Mary Fallin
Governor

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OKLAHOMA SECRETARY OF STATE

EXECUTIVE DEPARTMENT
EXECUTIVE ORDER 2015-45

Planes and other aircraft that are owned, leased, chartered, or rented by the State or its agencies (hereinafter, "aircraft") can be an important tool of government. Such vehicles allow for the quick transportation of public officers between far-flung regions of Oklahoma when time is of the essence; permit officials to aerially assess storm, wildfire, or flood damage and better coordinate an effective response to these types of disasters; critically assist search and rescue operations; and, of course, aid in law enforcement's drug interdiction efforts and in the location and capture of criminals, more generally. However, the inherently high cost of acquiring, maintaining, and operating aircraft means that the State of Oklahoma has a responsibility to oversee their acquisition and use with an eye towards coordinating utilization and eliminating inefficiencies.

As a result, I, Mary Fallin, Governor of the State of Oklahoma, by the authority vested in me pursuant to Sections 1 and 2 of Article VI of the Oklahoma Constitution, hereby direct and order as follows:

1. All air assets of State law enforcement agencies, including the Oklahoma Bureau of Narcotics and Dangerous Drugs Control, the Oklahoma Department of Public Safety (DPS), and the Oklahoma State Bureau of Investigation, shall be transferred to the custody and control of the Commissioner of DPS (hereinafter, "Commissioner") within thirty (30) days of issuance of this Order. During this timeframe, State law enforcement agencies and DPS shall also meet to begin negotiation of such interagency agreements—including, but not limited to, agreements under the State Personnel Interchange Program—as may be necessary to ensure that personnel, aviation-related financial assets, and other resources associated with the maintenance and continued operation of the aircraft are likewise transferred to the custody and control of DPS.

2. The administrative head of every "state agency," as that term is defined in 61 O.S. § 327(A),[1] shall provide advance written notice to the Director of the Office of Management and Enterprise Services (OMES) every time the agency intends to purchase, lease, charter, or rent aircraft. This notice must include the cost of, source of funding for, and projected duration of aircraft use. Any aircraft that is purchased or otherwise permanently acquired by the State or an agency is subject to the reporting requirements of 74 O.S. § 110.1.

[1] This statute defines "state agency" as "any department, board, commission, institution, agency or entity of state government."

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3. The Director of OMES, in conjunction with the Commissioner, shall develop a comprehensive management plan for aircraft, which shall be consistent with Oklahoma law—including, but not limited to, 63 O.S. § 2-109 and 74 O.S. §§ 85.12b, 150.16, 500.6, 500.6A, and 500.18—and shall include guidelines for:

    a. The consolidation of storage and maintenance operations of aircraft owned by the State or any of its agencies;
    b. The shared use of aircraft owned by the State or any of its agencies that prioritizes availability for law enforcement and other public safety initiatives;
    c. The sale and disposal of aircraft that are not adequately being used or that could be more economically replaced by temporary use alternatives like rentals or charters; and
    d. Evaluating the cost-effectiveness of and securing approval for specific temporary use alternatives like rentals or charters.

4. The Director of OMES and the Commissioner shall submit the finalized comprehensive management plan to me for review and approval within one hundred and twenty (120) days of issuance of this Order. After approval has been secured, the comprehensive management plan shall be distributed to every Cabinet Secretary, who shall further distribute it to the administrative head of all State agencies within his or her respective Cabinet area. The comprehensive management plan shall also be posted electronically on the websites of OMES, DPS, and the Office of the Governor.

5. OMES shall take all necessary steps to convert the approved comprehensive management plan into permanent administrative rules in accordance with the Oklahoma Administrative Procedures Act (75 O.S. §§ 250-308.3).

This Executive Order shall be forwarded to the Director of OMES and the Commissioner, who shall cause the provisions of this Order to be implemented. Copies of this Executive Order shall be supplied to each Cabinet Secretary.

IN WITNESS WHEREOF, I have set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, Oklahoma, this 23rd day of October, 2015.

BY THE GOVERNOR OF THE STATE OF OKLAHOMA

Mary Fallin

MARY FALLIN

ATTEST:

LeAnn McGaugh Acting Assistant SECRETARY OF STATE

CHRIS BENGE, SECRETARY OF STATE