

FOR IMMEDIATE RELEASE

June 24, 2008

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**ETHICS COMMISSION CHAIRMAN ANNOUNCES  
CONSTITUTIONAL BODY WILL SEEK A  
SUPPLEMENTAL APPROPRIATION**

OKLAHOMA CITY. Chairman of the Oklahoma Ethics Commission Don Bingham today announced that, in an effort to exhaust all available non-litigation remedies, members will consider a request for a supplemental appropriation at their regular meeting scheduled for July 11, 2008.

Despite the Legislature's assurances that the Ethics Commission was the sole entity to receive any but a "stand still" appropriation, the Commissioners learned that the Legislature made the following appropriations on the last day of the 2008 Legislative session:

**Appropriations Made in the Final Hours of the 2008 Legislative Session**

Oklahoma Indigent Defense System	\$100,000
Oklahoma Department of Health	\$310,000
Oklahoma Department of Human Services	\$2,000,000
Oklahoma Corporation Commission	\$205,000
Oklahoma Department of Commerce	\$10,000,000
Oklahoma Department of Career Technology Education	\$1,370,000
Oklahoma County [to GM Plant]	\$6,000,000

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State Regents for Higher Education	\$12,225,000
Oklahoma School of Science and Mathematics	\$360,000
Oklahoma Department of Transportation	\$100,000
Oklahoma Department of Mental Health	\$2,150,000
Oklahoma Office of Juvenile Affairs	\$125,000
Oklahoma Department of Agriculture	\$1,105,000
Oklahoma Department of Commerce	\$1,500,000
Oklahoma Historical Society	\$350,000
Oklahoma Tourism and Recreation Department	\$220,000
Oklahoma Attorney General	\$100,000
Oklahoma State Board of Education	<u>\$800,000</u>
TOTAL	\$28,020,000

The Commission's shortfall to its Fiscal Year 2009 budget request represents eighty-five one-hundredths of one percent [.85%] of the more than \$28 million appropriated in the closing hours of the legislative session.

Since then, the Board of Equalization, presided over by Governor Brad Henry, approved the addition of \$31.2 million dollars to the Fiscal Year 2009 budget. *The Oklahoman* reported that amount was already included in the state's \$7.1 billion budget for the upcoming fiscal year through the passage of Senate Bill 2034; however, Senate Bill 2034 is not an appropriations bill but a means for encouraging voluntary payment of back taxes without penalty or collection fees.

During the legislative interim, the Commission will continue its efforts for funding by seeking redress with the Contingency Review Board, made up of the Governor, President Pro Tempore of the Senate and Speaker of the House. It is seeking \$238,000 — the exact difference in the amount appropriated and that requested by the Commission for fiscal year 2009.

Even with its meager increase, the Commission remains seriously underfunded. An infinitesimal amount of the state's budget would meet its immediate needs. The supplemental appropriation would fund urgently needed workers including an additional investigator and trainer and larger office space. The number of employees has not increased since the Constitutional body's inception in 1991. Personnel and space are necessary to meet the requirements of Article 29 of the Oklahoma Constitution for the Commission to investigate and prosecute violations of its Rules.

The Commission has shown good faith in attempting to work with legislative leaders of both Houses for an appropriation "sufficient to enable it to perform its duties". Members spoke with representatives of the Governor's office. To leave no stone unturned in an effort to avoid a lawsuit, the Chairman called for a special session of the Legislature to address the Commission's needs.

"Ethics Commissioners will continue to strive to do their duty to the people of Oklahoma under Article 29 of the Oklahoma Constitution," said Bingham. "Part of that duty is to seek appropriate funding. We are seriously underfunded!"

By comparison, the smallest district attorneys office in Oklahoma, made up of only Washington and Nowata Counties, received \$822,111 in Fiscal Year 2009.<sup>1</sup> The Ethics Commission was appropriated only \$667,960 despite being charged with statewide jurisdiction over the ethical conduct of approximately 40,000 state employees, as well as campaigns for all statewide officers, including the Governor; members of the Legislature; judges and district attorneys.<sup>2</sup>

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<sup>1</sup>That district also gets bogus check funds, federal grants, and VOCA money (Victims Of Crime Act) totaling \$314,595 for a actual budget in Fiscal Year 2008 of \$1,083,892.

<sup>2</sup>The Ethics Commission was appropriated \$517,960. It utilized \$85,000 in available revolving funds from registration fees, copies of records and local campaign booklets for an actual budget in Fiscal Year 2008 of \$602,960.

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“The Ethics Commission cannot perform its Constitutional mission with the inadequate appropriation provided thus far,” said Bingham. “We will seek every remedy to see that Oklahomans are well represented in the year-round fight against ethics violations in State campaigns and public office.”

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