mission of vocational training and
63 rehabilitation for the inmates that participate in the
64 correctional work programs.

65 (c) Whether the correctional work programs have reduced
66 recidivism for participating inmates.

67 (d) Whether current work programs provide basic job skills
68 that enable participating ex-offenders to achieve meaningful
69 employment.

70 (e) Whether additional correctional work program
71 opportunities could be created and the legal and financial
72 considerations involved in creating such additional
73 opportunities.

74 (f) What services or products are currently produced by
75 the correctional work programs, and what additional services or
76 products could be developed, which could or should be purchased
77 by the state or other governmental bodies.

78 (g) How the Prison Industries Enhancement (PIE) programs
79 operate and whether to use PIE programs to establish a business
80 relationship between correctional work programs and private
81 industry.

82 (h) What are reasonable expectations for the growth of
83 correctional work programs, including the financial goal of
84 limited or no expenditures of state funds for such growth.

85 (i) What are the legal and economic impediments that exist
 86 which discourage the growth of correctional work programs.

87 (j) What changes in current procedures or practices of the
 88 Department of Corrections can be modified, changed, or otherwise
 89 incorporated in order to assist the corporation in expanding
 90 correctional work programs.

91 (k) Such other relevant matters relating to items listed
 92 in this subsection.

93 (6) Members of the council shall serve without
 94 compensation but are entitled to reimbursement for per diem and
 95 travel expenses pursuant to s. 112.061, Florida Statutes.
 96 Members shall be reimbursed from the budget of the entity
 97 through which they serve.

98 (7) The Agency for Workforce Innovation shall provide
 99 staff and administrative support to the council.

100 (8) The council shall cease to exist on June 30, 2009.

101 Section 2. Subsections (3) and (4) are added to section
 102 946.523, Florida Statutes, to read:

103 946.523 Prison industry enhancement (PIE) programs.--

104 (3) Effective September 30, 2008, or at any date after
 105 September 30, 2008, as may be specified by the department, the
 106 corporation will relinquish the Prison Industries Enhancement or
 107 PIE certificate it now holds pursuant to 18 U.S.C. s. 1761 to
 108 the department. The department shall thereafter exercise the
 109 authority granted by this section. The department shall have all
 110 powers necessary to comply with the federal statutes and the
 111 Bureau of Justice Assistance guidelines for certifying programs
 112 in accordance with the PIE certificate.

CS/HB 1213

2008

113 (4) The corporation and any entity operating under the PIE
114 certificate, in consultation with the department, shall deduct
115 amounts to be defined by the department, consistent with
116 applicable federal law and guidelines, from an inmate's gross
117 wages for taxes, room and board, family support, and victim's
118 compensation. Deductions for room and board taken by the
119 corporation or any entity operating under the PIE certificate
120 shall be deposited in the department's Correctional Work Program
121 Trust Fund.

122 Section 3. Section 946.510, Florida Statutes, is amended
123 to read:

124 946.510 Insurance by Division of Risk Management.--

125 (1) Pursuant to the applicable provisions of chapter 284,
126 the Division of Risk Management of the Department of Financial
127 Services is authorized to insure the corporation under the same
128 general terms and conditions as the Department of Corrections
129 was insured by the division prior to the corporation leasing the
130 correctional work programs as authorized by this chapter.

131 (2) Employees of the corporation shall be deemed employees
132 of the state for the purposes of chapter 440.

133 Section 4. This act shall take effect July 1, 2008.