

CHAPTER 98-209

Committee Substitute for Senate Bill No. 2480

An act relating to the Alternative Education Institute; amending s. 230.23162, F.S.; abolishing the institute; transferring the institute to the Department of Management Services; providing duties of the Department of Management Services; establishing a working group to develop a plan for use of the facility; requiring a report; requiring the department to provide services and make a recommendation for the disposition of the facility taking account of local and state concerns; providing an appropriation; providing an effective date.

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

Section 1. Notwithstanding any other provision of law, the Alternative Education Institute is abolished.

Section 2. Section 230.23162, Florida Statutes, as renumbered from section 985.402 and amended by chapter 97-382, Laws of Florida, is amended to read:

(Substantial rewording of section. See s. 230.23162, F.S., for present text.)

230.23162 Residential public education facility.—

(1) Ownership of the facility and related assets authorized under former s. 985.402, is transferred to the Department of Management Services. The Department of Management Services shall direct change orders in existing construction contracts necessary to complete construction to the extent necessary to stabilize assets and prepare the facility for future utilization. The Department of Management Services shall provide administrative, site inspection, and security services as necessary to carry out the provisions of this section. The Department of Management Services shall have access to all state funds previously appropriated to the Alternative Education Institute for this purpose.

(2)(a) A working group is formed to develop a plan for the use of the facility and to develop a request for proposals or request for information for operation of the program by a private contractor. The working group shall be composed of eight members: one member each from the Department of Education, Department of Juvenile Justice, and Department of Children and Family Services; one member appointed by the President of the Senate; one member appointed by the Speaker of the House; one representative of the 13th judicial circuit of Hillsborough County, to be appointed by the Chief Circuit Judge; one representative of the Hillsborough School District, and one representative from local law enforcement to be appointed by the Sheriff of Hillsborough County. The Department of Education shall provide administrative support for the working group.

(b) The group shall assess needs of categories of clients served by the member agencies in evaluating possible uses for the facility in meeting the needs of the clients. The group shall identify client categories that may be served through the use of the facility, shall outline a program structure, and shall make further recommendations, including a proposed private provider for implementation. The group should consider previous recommendations for use of the facility, and shall specifically consider the viability of prior proposals submitted for use of the facility in the fiscal year 1997-1998. The group shall be formed and activated when this act becomes law.

(3) The Department of Management Services shall survey state agencies, and shall invite bids and proposals from state agencies, local government agencies, federal agencies, and the private sector for the use or disposition of the facility and related assets, no later than June 15, 1998. Notwithstanding any law to the contrary, the Department of Management Services shall set a deadline for receipt of bids and proposals of not less than 3 months after the invitation for bids and proposals is advertised. By October 1, 1998, the Department of Management Services shall evaluate all bids and proposals and make a recommendation to the working group created under this section regarding proposed uses for the facility, taking into account local and state interests and concerns.

(4) Taking into consideration the recommendation of the Department of Management Services, and local and state concerns and interests, the working group shall, no later than November 1, 1998, make a final determination for the use or disposition of the facility and related assets planned, constructed, acquired, and equipped pursuant to Specific Appropriation 2012A of the 1994-1995 General Appropriations Act, and shall be disbanded upon that date. Such determination shall be subject to the notice, review, and objection procedures of s. 216.177. If the final determination made by the working group is objected to under s. 216.177, the final determination for the facility and related assets shall be made by the Legislature during the 1999 Regular Session.

Section 3. There is appropriated to the Florida Department of Education for fiscal year 1998-1999 from the General Revenue Fund the sum of \$50,000 to carry out the provisions of this act.

Section 4. This act shall take effect upon becoming a law.

Became a law without the Governor's approval May 24, 1998.

Filed in Office Secretary of State May 22, 1998.