

By the Committees on Criminal Justice; Criminal and Civil  
Justice Appropriations; and Senator Crist

591-08235-08

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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:

22  
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 the  
29 practices and laws relating to correctional work programs. The

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30 council shall serve in an advisory capacity to the Legislature  
31 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 report  
55 its findings and recommendations to the Governor, the President  
56 of the Senate, and the Speaker of the House of Representatives.  
57 The findings and recommendations shall include, but not be  
58 limited to:

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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 the  
75 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

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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 in  
92 this subsection.

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

98 (7) The Agency for Workforce Innovation shall provide staff  
99 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 the  
108 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.

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

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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 to  
123 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 was  
129 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.