

ADAMS FLOOR AMENDMENT

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2647

(Reference to the APPROPRIATIONS Committee amendment)

1 Page 2, strike lines 21, 22 and 23, insert:

2 "Sec. 4. Section 38-842, Arizona Revised Statutes, as amended by
3 Senate Bill 1028, section 16, forty-ninth legislature, first regular session,
4 as transmitted to the governor, is amended to read:"

5 Page 4, line 7, after "FOR" strike remainder of line

6 Line 8, strike "PUBLIC SAFETY AGENCY FOR PRIMARY POLICE ENFORCEMENT ACTIVITIES"
7 insert "THIRD PARTY CONTRACTS BETWEEN PUBLIC AGENCIES FOR LAW ENFORCEMENT,
8 TRAINING, WILDFIRE AND EMERGENCY MANAGEMENT ACTIVITIES"

9 Page 11, between lines 25 and 26, insert:

10 "B. BEFORE OCTOBER 1, 2009, THE STATE DEPARTMENT OF CORRECTIONS SHALL
11 ISSUE A REQUEST FOR INFORMATION FOR THE PRIVATIZATION OF ALL CORRECTIONAL
12 HEALTH SERVICES, INCLUDING ALL MEDICAL AND DENTAL SERVICES, THAT ARE PROVIDED
13 IN A STATE OWNED AND OPERATED FACILITY. BEFORE PUBLICATION, THE REQUEST FOR
14 INFORMATION SHALL BE SUBMITTED FOR REVIEW TO THE JOINT LEGISLATIVE BUDGET
15 COMMITTEE."

16 Reletter to conform

17 Line 32, strike "November 30, 2009" insert "JANUARY 1, 2010"

18 Page 12, line 18, strike "finance agreement" insert "agreements"

19 Lines 19 and 20, strike "in consultation with the state department of
20 corrections,"

21 Line 21, strike "a" insert "ONE OR MORE"; strike "finance agreement" insert
22 "AGREEMENTS THROUGH THE SALE AND SIMULTANEOUS LEASE-PURCHASE OF A STATE
23 DEPARTMENT OF CORRECTIONS FACILITY OR ANY OTHER STATE OWNED FACILITY. IF THE
24 LEASE-PURCHASE AGREEMENT INVOLVES A STATE DEPARTMENT OF CORRECTIONS FACILITY,
25 THE DEPARTMENT OF ADMINISTRATION SHALL ENTER INTO THE LEASE-PURCHASE
26 AGREEMENT IN CONSULTATION WITH THE STATE DEPARTMENT OF CORRECTIONS"; after
27 the second "agreement" insert "OR AGREEMENTS"

1 Page 12, line 26, after "of" insert "NOT MORE THAN"

2 Strike lines 29 and 30, insert:

3 "B. NOTWITHSTANDING SECTION 41-791.02, ARIZONA REVISED STATUTES, ANY
4 LEASE-PURCHASE AGREEMENT ENTERED INTO PURSUANT TO THIS SECTION SHALL PROVIDE
5 THAT:

6 1. THE OBLIGATION OF THIS STATE TO MAKE ANY PAYMENT UNDER THE
7 AGREEMENT IS A CURRENT EXPENSE OF THE DEPARTMENT OF ADMINISTRATION, PAYABLE
8 EXCLUSIVELY FROM APPROPRIATED MONIES, AND IS NOT A GENERAL OBLIGATION
9 INDEBTEDNESS OF THIS STATE OR THE DEPARTMENT OF ADMINISTRATION.

10 2. IF THE LEGISLATURE FAILS TO APPROPRIATE MONIES OR THE DEPARTMENT OF
11 ADMINISTRATION FAILS TO ALLOCATE SUCH MONIES FOR ANY PAYMENT UNDER THE
12 AGREEMENT, THE AGREEMENT TERMINATES AT THE END OF THE CURRENT TERM AND THIS
13 STATE AND THE DEPARTMENT OF ADMINISTRATION ARE RELIEVED OF ANY SUBSEQUENT
14 OBLIGATION UNDER THE AGREEMENT.

15 3. THE DEPARTMENT OF ADMINISTRATION MAY COVENANT TO USE ITS BEST
16 EFFORTS TO BUDGET, OBTAIN, ALLOCATE AND MAINTAIN SUFFICIENT APPROPRIATED
17 MONIES TO MAKE PAYMENTS UNDER THE AGREEMENT, BUT THE AGREEMENT SHALL
18 ACKNOWLEDGE THAT APPROPRIATING STATE MONIES IS A LEGISLATIVE ACT AND IS
19 BEYOND THE CONTROL OF THE DEPARTMENT OF ADMINISTRATION OR ANY OTHER PARTY TO
20 THE AGREEMENT."

21 Reletter to conform

22 Line 33, after "FACILITY" insert a period strike remainder of line

23 Strike line 34, insert "ANY AGREEMENTS OR TRANSACTIONS DETERMINED BY THE
24 DEPARTMENT OF ADMINISTRATION TO BE NECESSARY TO COMPLY WITH THE REQUIREMENTS
25 OF THIS SECTION ARE EXEMPT FROM TITLE 41, CHAPTER 23, ARIZONA REVISED
26 STATUTES. THE AUTHORITY CONFERRED BY THIS SECTION IS IN ADDITION TO THE
27 POWERS CONFERRED BY ANY OTHER LAW, WITHOUT REFERENCE TO ANY OTHER LAW, AND IS
28 FULL AUTHORITY FOR THE ACTIONS AUTHORIZED BY THIS SECTION, INCLUDING ENTERING
29 INTO AND PERFORMING AGREEMENTS WITHOUT REGARD TO THE REQUIREMENTS OR
30 PROCEDURES OF ANY OTHER LAW."

1 Page 13, line 1, after the period insert "THIS STATE SHALL MAINTAIN OPERATIONS AT
2 ANY FACILITY AND"

3 Line 2, strike "used as collateral" insert "SOLD"

4 Page 14, between lines 8 and 9, insert:

5 "B. Notwithstanding any other law, in fiscal year 2009-2010, the
6 members of the board of executive clemency, excluding the chairman, shall
7 serve on a part-time basis. A part-time board member shall not work more
8 than thirty hours each week and shall not be eligible for paid leave or any
9 benefits provided to state employees pursuant to section 38-651, Arizona
10 Revised Statutes."

11 Reletter to conform

12 Line 25, strike "for either an"

13 Strike line 26, insert "in this state at new or existing private prisons or at
14 expansions of existing private prisons in"

15 Amend title to conform

KIRK D. ADAMS

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06/30/2009
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C: sp