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CHAMBER ACTION

<u>Senate</u>	.	<u>House</u>
Comm: RCS	.	
4/21/2008	.	
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	.	

1 The Committee on Criminal Justice (Crist) recommended the
2 following **amendment**:

3
4 **Senate Amendment (with title amendment)**

5 Delete everything after the enacting clause
6 and insert:

7
8 Section 1. Correctional Work Program Council; creation;
9 members; powers and duties.--

10 (1) The Correctional Work Program Council is established
11 within the Agency for Workforce Innovation. The purpose of the
12 council is to evaluate correctional work programs operating in
13 the state and to make findings and recommendations concerning the
14 practices and laws relating to correctional work programs. The
15 council shall serve in an advisory capacity to the Legislature
16 and the Governor.



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17 (2) The council shall consist of the following eight
18 members:

19 (a) A person appointed by the Governor.

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

21 (c) A Representative appointed by the Speaker of the House
22 of Representatives.

23 (d) The Commissioner of Agriculture, or his or her
24 designee.

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

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

27 (g) The Secretary of Corrections.

28 (h) The chair of Prison Rehabilitative Industries and
29 Diversified Enterprises, Inc.

30 (3) The chair of the council shall be selected by the
31 members. The council is not subject to control, supervision, or
32 direction by the Agency for Workforce Innovation or the
33 Department of Corrections.

34 (4) The council shall hold its first meeting by September
35 1, 2008. The council shall meet at least quarterly and at other
36 times at the call of the chair or as determined by a majority of
37 council members. A majority of the members of the council
38 constitutes a quorum.

39 (5) On or before January 15, 2009, the council shall report
40 its findings and recommendations to the Governor, the President
41 of the Senate, and the Speaker of the House of Representatives.
42 The findings and recommendations shall include, but not be
43 limited to:

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



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46 (b) Whether the goals and objectives of the correctional
47 work programs fulfill a mission of vocational training and
48 rehabilitation for the inmates that participate in the
49 correctional work programs.

50 (c) Whether the correctional work programs have reduced
51 recidivism for participating inmates.

52 (d) Whether current work programs provide basic job skills
53 that enable participating ex-offenders to achieve meaningful
54 employment.

55 (e) Whether additional correctional work program
56 opportunities could be created and the legal and financial
57 considerations involved in creating such additional
58 opportunities.

59 (f) What services or products are currently produced by the
60 correctional work programs, and what additional services or
61 products could be developed, which could or should be purchased
62 by the state or other governmental bodies.

63 (g) How the Prison Industries Enhancement (PIE) programs
64 operate and whether to use PIE programs to establish a business
65 relationship between correctional work programs and private
66 industry.

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

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

72 (j) What changes in current procedures or practices of the
73 Department of Corrections can be modified, changed, or otherwise
74 incorporated in order to assist the corporation in expanding
75 correctional work programs.



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76 (k) Such other relevant matters relating to items listed in
77 this subsection.

78 (6) Members of the council shall serve without compensation
79 but are entitled to reimbursement for per diem and travel
80 expenses pursuant to s. 112.061, Florida Statutes. Members shall
81 be reimbursed from the budget of the entity through which they
82 serve.

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

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

86 Section 2. Subsections (3) and (4) are added to section
87 946.523, Florida Statutes, to read:

88 946.523 Prison industry enhancement (PIE) programs.--

89 (3) Effective September 30, 2008, or at any date after
90 September 30, 2008, as may be specified by the department, the
91 corporation will relinquish the Prison Industries Enhancement or
92 PIE certificate it now holds pursuant to 18 U.S.C. s. 1761 to the
93 department. The department shall thereafter exercise the
94 authority granted by this section. The department shall have all
95 powers necessary to comply with the federal statutes and the
96 Bureau of Justice Assistance guidelines for certifying programs
97 in accordance with the PIE certificate.

98 (4) The corporation and any entity operating under the PIE
99 certificate, in consultation with the department, shall deduct
100 amounts to be defined by the department, consistent with
101 applicable federal law and guidelines, from an inmate's gross
102 wages for taxes, room and board, family support, and victim's
103 compensation. Deductions for room and board taken by the
104 corporation or any entity operating under the PIE certificate



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105 shall be deposited in the department's Correctional Work Program
106 Trust Fund.

107 Section 3. Section 946.510, Florida Statutes, is amended to
108 read:

109 946.510 Insurance by Division of Risk Management.--

110 (1) Pursuant to the applicable provisions of chapter 284,
111 the Division of Risk Management of the Department of Financial
112 Services is authorized to insure the corporation under the same
113 general terms and conditions as the Department of Corrections was
114 insured by the division prior to the corporation leasing the
115 correctional work programs as authorized by this chapter.

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

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

119
120 ===== T I T L E A M E N D M E N T =====

121 And the title is amended as follows:

122 Delete everything before the enacting clause
123 and insert:

124 A bill to be entitled
125 An act relating to correctional work programs; creating
126 the Correctional Work Program Council; assigning the
127 council to the Agency for Workforce Innovation for
128 administrative purposes; providing a purpose for the
129 council; providing for membership of the council;
130 requiring that the council meet by a specified date;
131 requiring the council to present a report to the Governor
132 and the Legislature; providing requirements for the
133 findings and the recommendations; providing for future
134 expiration of the council; amending s. 946.523, F.S.;



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135 | requiring a prison industry enhancement certificate to be
136 | relinquished to the Department of Corrections on a
137 | specified date; providing for the deposit of deductions
138 | from prison industry employee wages made after a specified
139 | date; amending s. 946.510, F.S.; providing that employees
140 | of the private nonprofit corporation operating prison
141 | industries are deemed state employees for workers'
142 | compensation purposes; providing an effective date.