

1 A bill to be entitled

2 An act relating to the Arthur G. Dozier School for
3 Boys; providing for the interment of certain remains
4 exhumed from the Arthur G. Dozier School for Boys;
5 providing definitions; providing responsibilities and
6 duties of the Division of Purchasing of the Department
7 of Management Services for reinterment of the remains;
8 creating s. 265.007, F.S.; providing legislative
9 intent; establishing the Arthur G. Dozier School for
10 Boys Memorial; providing locations for such memorial;
11 requiring the Department of Management Services to
12 administer the memorial and coordinate with and
13 consider recommendations by specified entities and
14 persons; authorizing the department to adopt rules;
15 prohibiting the Board of Trustees of the Internal
16 Improvement Trust Fund from conveying certain
17 property; requiring the Department of Environmental
18 Protection to submit a proposal for use of ground-
19 penetrating radar on certain property to the Governor
20 and the Legislature by a specified date; naming the
21 Forensic Training Center; providing an appropriation;
22 providing an effective date.

23
24 WHEREAS, the Florida State Reform School, also known as the
25 "Florida Industrial School for Boys," the "Florida School for

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26 | Boys," the "Arthur G. Dozier School for Boys," and the "Dozier
27 | School," was opened by the state in 1900 in Marianna to house
28 | children who had committed minor criminal offenses such as
29 | incorrigibility, truancy, and smoking, as well as more serious
30 | offenses such as theft and murder, and

31 | WHEREAS, throughout the Dozier School's history, reports of
32 | abuse, suspicious deaths, and threats of closure plagued the
33 | school, and

34 | WHEREAS, a forensic investigation funded by the Legislature
35 | and conducted by the University of South Florida from 2013 to
36 | 2016 found incomplete records regarding deaths and burials that
37 | occurred at the Dozier School between 1900 and 1960, and found
38 | that families were often notified after the child was buried or
39 | denied access to their remains at the time of burial, and

40 | WHEREAS, on November 18, 1914, a fire consumed a school
41 | dormitory at the Dozier School in which children and school
42 | employees perished, some of whom died after returning to the
43 | burning building to assist in rescue efforts, and

44 | WHEREAS, excavations conducted as part of the forensic
45 | investigation yielded 55 burial sites, 24 more sites than
46 | reported in official records, and

47 | WHEREAS, due to the lack of documentation and
48 | contradictions in the historical record, questions persist
49 | regarding the identity of persons buried at the Dozier School
50 | and the circumstances surrounding their deaths, and

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51 WHEREAS, the Dozier School closed in 2011 after
 52 investigations by the Florida Department of Law Enforcement and
 53 the Civil Rights Division of the United States Department of
 54 Justice, and

55 WHEREAS, in 2016, the Legislature created the Dozier Task
 56 Force, which recommended that the remains of the 1914 dormitory
 57 fire victims should be reinterred at Boot Hill Cemetery on the
 58 Dozier School's property; that all other unidentified or
 59 unclaimed remains should be reinterred in Tallahassee, with the
 60 location to be determined by the Legislature; and that two
 61 memorials should be established, one in Tallahassee and one in
 62 Jackson County, dedicated to the memories of the children who
 63 lived and died at the Dozier School, including the 1914
 64 dormitory fire victims, and

65 WHEREAS, Thomas Varnadoe was 13 years old when he died on
 66 October 26, 1934, only 34 days after being admitted to the
 67 Florida School for Boys, and his remains were identified in 2014
 68 by the forensic anthropologists and archeologists from the
 69 University of South Florida after being exhumed from an unmarked
 70 grave on school grounds, NOW THEREFORE,

71

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

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74 Section 1. Notwithstanding s. 406.50, Florida Statutes,
 75 this act governs the disposition of unclaimed or unidentified

76 remains that were exhumed from the Arthur G. Dozier School for
 77 Boys in Marianna during the forensic investigation conducted by
 78 the University of South Florida.

79 Section 2. (1) For purposes of this section, the term:

80 (a) "Division" means the Division of Purchasing of the
 81 Department of Management Services.

82 (b) "University" means the University of South Florida.

83 (2) For purposes of this section, the division shall be
 84 considered a legally authorized person as defined in ss.
 85 406.49(6) and 497.005(43), Florida Statutes, to care for
 86 unclaimed or unidentified remains exhumed by the university from
 87 the Arthur G. Dozier School for Boys in Jackson County.

88 (3) In order to care for the remains of victims of the
 89 1914 dormitory fire at the Arthur G. Dozier School for Boys in a
 90 respectful and dignified manner, the division shall:

91 (a) Pursuant to chapter 287, Florida Statutes, select a
 92 removal service, licensed under chapter 497, Florida Statutes,
 93 to transport such remains from Tampa to a funeral establishment
 94 in Jackson County, licensed under chapter 497, Florida Statutes,
 95 for preparation for reinterment of such remains.

96 (b) Pursuant to chapter 287, Florida Statutes, select a
 97 funeral establishment in Jackson County, licensed under chapter
 98 497, Florida Statutes, to prepare such remains for reinterment.

99 (c) Ensure that such remains are reinterred at the Boot
100 Hill Cemetery located at the Arthur G. Dozier School for Boys in
101 Jackson County.

102 (d) After consulting with the university and the Division
103 of Historical Resources of the Department of State, select and
104 cause to be installed appropriate and respectful markers,
105 including specific markers to preserve the accession numbers
106 used by the university in its forensic investigation.

107 (4) In order to care for all other unclaimed or
108 unidentified remains exhumed by the university from the Arthur
109 G. Dozier School for Boys in Jackson County in a respectful and
110 dignified manner, the division shall:

111 (a) Pursuant to chapter 287, Florida Statutes, select a
112 removal service, licensed under chapter 497, Florida Statutes,
113 to transport such remains from Tampa to a funeral establishment
114 in Leon County for preparation for reinterment.

115 (b) Pursuant to chapter 287, Florida Statutes, select a
116 funeral establishment in Leon County, licensed under chapter
117 497, Florida Statutes, to prepare such remains for interment.

118 (c) Select one cemetery in Leon County, licensed under
119 chapter 497, Florida Statutes, at which such remains shall be
120 buried.

121 (d) After consulting with the university and the Division
122 of Historical Resources of the Department of State, select and
123 cause to be installed an appropriate and respectful marker for

124 each burial site, including specific markers to preserve the
 125 accession numbers used by the university in its forensic
 126 investigation.

127 (5) The division shall consult with the Division of
 128 Funeral, Cemetery, and Consumer Services of the Department of
 129 Financial Services to develop terms and conditions applicable to
 130 the procurement of contractual services pursuant to this
 131 section, including, but not limited to:

132 (a) The tasks and verifiable deliverables that the
 133 contractors are required to perform or furnish in order to
 134 ensure the appropriate and respectful handling, transportation,
 135 preparation, and burial of the remains of victims of the 1914
 136 dormitory fire and all other unclaimed or unidentified remains,
 137 and the installation of funeral or other appropriate markers at
 138 the burial sites.

139 (b) Evaluation and selection criteria to be used in
 140 determining the acceptability and relative merit of proposals to
 141 perform these services.

142 Section 3. Section 265.007, Florida Statutes, is created
 143 to read:

144 265.007 Arthur G. Dozier School for Boys Memorial.-

145 (1) It is the intent of the Legislature to memorialize the
 146 boys who lived and died at the Arthur G. Dozier School for Boys,
 147 including the victims of the 1914 dormitory fire.

148 (2) There is established the Arthur G. Dozier School for
149 Boys Memorial at two locations, one of which shall be located in
150 Tallahassee, and one of which shall be located in Jackson
151 County.

152 (3) The memorials shall be administered by the Department
153 of Management Services.

154 (4) (a) The Department of Management Services shall
155 designate an appropriate public area for the Arthur G. Dozier
156 School for Boys Memorial in Tallahassee, on the premises of the
157 Capitol Complex, as defined in s. 281.01, not including the
158 State Capital Circle Office Complex. The department shall
159 consider recommendations by the Florida Historical Commission as
160 required pursuant to ss. 265.111 and 267.0612(9), coordinate
161 with the Division of Historical Resources of the Department of
162 State regarding the design and placement of the memorial, and
163 consider recommendations by former students of the Arthur G.
164 Dozier School for Boys regarding the design of the memorial.

165 (b) The Department of Management Services, in consultation
166 with the Division of State Lands of the Department of
167 Environmental Protection and the Jackson County Administrator,
168 shall designate an appropriate public area for the Arthur G.
169 Dozier School for Boys Memorial in Jackson County. The
170 department shall coordinate with the Division of Historical
171 Resources of the Department of State regarding the design and
172 placement of the memorial, and consider recommendations by

173 former students of the Arthur G. Dozier School for Boys
174 regarding the design of the memorial.

175 (5) The Department of Management Services may adopt rules
176 necessary to implement this section.

177 Section 4. The Board of Trustees of the Internal
178 Improvement Trust Fund may not convey the following property
179 formerly associated with the Arthur G. Dozier School for Boys in
180 Marianna, Jackson County:

181 (1) The Boot Hill Cemetery.

182 (2) The structure known as "the White House" and the land
183 upon which the structure is located.

184 Section 5. The Department of Environmental Protection
185 shall develop a proposal to conduct a feasibility study to clear
186 the land of the Arthur G. Dozier School for Boys and use ground-
187 penetrating radar technology to identify areas with potential
188 burial sites. The department shall submit the proposal to the
189 Governor, the President of the Senate, and the Speaker of the
190 House of Representatives by October 1, 2017.

191 Section 6. The Forensic Training Center, which is
192 appropriated for in Specific Appropriation 1234 of the General
193 Appropriations Act, is hereby named the "Thomas Varnadoe
194 Forensic Center for Education and Research."

195 Section 7. For the 2017-2018 fiscal year, the sum of \$1.2
196 million in nonrecurring funds is appropriated from the General
197 Revenue Fund to the Department of Management Services for the

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198 | purpose of implementing sections 2 and 3 of this act. Funds
199 | remaining unexpended or unencumbered from such appropriation as
200 | of July 1, 2018, shall revert and be reappropriated for the same
201 | purpose in the 2018-2019 fiscal year.

202 | Section 8. This act shall take effect upon becoming a law.