

STATE OF OKLAHOMA

2nd Session of the 45th Legislature (1996)

HOUSE CONCURRENT
RESOLUTION NO. 1067

By: Smith (Bill) of the House

and

Stipe of the Senate

AS INTRODUCED

A Concurrent Resolution relating to contracts for prison facilities; urging the Department of Corrections to contract for prison facilities for the incarceration of state inmates in accordance with the Interlocal Cooperation Act in certain circumstances; and directing distribution.

WHEREAS, the Interlocal Cooperation Act is a statutory mechanism that allows different levels of government to enter into cooperative agreements to provide services in the most efficient way possible; and

WHEREAS, the Interlocal Cooperation Act applies to all public agencies, including any agency of the state, political subdivisions, and every public trust for the benefit of the state or a county or municipality; and

WHEREAS, the Interlocal Cooperation Act authorizes agreements for joint exercise of "any power or powers, privileges or authority exercised or capable of exercise by a public agency of this state"; and

WHEREAS, protecting the safety of the citizens of this state by providing adequate facilities to incarcerate prisoners is most

certainly a public function that falls within the purpose of the Interlocal Cooperation Act; and

WHEREAS, the provisions in Title 57 of the Oklahoma Statutes concerning contracting for prison space do not state that contracts for such space made in accordance with the Interlocal Cooperation Act are prohibited; and

WHEREAS, it appears that there are situations in which it would be more appropriate to contract for prison facilities under the Interlocal Cooperation Act rather than under the provisions found in Section 561 of Title 57 of the Oklahoma Statutes.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE 2ND SESSION OF THE 45TH OKLAHOMA LEGISLATURE, THE SENATE CONCURRING THEREIN:

THAT the Oklahoma Legislature hereby urges the Department of Corrections to contract with Jefferson County, Atoka City Industrial Authority, Atoka County Industrial Authority, and Blaine County Industrial Team for prison facilities for the incarceration of state inmates in accordance with the Interlocal Cooperation Act.

THAT copies of this resolution be dispatched to the Director of the Department of Corrections and the Director of Central Services.

45-2-9356

SD