

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; authorizing the Department of
20 Corrections and the Department of Management Services to
21 enter into a master lease purchase agreement to finance
22 the acquisition, construction and equipping of specified
23 facilities in certain circumstances; providing for
24 payments; providing an effective date.

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

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28 Section 1. Correctional Work Program Council; creation;

29 members; powers and duties.--

30 (1) The Correctional Work Program Council is established
 31 within the Agency for Workforce Innovation. The purpose of the
 32 council is to evaluate correctional work programs operating in
 33 the state and to make findings and recommendations concerning
 34 the practices and laws relating to correctional work programs.
 35 The council shall serve in an advisory capacity to the
 36 Legislature and the Governor.

37 (2) The council shall consist of the following eight
 38 members:

39 (a) A person appointed by the Governor.

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

41 (c) A Representative appointed by the Speaker of the House
 42 of Representatives.

43 (d) The Commissioner of Agriculture, or his or her
 44 designee.

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

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

47 (g) The Secretary of Corrections.

48 (h) The chair of Prison Rehabilitative Industries and
 49 Diversified Enterprises, Inc.

50 (3) The chair of the council shall be selected by the
 51 members. The council is not subject to control, supervision, or
 52 direction by the Agency for Workforce Innovation or the
 53 Department of Corrections.

54 (4) The council shall hold its first meeting by September
 55 1, 2008. The council shall meet at least quarterly and at other
 56 times at the call of the chair or as determined by a majority of

57 council members. A majority of the members of the council
58 constitutes a quorum.

59 (5) On or before January 15, 2009, the council shall
60 report its findings and recommendations to the Governor, the
61 President of the Senate, and the Speaker of the House of
62 Representatives. The findings and recommendations shall include,
63 but not be limited to:

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

66 (b) Whether the goals and objectives of the correctional
67 work programs fulfill a mission of vocational training and
68 rehabilitation for the inmates that participate in the
69 correctional work programs.

70 (c) Whether the correctional work programs have reduced
71 recidivism for participating inmates.

72 (d) Whether current work programs provide basic job skills
73 that enable participating ex-offenders to achieve meaningful
74 employment.

75 (e) Whether additional correctional work program
76 opportunities could be created and the legal and financial
77 considerations involved in creating such additional
78 opportunities.

79 (f) What services or products are currently produced by
80 the correctional work programs, and what additional services or
81 products could be developed, which could or should be purchased
82 by the state or other governmental bodies.

83 (g) How the Prison Industries Enhancement (PIE) programs
84 operate and whether to use PIE programs to establish a business

85 relationship between correctional work programs and private
 86 industry.

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

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

92 (j) What changes in current procedures or practices of the
 93 Department of Corrections can be modified, changed, or otherwise
 94 incorporated in order to assist the corporation in expanding
 95 correctional work programs.

96 (k) Such other relevant matters relating to items listed
 97 in this subsection.

98 (6) Members of the council shall serve without
 99 compensation but are entitled to reimbursement for per diem and
 100 travel expenses pursuant to s. 112.061, Florida Statutes.
 101 Members shall be reimbursed from the budget of the entity
 102 through which they serve.

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

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

106 Section 2. Subsections (3) and (4) are added to section
 107 946.523, Florida Statutes, to read:

108 946.523 Prison industry enhancement (PIE) programs.--

109 (3) Effective September 30, 2008, or at any date after
 110 September 30, 2008, as may be specified by the department, the
 111 corporation will relinquish the Prison Industries Enhancement or
 112 PIE certificate it now holds pursuant to 18 U.S.C. s. 1761 to

113 the department. The department shall thereafter exercise the
 114 authority granted by this section. The department shall have all
 115 powers necessary to comply with the federal statutes and the
 116 Bureau of Justice Assistance guidelines for certifying programs
 117 in accordance with the PIE certificate.

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

127 Section 3. Section 946.510, Florida Statutes, is amended
 128 to read:

129 946.510 Insurance by Division of Risk Management.--

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

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

138 Section 4. The Department of Corrections and the
 139 Department of Management Services are authorized to enter into a
 140 master lease purchase agreement to finance the acquisition,

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141 construction and equipping of work release beds and workcamp
142 beds in the event the authority for the design, building and
143 operation of such facilities is granted to the Department of
144 Corrections. Payments under the master lease purchase agreement
145 may commence prior to completion of the facilities.

146 Section 5. This act shall take effect July 1, 2008.