

Bill No. SB 886

Barcode 963766

Proposed Committee Substitute by the Committee on Criminal  
Justice

1                                   A bill to be entitled  
2           An act relating to prison industries; creating  
3           the Prison Industries Task Force within the  
4           Office of Legislative Service; requiring the  
5           task force to determine how well the prison  
6           industries program has fulfilled its statutory  
7           mission and purpose; providing for the  
8           appointment of members to the task force;  
9           requiring the task force to hold a minimum  
10          number of public meetings; providing that the  
11          meetings and records of the task force are  
12          subject to public-meetings requirements and the  
13          public-records law; providing for members of  
14          the task force to be reimbursed for per diem  
15          and travel expenses; requiring the Legislative  
16          Committee on Intergovernmental Relations to  
17          provide staff support for the task force;  
18          specifying the duties of the task force with  
19          respect to taking testimony; requiring the task  
20          force to submit a report to the Governor and  
21          the Legislature; abolishing the task force on a  
22          future date; amending s. 946.505, F.S.;

23          clarifying the state's reversionary interest in  
24          the facilities, property, and assets of the  
25          corporation operating a correctional work  
26          program; providing an effective date.

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

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30           Section 1. Prison Industries Task Force.--  
31           (1)(a) There is created within the Office of

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1 Legislative Services the Prison Industries Task Force for the  
2 purpose of reviewing how well the prison industries program  
3 has fulfilled its statutory missions and purposes and whether  
4 the statutory missions of the prison industries program are  
5 feasible and relevant today and for the future.

6 (b) The task force shall consist of the following 13  
7 members:

8 1. The Secretary of Corrections and two wardens of  
9 prisons that have prison industries programs;

10 2. A representative from the Agency for Workforce  
11 Innovation;

12 3. A representative from the Office of Workforce  
13 Education within the Department of Education;

14 4. A representative from Florida TaxWatch;

15 5. A member of the Senate, appointed by the President  
16 of the Senate;

17 6. A member of the House of Representatives, appointed  
18 by the Speaker of the House of Representatives;

19 7. A representative from the board of directors of the  
20 private nonprofit prison industries corporation, as defined in  
21 section 946.503, Florida Statutes;

22 8. A representative from a local governmental entity  
23 that purchases products that are produced by prison  
24 industries;

25 9. A representative from a private industry that  
26 regularly employs former inmates;

27 10. A representative from the academic community who  
28 has expertise in research concerning the reentry of former  
29 prisoners into society and the employment of former felons;  
30 and

31 11. A former inmate who worked in the prison

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1 industries program.

2 (c) The President of Senate and the Speaker of the  
3 House of Representatives shall jointly appoint the members of  
4 the task force described in subparagraphs (b)7.-11. by July 1,  
5 2005.

6 (d) The task force shall hold its first meeting by  
7 July 15, 2005, and the representative of Florida TaxWatch  
8 shall serve as chairperson.

9 (e) All recommendations of the task force shall be by  
10 majority vote.

11 (f) The task force shall meet at the call of its  
12 chairperson and shall conduct at least three public meetings.

13 (g) Meetings of the task force shall be open to the  
14 public and are subject to the requirements of section 286.011,  
15 Florida Statutes. Records of the task force are public records  
16 and subject to chapter 119, Florida Statutes, except to the  
17 extent that public access to any of those records is  
18 restricted by law.

19 (h) Members of the task force shall serve without  
20 compensation, but are entitled to reimbursement for per diem  
21 and travel expenses in accordance with section 112.061,  
22 Florida Statutes.

23 (i) The Legislative Committee on Intergovernmental  
24 Relations shall provide staff support for the task force.

25 (2)(a) The task force shall receive testimony from the  
26 Auditor General, the Governor's Inspector General, the Office  
27 of Program Policy Analysis and Government Accountability,  
28 PRIDE, and other appropriate officials to address the  
29 following:

30 1. Are the statutory missions as defined in section  
31 946.501(2), Florida Statutes, of the prison industries program

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1 still valid?

2 2. Should other valid missions be included within the  
3 program?

4 3. How do the current or recommended missions conflict  
5 with any other valid missions?

6 4. Should the missions be ranked in order of priority  
7 and, if so, to what extent can accomplishment of a  
8 higher-priority mission be reduced in order to accomplish a  
9 lower-priority mission?

10 5. Is fulfillment of the legislative finding in  
11 section 946.501(3), Florida Statutes, that it is in the best  
12 interest of the state, inmates, and the general public to  
13 duplicate as closely as possible free-enterprise production  
14 and service operations also the most effective manner in which  
15 to accomplish the missions of the prison industries program?

16 6. Should the structure for managing the correctional  
17 work program be changed in order to facilitate accomplishing  
18 the missions of the program?

19 7. Is operating the prison industries program  
20 independently of state government the most effective manner in  
21 which to accomplish its valid mission?

22 8. To what extent can PRIDE fulfill the legislative  
23 intent stated in section 946.502(6), Florida Statutes, that  
24 prison industries programs use inmates in all levels of  
25 custody, with specific emphasis on reducing idleness among  
26 inmates in close custody?

27 9. To what extent has privatization of governmental  
28 functions and changing markets reduced sales by PRIDE and  
29 therefore impeded its ability to expand prison industry  
30 training?

31 10. What creative strategies could enhance the prison

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1 industries program's ability to meet its valid missions?

2       (b) The task force shall submit a report of its  
3 findings and recommendations to the Governor, the President of  
4 the Senate, and the Speaker of the House of Representatives by  
5 February 15, 2006.

6       (3) All meetings of the task force and all business of  
7 the task force for which reimbursement may be requested must  
8 be concluded before the report is filed. The task force is  
9 abolished July 1, 2006.

10           Section 2. Subsection (1) of section 946.505, Florida  
11 Statutes, is amended to read:

12           946.505 Reversion upon dissolution of corporation or  
13 termination of lease.--

14           (1) In the event the corporation is dissolved or its  
15 lease of any correctional work program expires or is otherwise  
16 terminated, all property relating to such correctional work  
17 program which ceases to function because of such termination  
18 or dissolution, including all buildings, land, furnishings,  
19 equipment, and other chattels and assets, whether originally  
20 leased from the department ~~or, as well as any subsequently~~  
21 ~~constructed or otherwise acquired facilities in connection~~  
22 ~~with its continued operation of that program~~, automatically  
23 reverts to full ownership by the department unless the  
24 corporation intends to use ~~utilize~~ such property in another  
25 correctional work program. Such a reversionary ownership  
26 interest of the state in any and all such after-acquired  
27 facilities, property, and assets by the corporation is in  
28 furtherance of the goals established in s. 946.502(4), and  
29 such a present ownership interest by the state is a continuing  
30 and insurable state interest.

31           Section 3. This act shall take effect upon becoming a

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