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1 obtain certain equipment; providing for codification;
2 and providing an effective date.
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5 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

6 SECTION 1. NEW LAW A new section of law to be codified
7 in the Oklahoma Statutes as Section 539.2 of Title 57, unless there
8 is created a duplication in numbering, reads as follows:

9 A. The Department of Corrections shall pursue rehabilitation
10 opportunities for persons in the custody of the Department who are
11 candidates for work release and post-incarceration education and
12 certification programs through implementation of a program to be
13 known as the "Oklahoma Cedar Control Project". Selected inmates
14 shall be eligible to participate in the Oklahoma Cedar Control
15 Project and as a condition of their successful participation shall
16 earn the right to access specific future educational and training
17 certifications. Persons in the custody of the Department selected
18 for the Project shall participate in the harvest of Juniperus
19 Virginiana, commonly known as the Eastern Red Cedar, and other cedar
20 species which have been deemed by the Oklahoma Department of
21 Agriculture, Food, and Forestry as invasive or posing a potential
22 threat to human health or community natural resources and are in
23 need of control. It is the intent of the Oklahoma Legislature that
24 the program will be available so that said education and training

1 will reasonably be expected to be completed before parole or
2 release.

3 B. The Department of Corrections shall work cooperatively with
4 any educational institution willing to provide skills training or
5 education in any recognized academic field and with city, county and
6 state officials with jurisdiction over the areas where the cedar
7 trees are to be harvested. The Department shall work with the
8 educational institutions and city, county or state officials to
9 provide suitable candidates to allow reasonable cost-effectiveness
10 in the operation of said education, rehabilitation and training
11 program. This shall be accomplished through development of a method
12 for screening and classification of persons in all facilities
13 operated by the Department of Corrections, such screening and
14 classification to be done cooperatively with the educational
15 institutions and city, county or state officials.

16 C. There is hereby created in the State Treasury a revolving
17 fund for the Department of Corrections to be designated the "Hope
18 for Tomorrow Revolving Fund". The fund shall be a continuing fund,
19 not subject to fiscal year limitations, and shall consist of all
20 monies received by the Department of Corrections from donations made
21 by private individuals and private and public entities which are
22 specifically earmarked for the Oklahoma Cedar Control Project and
23 which are for the purpose of reimbursement of harvesting or
24 classroom or tuition expenses related to education and training of

1 eligible inmates participating in the Oklahoma Cedar Control Project
2 which are not covered by other sources. All monies accruing to the
3 credit of said fund are hereby appropriated and may be budgeted and
4 expended by the Department of Corrections for the purpose of the
5 Oklahoma Cedar Control Project. Expenditures from said fund shall
6 be made upon warrants issued by the State Treasurer against claims
7 filed as prescribed by law with the Director of the Office of
8 Management and Enterprise Services for approval and payment.

9 D. 1. The Department of Corrections may allow persons in the
10 custody of the Department who have been selected to participate in
11 work release programs to be employed to remove cedar trees as
12 authorized in Section 222 of Title 57 of the Oklahoma Statutes on
13 public and private lands where cedar encroachment has occurred,
14 including lands within the jurisdictional boundaries of
15 municipalities. The means of removal by persons in the custody of
16 the Department shall be limited to mechanical means.

17 2. Removal of cedar trees on public lands by persons in the
18 custody of the Department shall be limited to lands where Juniperus
19 Virginiana, commonly known as Eastern Red Cedar, or other cedar
20 species trees are deemed by experts to be a threat to rivers,
21 streams, ponds, lakes, public water supplies, surface water and
22 potentially to groundwater, and also pose a potential fire hazard
23 that can threaten adjacent real property, livestock, wildlife and
24 human life. A board of county commissioners, the governing body of

1 any municipality or any agency of the State of Oklahoma after
2 providing public notification may submit requests to the Department
3 of Corrections to provide inmate labor for cedar removal. Upon
4 approval of the request by the Department, the board of county
5 commissioners, the governing body of any municipality or the agency
6 of the State of Oklahoma shall be obligated to reimburse the
7 Department for costs related to the prescribed cedar removal.

8 3. A private landowner may submit requests to the Department to
9 provide inmate labor for cedar removal. Removal shall be limited to
10 land where Juniperus Virginiana or other cedar trees are deemed to
11 be a threat as described in paragraph 2 of this subsection. Upon
12 approval of the request by the Department, the private landowner
13 shall be obligated to reimburse the Department for costs related to
14 the cedar removal.

15 4. The employment of a person in the custody of the Department
16 pursuant to this subsection shall be consistent with the terms and
17 conditions of the Prisoners Public Works Act.

18 5. If equipment for the cedar removal is not available to the
19 municipality, the county or the state agency, adequate equipment
20 shall be made available under the terms of The Oklahoma Central
21 Purchasing Act, or the State Purchasing Director shall allow the
22 municipality, county or state agency to acquire the equipment
23 through any program contract, acquisition or expenditure that is not
24 subject to the provisions of The Oklahoma Central Purchasing Act.

1 In addition, the municipality, county or state agency may, unless
2 otherwise prohibited pursuant to the contract, make use of statewide
3 contracts and the services of the Purchasing Division and the State
4 Purchasing Director to purchase the needed equipment. The
5 municipality, county or state agency may designate the State
6 Purchasing Director as its agent for any acquisition from a
7 statewide contract or contract otherwise available to the state.

8 SECTION 2. This act shall become effective November 1, 2015.

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10 COMMITTEE REPORT BY: COMMITTEE ON CRIMINAL JUSTICE AND CORRECTIONS,
dated 02/18/2015 - DO PASS, As Coauthored.
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