Bill No. PCB JDC 17-01 (2017)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE	ACTION
ADOPTED	(Y/N)
ADOPTED AS AMENDED	(Y/N)
ADOPTED W/O OBJECTION	(Y/N)
FAILED TO ADOPT	(Y/N)
WITHDRAWN	(Y/N)
OTHER	

Committee/Subcommittee hearing bill: Judiciary Committee Representative Harrison offered the following:

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Amendment (with title amendment)
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Remove everything after the enacting clause and insert: 6 Section 1. Notwithstanding s. 406.50, F.S., this act 7 governs the disposition of unclaimed or unidentified remains 8 that were exhumed from the Arthur G. Dozier School for Boys in 9 Marianna, Florida, during the forensic investigation. Section 2. (1) For purposes of this section, the term: (a) "Division" means the Division of State Purchasing of the Department of Management Services. (b) "University" means the University of South Florida. (2) For purposes of this section, the Division shall be considered a legally authorized person pursuant to s. 406.49(6), F.S., and s. 497.005(43), F.S., to care for remains exhumed by 16 PCB JDC 17-01 Strike1

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17	the University from the Arthur G. Dozier School for Boys in
18	Jackson County, Florida.
19	(3)(a) In order to care for the unclaimed remains of
20	victims of the 1914 dormitory fire at the Arthur G. Dozier
21	School for Boys in a respectful and dignified manner, the
22	Division, pursuant to chapter 287, F.S., shall select a removal
23	service, licensed pursuant to chapter 497, F.S., to transport
24	the unclaimed remains from Tampa, Florida, to a funeral
25	establishment in Jackson County, Florida, for preparation for
26	reinterment.
27	(b) The Division, pursuant to chapter 287, F.S., shall
28	select a funeral establishment in Jackson County, Florida,
29	licensed pursuant to chapter 497, F.S., to prepare the unclaimed
30	remains of victims of the 1914 dormitory fire for burial.
31	(c) The Division shall ensure that the unclaimed remains
32	of victims of the 1914 dormitory fire are reinterred at the Boot
33	Hill Cemetery located at the Arthur G. Dozier School for Boys in
34	Jackson County, Florida.
35	(d) The Division, after consulting with the Division of
36	Historical Resources of the Department of State and the
37	University, shall select and cause to be installed appropriate
38	and respectful markers, including specific markers to preserve
39	the accession numbers used by the University in its forensic
40	investigation.

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(4) (a) In order to care for all remaining unclaimed or 41 42 unidentified remains exhumed by the University from the Arthur 43 G. Dozier School for Boys in Jackson County, Florida, in a respectful and dignified manner, the Division, pursuant to 44 45 chapter 287, F.S., shall select a removal service, licensed 46 pursuant to chapter 497, F.S., to transport the remains from 47 Tampa, Florida, to a funeral establishment in Leon County, 48 Florida, for preparation for reinterment. 49 (b) The Division, pursuant to chapter 287, F.S., shall 50 select a funeral establishment in Leon County, licensed pursuant 51 to chapter 497, F.S., to prepare all remaining unclaimed and 52 unidentified remains for burial. 53 (c) The Division, pursuant to chapter 287, F.S., shall 54 select one cemetery in Leon County, Florida, licensed pursuant 55 to chapter 497, F.S., at which all remaining unclaimed and 56 unidentified remains shall be buried. 57 (d) The Division, after consulting with the Division of 58 Historical Resources of the Department of State and the 59 University, shall select and cause to be installed an 60 appropriate and respectful marker of each burial, including 61 specific markers to preserve the accession numbers used by the 62 University in its forensic investigation. (5) The Division shall consult with the Division of 63 Funeral, Cemetery and Consumer Services of the Department of 64 65 Financial Services to develop terms and conditions applicable to PCB JDC 17-01 Strike1 Published On: 4/5/2017 8:12:15 PM

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66	the procurement of contractual services pursuant to this
67	section, including but not limited to:
68	(a) A scope of work that establishes the tasks and
69	verifiable deliverables the contractors are required to perform
70	or furnish in order to ensure the appropriate and respectful
71	handling, transportation, preparation, and burial of the
72	remains, and the installation of funeral or other appropriate
73	markers at the burial sites;
74	(b) Evaluation and selection criteria to be used in
75	determining acceptability and relative merit of proposals to
76	perform these services.
77	Section 3. Section 265.007, Florida Statutes, is
78	created to read:
79	265.007 Arthur G. Dozier School for Boys Memorial
80	(1) It is the intent of the Legislature to memorialize the
81	boys who lived and died at the Arthur G. Dozier School for Boys,
82	including the 1914 dormitory fire victims.
83	(2) There is established the Arthur G. Dozier School for
84	Boys Memorial in two locations: one in Tallahassee, Florida, and
85	the other in Jackson County, Florida.
86	(3) The memorials are administered by the Department of
87	Management Services.
88	(4)(a) The Department of Management Services shall
89	designate an appropriate public area for the Arthur G. Dozier
90	School for Boys Memorial in Tallahassee, Florida, on the
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91	premises of the Capitol Complex, as defined in s. 281.01, not
92	including the State Capital Circle Office Complex. The
93	department shall consider recommendations of the Florida
94	Historical Commission as required pursuant to ss. 265.111 and
95	267.0612(9), coordinate with the Division of Historical
96	Resources of the Department of State regarding the design and
97	placement of the memorial, and consider recommendations of
98	former students of the Arthur G. Dozier School for Boys
99	regarding the design of the memorial.
100	(b) The Department of Management Services, in consultation
101	with the Division of State Lands of the Department of
102	Environmental Protection and the Jackson County Administrator,
103	shall designate an appropriate public area for the Arthur G.
104	Dozier School for Boys Memorial in Jackson County, Florida. The
105	department shall coordinate with the Division of Historical
106	Resources of the Department of State regarding the design and
107	placement of the memorial, and consider recommendations of
108	former students of the Arthur G. Dozier School for Boys
109	regarding the design of the memorial.
110	(5) The Department of Management Services is authorized to
111	promulgate rules necessary to implement this section.
112	Section 4. The Board of Trustees of the Internal
113	Improvement Trust Fund may not convey the following property
114	formally associated with the Arthur G. Dozier School for Boys in
115	<u>Marianna, Jackson County, Florida:</u>
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116	(a) The Boot Hill Cemetery; and
117	(b) The structure known as "the White House" and the land
118	upon which the structure is located.
119	Section 5. The Department of Environmental Protection
120	shall:
121	(a) Develop a proposal to conduct a feasibility study to
122	clear the land of the Arthur G. Dozier School for Boys and use
123	ground-penetrating radar technology to identify areas with
124	potentially burial sites; and,
125	(b) Submit the proposal to the Governor, President of the
126	Senate, and Speaker of the Florida House of Representatives by
127	<u>October 1, 2017.</u>
128	Section 6. The Forensic Training Center (HB 3577) in
129	Specific Appropriation 1234 of PCB APC 17-01, General
130	Appropriations Act, is hereby named the Thomas Varnadoe Forensic
131	Center for Education and Research.
132	Section 7. For the 2017-2018 fiscal year, the sum of
133	\$1,200,000 in nonrecurring funds is appropriated from the
134	General Revenue Fund to the Department of Management Services
135	for the purpose of implementing sections 2 and 3 of this act.
136	Funds remaining unexpended or unencumbered from this
137	appropriation as of July 1, 2018, shall revert and be
138	reappropriated for the same purpose in the 2018-2019 fiscal
139	year.
140	Section 8. This act shall take effect upon becoming law.
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141 142 143 TITLE AMENDMENT 144 Remove everything before the enacting clause and insert: 145 An act relating to the Arthur G. Dozier School for Boys; 146 providing for the interment of remains exhumed from the school; 147 requiring the Department of Management Services to administer reinterments; creating s. 265.007, F.S.; providing for the 148 Arthur G. Dozier School for Boys memorial; requiring the 149 150 Department of Management Services to administer the memorial; providing rulemaking authority to the Department of Management 151 152 Services; prohibiting the Board of Trustees of the Internal 153 Improvement Trust Fund from conveying certain property; 154 requiring the Department of Environmental Protection to submit a 155 proposal for use of ground-penetrating radar on certain 156 property; providing for the naming of the Forensic Training 157 Center; providing an appropriation; providing an effective date. 158 159 WHEREAS, the Florida State Reform School, also known as the Florida Industrial School for Boys, the Florida School for Boys, 160 161 and, lastly, as the Arthur G. Dozier School for Boys ("Dozier School"), was opened by the State of Florida in 1900 in 162 Marianna, Florida, to house children who had committed minor 163 criminal offenses such as incorrigibility, truancy, and smoking, 164 165 as well as more serious offenses such as theft and murder, and

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166 WHEREAS, throughout Dozier School's history, reports of 167 abuse, suspicious deaths, and threats of closure plagued the 168 school, and

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

WHEREAS, on November 18, 1914, a fire consumed a school dormitory where children and school employees perished, some of whom died after returning to the burning building to look for each other and assist with the rescue,

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

WHEREAS, given the lack of documentation and contradictions in the historical record, questions persist regarding the identity of persons buried at Dozier School and the circumstances surrounding their deaths, and

186 WHEREAS, Dozier School closed in 2011 after investigations
187 by the Florida Department of Law Enforcement and the Civil
188 Rights Division of the United States Department of Justice; and

189 WHEREAS, in 2016, the Florida Legislature created the 190 Dozier Task Force, which recommended that the remains of the PCB JDC 17-01 Strike1

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191 1914 dormitory fire victims should be reinterred at Boot Hill 192 Cemetery on Dozier School property; that unidentified or 193 unclaimed remains should be reinterred in Tallahassee, Florida, 194 with the location to be determined by the Florida Legislature; 195 and that two memorials should be established, one in Jackson County and one in Tallahassee, dedicated to the memories of the 196 197 boys who lived and died at Dozier School, including the 1914 198 dormitory fire victims, and

WHEREAS Thomas Varnadoe was 13 years old when he died on October 26, 1934, only 34 days after being admitted to the Florida School for Boys, and whose remains were identified in 202 2014 by the forensic anthropologists and archeologists from the University of South Florida after being exhumed from an unmarked grave on school grounds; NOW THEREFORE,

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