



**OKLAHOMA  
DEPARTMENT  
OF  
CENTRAL SERVICES**

**PLAN OF OPERATION FOR OKLAHOMA  
STATE AGENCY FOR SURPLUS PROPERTY**

**ADMINISTRATIVE RULES  
OAC 580:45**

**Effective June 25, 2007**

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**TITLE 580. DEPARTMENT OF CENTRAL SERVICES**  
**CHAPTER 45. PLAN OF OPERATION FOR OKLAHOMA STATE AGENCY FOR**  
**SURPLUS PROPERTY**

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**580:45-1-1. Purpose [REVOKED]**

**580:45-1-2. Definitions [REVOKED]**

**580:45-1-3. Authority [REVOKED]**

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**580:45-1-10. Fair and equitable distribution [REVOKED]**

**580:45-1-11. Eligibility [REVOKED]**

**580:45-1-12. Compliance and utilization [REVOKED]**

**580:45-1-13. Consultation with advisory groups-public and private [REVOKED]**

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**580:45-1-18. Records [REVOKED]**

**580:45-1-19. General notice [REVOKED]****580:45-1-20. {RESERVED}****580:45-1-21. Purpose**

(a) The Director of Central Services promulgates the rules of this chapter pursuant to authority of 80 S., Section 34.2 and subject to provisions of the Administrative Procedures Act, 75 O. S., Section 251, et. seq.

(b) Pursuant to provisions of Title 40, United States Code - Public Buildings, Property and Works, Subtitle I, Chapter 5, Section 549 (hereinafter referred to as 40 USC 549), Federal Management Regulation (FMR), Subchapter B - Personal Property, 41 CFR Part 02-37 and state law, the State Agency for Surplus Property shall operate pursuant to this State Plan of Operation.

(c) This State Plan of Operation establishes provisions for the Oklahoma State Agency for Surplus Property to acquire and distribute Federal surplus personal property to donees that meet the eligibility criteria specified by Federal law and regulation as determined by the state agency.

**580:45-1-22. [RESERVED]****580:45-1-23. Definitions**

As used in this chapter, the following terms, unless the context clearly indicates otherwise, shall mean:

**"Aircraft"** means a civilian or demilitarized aircraft.

**"Department"** means the Department of Central Services.

**"Direct allocation"** means shipment of property directly to a donee from the "holding agency."

**"Director"** means the Director of Central Services or a person the Director designates.

**"Donee"** means a service educational activity; public agency that uses surplus personal property to carry out or promote one or more public purposes; an eligible nonprofit tax exempt educational or public health institution to include a provider of assistance to homeless or impoverished families or individuals; or a state or local government agency, or nonprofit organization or institution that receives funds appropriated for a program for older individuals. (Note: Public airports are only considered donees when they elect to receive surplus property through the state agency. This does not include transactions of property where a public airport elects to receive surplus property through the Federal Aviation Administration (FAA)).

**"GSA"** means the United States General Services Administration.

**"Holding agency"** means the executive agency having accountability for, and generally possession of the property involved.

**"Item"** means a single unit or measurable lot of property.

**"Original acquisition cost"** or **"OAC"** means the original cost the GSA reports the Federal government paid to acquire an item.

**"Property"** means Federal surplus personal property.

**"Revolving fund"** means the fund created by 80 O. S., Section 34.6 that serves as the depository and working capital reserve fund for the agency.

**"State Agency for Surplus Property"** and **"Agency"** means the Oklahoma State Agency for Surplus Property operating as the Property Distribution program of the Department of Central Services.

**"State Plan"** means a plan of operation for the State Agency for Surplus Property.

**"State Surplus Property Agent"** and **"Agent"** means the administrator of the Property Distribution program of the Department of Central Services or a person the Agent assigns to perform agency tasks.

**"Vessel"** means a watercraft exceeding 50 feet in length.

**580:45-1-24. [RESERVED]**

**580:45-1-25. Citations**

(a) Statutory citations in this chapter refer to the most recent codification of state and federal statutes.

(b) Regulation citations in this chapter refer to the most recent codification of federal regulations.

**580:45-1-26. [RESERVED]**

**580:45-1-27. Authority**

The State Agency for Surplus Property operates under the authority and supervision of the Director of the Department of Central Services pursuant to the provisions of 80 O. S., Section 34.1 et. seq. (Appendix A), 40 USC 549 and 41 CFR 102-37.

**580:45-1-28. [RESERVED]**

**580:45-1-29. Designation of State Agency**

(a) As appointed by the Governor, the Director of the Department of Central Services shall appoint a State Surplus Property Agent and employ persons the Agent supervises to ensure that the State Agency for Surplus Property (Agent) provides services that meet the requirements of 41 CFR 102-37 and the State Plan of Operation for property acquisition, transportation, inventory control, warehousing, eligibility, compliance and program related responsibilities.

(b) The Agent shall administer the Agency pursuant to the provisions of this State Plan which satisfies the requirements of 80 O. S., Section 34.1 et seq., 40, USC 549 and 41 CFR 102-37.

(c) Under the supervision of the Director, the Agent shall acquire, warehouse and distribute property to donees and ensure that donees comply with property use restrictions and requirements.

(d) The Agency occupies approximately seven and one half (7.5) acres of land owned by the State of Oklahoma at 3100 North Creston Drive, Oklahoma City, Oklahoma. The property includes an administrative office building, receiving and distribution warehouses, outdoor display and storage areas, mechanic shop, maintenance shop and paved and gravel parking areas.

**580:45-1-30. [RESERVED]**

**580:45-1-31. Inventory control and accounting systems**

**(a) Inventory Control System.**

(1) The agency shall use, maintain and support an automated inventory control system to document and track property receipt, warehouse location, transfer, sale, utilization and disposal.

(2) The Agent shall assign an inventory control identifier to property so that the inventory control system shall recognize the quantity received, property location, quantity distributed, service charges and other information the Agent requires.

(3) The Agent shall conduct an annual physical inventory of property on-hand. The Agent shall reconcile physical inventory findings to system produced records and report results to the GSA.

(4) The Agent may retain surplus property for use in operating the donation program in conjunction with an active cooperative agreement with GSA. However, the Agent will obtain GSA approval prior to using surplus property for agency use. Records of property approved for agency use will be maintained separately and apart from records of inventory of donation property.

**(b) Accounting System.**

(1) The Agent shall record and maintain financial records in an accounting system. The Director and the Agent shall adhere to methods the State Auditor and Inspector and state finance officials prescribe for the accounting system. System records shall indicate payments due and received for property to accurately indicate donee accounts status including balances due to the agency.

(2) The accounting system shall review accounts on a periodic basis so that the Agent may identify accounts that may become past due.

(3) The Director and the Agent shall ensure that the system provides financial information that the Director and Agent may use to evaluate agency financial performance.

**580:45-1-32. [RESERVED]**

**580:45-1-33. Return of donated property**

(a) If a donee fails to place donated property into use for the purpose for which it was donated within one year of donation, the Agent shall advise the donee of actions required to return, transfer or dispose of the item at the donee's expense.

(b) If a donee ceases to use donated property for the purpose for which it was donated within one year after the property was placed into use, the Agent shall advise the donee of actions required to return, transfer or dispose of the item at the donee's expense.

(c) If the Agent determines that property in the possession of a donee is usable and the donee has not met the requirements set forth in (a) and (b) of this Section, the property must be returned, transferred or disposed of in accordance with (d) of this Section.

(d) Return of usable property shall be accomplished in one of the following ways as directed by the Agent:

(1) **Returning Property to the Agent.** A donee shall notify the Agent whenever it wishes to return usable donated property to the warehouse. The Agent shall make every effort to locate another donee within the state to determine if the property can be retransferred. If the property cannot be retransferred to another donee within the state, the Agent will instruct the donee to return the property to the Agent's warehouse.

(2) **Direct transfer to another donee within the state.** In cases where donated property is retransferred from one donee within the state to another or returned to the Agent's warehouse for retransfer to another donee, the Agent shall process documentation showing the return to inventory. If the property, however, is being retransferred directly from one donee to another within the state, the Agent shall prepare and process a Distribution

Document. The Agent shall indicate on the document that the property is, in fact, being transferred from one donee to another.

**(3) Transfer to another State Agency for Surplus Property or Federal agency.**

**(A) Transfers to other State Agencies for Surplus Property.** Whenever property is not needed by a donee within the state, the Agent, in accordance with 41 CFR 102-37.290 (a) (2) shall immediately offer it to a State Agency for Surplus Property in another state. When donated property is being transferred to another State Agency, the gaining agency will prepare and submit an SF-123 to the General Services Administration. GSA, upon request from the holding State Agency, shall assist in making it known to other State Agencies that unneeded property in one state is available for transfer and arranging and coordinating visits between State Agencies. Transfers between State Agencies are subject to the disapproval of GSA within 30 calendar days after notice to the GSA regional office.

**(B) Transfers to federal agencies.** Property not retransferred directly to another donee within the state or another State Agency will be reported to GSA for redisposal instructions which may include retransfer to a Federal agency. When a federal activity requests property from the Agent, the Federal (gaining) agency will prepare and submit an SF-122 to GSA.

**(4) GSA approval for disposal by sale.** Usable returned property that is not transferred to another donee within the state or another State or Federal agency may, with GSA approval, be disposed of by public sale. The Agent may act as GSA's agent in selling donated property (either as usable property or scrap) if an established cooperative agreement with GSA permits such an action. The GSA regional office will inform the Agent of those property item(s) that can be sold and the Agent, in turn, shall prepare and submit a Standard Form 126 (Report of Personal Property for Sale) to GSA as directed. GSA will then determine and approve the actual point of sale and required sales method. If GSA authorizes disposal of the item by means of sale, the Agent shall provide return instructions to the donee and follow the guidelines set forth in 41 CFR 102-37.305 through 102-37.315.

**(e) Abandonment and destruction.** Unusable property items in the possession of a donee may only be abandoned or destroyed when the Agent makes a written finding that the property has no commercial value or the estimated cost of its continued care and handling would exceed the estimated proceeds from its sale. The finding shall be written in accordance with 41 CFR 102-37.320 and submitted to GSA for approval. GSA will notify the Agent within 30 calendar days as to whether the Agent may abandon or destroy the property. GSA will provide alternate disposition instructions if it disapproves the Agent's request for abandonment and destruction of the property. If GSA does not reply to the Agent's request within 30 calendar days of notification, the property may be abandoned or destroyed. However, the Agent shall further consult GSA for guidance regarding prior public notice of proposed abandonment or destruction actions. The Agent shall also prepare and retain certification documentation as directed by GSA to account for the physical abandonment or destruction action. The certification document must be signed by the Agent and an employee of the Agent who witnessed the actual abandonment and destruction action of the item(s) referenced in the document itself.

**(f) Failure of donee to follow property return instructions.** If an item is usable and the donee fails to adhere to instructions the Agent provides for return, transfer or disposal of the item, the Agent shall attempt to retrieve the item with retrieval expenses to be borne by the donee. If the

Agent is unable to retrieve the item, the Agent shall utilize the provisions of (g) of Section 580: 45-1-45 to notify GSA of donee noncompliance.

**(g) Donee credit and reimbursement.**

(1) **Donee reimbursement for unused property.** When a donee acquires property from the Agent and believes it to be unsuitable for the intended purpose, the Agent may authorize the donee to return the item to the Agent for a determination of the amount of the credit due to the donee. The return credit shall not exceed the original service charge for the item. The Agent shall utilize the table shown below to determine the return credit for an “unused” item if the item is in the same condition as at the time of acquisition:

- (A) Returned within 30 days - Up to 100% Credit
- (B) Exceeding 30 to 60 days - Up to 90% Credit
- (C) Exceeding 60 to 90 days - Up to 75% Credit
- (D) Exceeding 90 to 180 days - Up to 50% Credit
- (E) Exceeding 180 days - As determined by the Agent

(2) **Donee reimbursement for used property.** When a donee no longer has a need or use for donated property and there has been no breach of the terms and conditions of the donation or special handling conditions or use limitations imposed by GSA, the donee may be reimbursed on a prorated basis for the following expenses:

- (A) Service charge paid to the Agent;
- (B) Transportation charges paid by the donee in initially acquiring the property; and
- (C) Initial costs of repairs required to make the item usable. If the donee has incurred repair expenses for property it is returning to the Agent, it will inform the Agent. The donee will provide the Agent documentation to substantiate the amount claimed for the cost of initial repairs to make the returned item usable. The donee may be reimbursed for all or part of the initial cost of repairs required to make the item usable if:
  - (i) The property is transferred to a federal agency or sold for the benefit of the United States Government;
  - (ii) No breach of the terms and conditions of donation has occurred; and
  - (iii) GSA authorizes the reimbursement.

(D) **Reimbursement amount recommendations for used property.** The Agent shall recommend for GSA approval the amount of reimbursement that takes into consideration the benefit the donee has received from the use of returned property and making appropriate deductions for that use. Reimbursement is not authorized unless the used item was placed into use by the donee within 1 year of its receipt. However, in cases where used returned property is sold, reimbursement shall not exceed the proceeds of the sale of the item. When making a reimbursement recommendation to GSA for used property, the Agent will provide the following information:

- (i) Indicate whether or not the item was placed into use by the donee within 1 year of receipt; and
  - (ii) Item restriction period; and
  - (iii) The number of months the property was actually used by the donee; and
  - (iv) The item's total service charge and initial transportation and repair costs (if applicable.)
- (E) GSA will approve, revise or disapprove the recommended reimbursement amount to be allowed a donee based on an internal computational method that considers the item's

individual period of restriction, number of months utilized and the total of the service charge, initial transportation costs and repair costs (if applicable.)

**580:45-1-34. [RESERVED]**

**580:45-1-35. Agency financing and service charges**

(a) The Agent shall assess, collect and expend service charges for surplus property transferred to eligible donation program donees as authorized by 80 O. S. Sections 34.2 through 34.6 and this State Plan.

(b) The Agent shall assess reasonable service charges in a fair and equitable manner based on services performed (or paid for) by the Agent in relation to the original acquisition cost (OAC) of the property. Service charges assessed by the Agent shall cover costs the Agent incurs to screen, retrieve, receive, package, crate, warehouse, ship and transport property. Funds accumulated from service charges may be used to maintain and improve the agency facilities and other purposes as specified in accordance with 41 CFR 102-37.280.

(c) For items the Agent makes available to donees, the Agent shall assess a service charge determined as a percentage of the OAC of an item.

(1) The Agent shall use the following table to assess service charges to items:

(A) OAC not exceeding \$1000: 0% to 50% of OAC

(B) OAC exceeding \$1000, but not exceeding \$20,000: 0% to 40% of OAC

(C) OAC exceeding \$20,000: 0% to 30% of OAC

(2) The Agent may authorize direct allocation of items to donees. If the Agent authorizes direct allocation, the service charge shall not exceed 10% of OAC. The Agent may establish a minimum service charge of \$10.00 for direct allocation for property, if the total OAC for all property does not exceed \$100.00.

(3) The Agent shall provide property to eligible donees that provide assistance to homeless individuals at a nominal cost for care & handling.

(d) The Agent may adjust the service charge for property for which repairs were paid for by the Agent. The Agent shall prepare a work order detailing expenses the Agent incurs to repair the item and advise the amount of a work order prior to a donee acquiring the item.

(e) The Director shall deposit funds the Agent receives from service charges in the revolving fund in accordance with 80 O.S., Section 34.6. The State Treasurer shall manage the revolving fund for the benefit of donees and the agency.

(f) The Director and the Agent shall expend the funds for allowable costs of the agency, including staff salaries, agency facilities maintenance and improvement, equipment and administrative expenses, for the benefit of donees and performance of duties pursuant to 80 O. S. Section 34.1 et seq. and the State Plan.

(g) If the Director determines that excess funds exist in the revolving fund, the Director shall reduce service charges for property.

(h) If the State were to decide to liquidate the SASP, the method of disposing of any financial assets realized upon the sale or other disposal of the facilities will be provided as part of a liquidation plan to GSA in accordance with 41 CFR 102-37.365.

(i) Financial assets realized upon the sale or other disposal of the facilities, other than to liquidate the SASP will be utilized to acquire new facilities.

**580:45-1-36. [RESERVED]**

**580:45-1-37. Property use restrictions and requirements**

- (a) The Agent shall inform donees that property the donee receives is subject to the use restrictions and requirements of 41 CFR 102-37, GSA and as specified by this Section. Donees shall acknowledge and agree to restrictions and requirements at the time of acceptance of property. The Agent may only grant releases from state imposed use restrictions, conditions or special handling instructions.
- (b) A donee shall present an encumbrance (or certification) document to the Agent certifying adequate funds to pay service charges the donee incurs to acquire the property.
- (c) A donee accepts property as is, with no expressed or implied warranty, except that a donee may return property to the agency pursuant to provisions of (g) of Section 580:45-1-33.
- (d) The state and federal governments are not liable for and held harmless from actions incident to acquisition of the property, its use or final disposition.
- (e) A donee shall use property to carry out or promote the public purpose of the donee entity.
- (f) A donee shall not encumber property the donee acquires from the agency by lien or other method of encumbrance.
- (g) A donee shall place donated property in-use within one year of donee receipt of the property.
- (h) A donee shall return property to the Agent if the donee does not use the property within one year of receipt at the expense of the donee.
- (i) A donee shall retain and use an item with an OAC not exceeding \$5,000 for the purpose for which it was donated for one year after the donee places the property in-use.
- (j) A donee shall retain passenger motor vehicles or items with an OAC of (or exceeding) \$5,000 in its possession for 18 months after the donee places the property in-use.
- (k) A donee that acquires an aircraft or vessel shall meet additional use requirements.
- (1) A donee shall submit a Letter of Intent that states the uses for which the donee intends to use the aircraft or vessel. The Agent shall advise the donee of all information required to be included in a Letter of Intent in accordance with 41 CFR 102-37.230.
  - (2) A donee shall use an aircraft or vessel for a period of five years. The period of restriction for combat-configured aircraft is perpetuity.
  - (3) A donee shall apply to the Federal Aviation Administration (FAA) to register an aircraft for flight use within 30 calendar days of donee receipt of the aircraft.
  - (4) A donee shall apply to register or document a vessel pursuant to applicable federal, state and local laws within 30 calendar days of donee receipt of the vessel and record each document with the U. S. Coast Guard.
  - (5) A donee shall include with its request for registration or documentation a fully executed copy of the transfer document and a copy of the donee Letter of Intent.
  - (6) Upon receipt, a donee shall provide a copy of FAA registration or Coast Guard documentation to the Agent and GSA.
  - (7) A donee shall use an aircraft or vessel in accordance with the executed Conditional Transfer Document and as set forth in the donee Letter of Intent.
  - (8) A donee may request amendments to the donee Letter of Intent by submitting amendments in writing to the Agent and GSA.
  - (9) A donee shall use an aircraft or vessel for purposes the donee states in the donee Letter of Intent unless the Agent and GSA provide approval of amendments to the Letter of Intent.
  - (10) If required by FAA or the U.S. Coast Guard, a donee shall provide a copy of the amended version of the Letter of Intent (which must be approved by both the Agent and GSA) to the FAA or U.S. Coast Guard, as applicable.

- (11) If a donee breaches the terms and conditions of an original or amended Conditional Transfer Document, title to the aircraft or vessel may revert to the federal government, GSA may require the donee to return the aircraft or vessel and may require the donee to pay for any unauthorized disposal, transaction or use in accordance with FMR 102-37.460 (d).
- (12) A donee may submit a request to return an aircraft or vessel during a period of use restriction to the Agent. The Agent shall notify GSA of the request. If GSA accepts the request, the Agent will then request that GSA provide written instructions for disposition. If GSA approves and provides instructions for disposal, the Agent shall provide notice and disposal instructions to the donee.
- (13) A donee shall not modify for flight purposes military aircraft the donee receives for ground training or static display.
- (14) A donee that receives an aircraft for non-flight use shall provide the Agent with aircraft historical records within 30 calendar days of donee receipt of the aircraft. The Agent shall forward the records to GSA.
- (l) A donee shall agree upon execution of the Agent's Distribution Document that the donee holds conditional title to property during the period of use restrictions. Full title to the property will vest in the donee only after the donee meets all property use requirements.
- (m) A donee shall not remove the property from the state for permanent use or sell, trade, lease, loan or otherwise dispose of property during periods of use restriction without written authorization from the Agent.
- (n) The Agent shall evaluate a donee request for removal or property disposition as described in this Section and, if required, seek GSA approval of the action. The Agent shall notify the donee of approval or disapproval of the request.
- (o) A donee shall report information pertaining to property to the Agent, as the Agent requires, during periods of use restriction.
- (p) If a donee insures property and the donee experiences an insured loss of the property during a period of use restriction, the Agent or GSA is eligible to claim reimbursement from insurance proceeds for an amount equal to the unamortized portion of the fair market value for the insured item.
- (q) A donee may request authorization to cannibalize property from the Agent .
- (1) A cannibalization request for donated property which is in the custody of the donee and under a use restriction period must be made in writing and approved by the Agent prior to actual cannibalization action.
- (2) The cannibalization request shall identify all components of an item the donee intends to utilize.
- (3) The Agent shall determine the value of components of the item the donee intends to utilize.
- (4) The Agent shall evaluate a donee request for cannibalization pursuant to conditions of the transfer document and approve or disapprove the request.
- (5) The Agent may grant authority to the donee to cannibalize the property if he/she determines that such action will result in increased utilization of the property. However, the Agent must not authorize cannibalization if the item can be better used in its existing form or if GSA has not approved cannibalization for property with special handling conditions or use limitations imposed by GSA.
- (6) If the Agent approves the request, the Agent shall advise the donee of the following use restrictions and requirements:

- (A) Cannibalization by the donee must begin within 1 year of receiving the property and shall continue until the requirement for parts no longer exists (e.g., as parts are needed they are to be removed)
- (B) Property authorized for cannibalization must remain under the use restriction imposed by the transfer/distribution document until the proposed cannibalization is completed. Components resulting from the cannibalization, which have a unit acquisition cost of \$5,000 or more, must remain under the restrictions stated on the transfer/distribution document. Components with a unit acquisition cost less than \$5,000 may be released from state imposed restrictions only.
- (C) When cannibalization actions are completed before the end of the period of restriction and residue remains, the Agent may authorize or require the donee to:
- (i) Return unneeded residue to the Agent;
  - (ii) Retain the residue for use in other eligible programs; or
  - (iii) Report residue with an estimated fair market value over five hundred dollars to the Agent, for which the Agent may perform the following:
    - (I) Re-donate the residue.
    - (II) If unable to re-donate the residue, the Agent must report such residue to GSA for disposal instructions.
    - (III) The Agent may consider use restrictions satisfied if the fair market value of the remaining residue is less than five hundred dollars and release such residue to the donee, provided the proceeds of any disposal are returned to the account from which the service charges were paid to the Agent for the property and used by the donee in the eligible program.
- (7) In cases where property is specifically requested for the purpose of cannibalization, the intended donee must provide written justification for the proposed action which shall accompany the SF 123 transfer document. The justification should provide detailed information concerning the need for the components or accessories and an explanation of the effect removal will have on the item. GSA will only approve donation of property for cannibalization when it is clear from the justification that disassembly of the item for component parts will provide greater potential benefit than use of the item in its existing form.
- (8) All property donated specifically for cannibalization remains subject to the same terms, conditions, reservations, use restrictions and special handling conditions imposed by GSA reflected in (q)(6) of this Section.
- (r) Vessels and aircraft shall remain subject to the terms and conditions stated on the respective Conditional Transfer Document (and based on the requirements of 41 CFR 102-37.450 and 102-37.460).
- (s) The Agent shall advise the donee of the terms and conditions for the use, retention, return or disposal of property having an OAC of \$5,000 or more and any passenger motor vehicle or other donated item. The donee will therefore obtain permission from the Agent before attempting to dispose of donated property during the item's period of use restriction.
- (1) When a donee requests disposal instructions, the Agent shall follow the provisions outlined in Section 580: 45-1-33.
  - (2) Subsection (s) of this Section is not applicable to Service Educational Activities (SEAs) donees as only Department of Defense (DOD) property may be donated to SEAs. In these

cases, the Agent shall observe any restrictions imposed on the property by the sponsoring military service.

- (t) A donee may submit a request to the Agent for release from use restrictions for property.
  - (1) The Agent may approve a request for release from state requirements if the Agent determines by item review or inspection that the property retains no capacity for useful purpose.
  - (2) A donee may request release from the special handling conditions or use limitations imposed by GSA by submitting a request to the Agent. The Agent shall forward the request to GSA and provide additional information as required by GSA. The Agent will advise the donee of the GSA determination.
  - (3) Upon request from a donee, the Agent may, with GSA approval, grant an extension of the time period to place property in-use if the Agent determines that a delay results from factors beyond the predictable control of the donee.
- (u) A donee may request that the Agent exchange an item that the donee used for a minimum of six months subject to item use restrictions and requirements for one like item having similar use potential if the exchange will result in increased utilization value to the donee.
  - (1) The use restrictions and special handling requirements for the item received by the donee shall commence upon donee receipt of the item.
  - (2) The Agent shall ensure that the OAC of the item the donee receives in exchange is of equal or greater value than the item the donee originally received.

#### **580:45-1-38. [RESERVED]**

#### **580:45-1-39. Disposition of undistributed property**

- (a) The Agent shall adhere to provisions of this section to dispose or abandon/destroy property the Agent is unable to distribute to donees. If the Agent determines that items are not usable, the Agent shall provide a signed request to GSA to seek approval to abandon or destroy the items.
  - (1) The Agent shall list items and advise GSA of reasons the Agent believes the items warrant abandonment or destruction in accordance with 41 CFR102-37.320.
  - (2) The Agent shall provide a description of each item, the condition of the items and the OAC.
  - (3) The Agent shall advise the method the Agent prefers for abandonment or destruction of the item.
  - (4) The Agent shall state that the method of abandonment or destruction the Agent prefers shall not pose a detriment or health hazard to other persons, will not cause risk to public safety or infringe on the rights of other persons.
  - (5) Within 30 calendar days after the Agent issues the request, GSA will approve, disapprove, provide alternate disposition instructions or not respond to the Agent. If GSA does not respond to the agent within 30 calendar days, the agent may abandon or destroy the items.
  - (6) If the Agent reasonably believes that unusable items may have value as scrap, the agent shall implement a cooperative agreement or adhere to provisions of an executed cooperative agreement with GSA to act as Agent for GSA to affect sale of the scrap items.
- (b) If at least nine months after receiving items, the Agent does not distribute the items and the Agent determines that undistributed items are usable, the agent shall adhere to provisions of this Subsection to dispose of the items.

- (1) The Agent shall, with GSA approval, offer the items to State Agencies for Surplus Property located within the same GSA region as that of the Agent.
- (2) If no State Agency for Surplus Property within the region indicates interest in the property, the Agent may, with GSA approval, offer the property to State Agencies for Surplus Property outside the region.
- (3) If another State Agency for Surplus Property requests to acquire the property, subject to GSA approval, the agency and requesting agency shall adhere to provisions of 41 CFR 102-37.295 to facilitate transfer of the items.
- (4) The Agent may recoup costs the Agent incurred for the transfer or sale of items from the requesting State Agency for Surplus Property pursuant to provisions of 41 CFR 102-37.315.
- (5) The Agent, with GSA approval, will transfer to other Federal agencies or sell undistributed property to donees in accordance with Section 580: 45-1-33.
- (6) The Agent shall adhere to provisions of 41 CFR 102-37.290 through 41 CFR 102-37.310 for disposal of usable undistributed items that another State Agency for Surplus Property does not want. The Agent may recoup disposal expenses pursuant to 41 CFR 102-37.315.

#### **580:45-1-40. [RESERVED]**

#### **580:45-1-41. Fair and equitable distribution**

- (a) The Agent currently operates a warehouse to serve eligible donees. The Agent shall ensure fair and equitable distribution of property to donees based on their relative needs and resources and abilities to use the property. The Agent will generally have a firm requirement or an anticipated demand for any donable property requested. Factors to be considered in the fair and equitable distribution of property are:
  1. Contemplated use and frequency of use of the property;
  2. Criticality or urgency of need;
  3. Ability to pay the required service and handling charge; and
  4. Availability of funds to repair or maintain the property.
- (b) The Agent shall provide priority distribution to donees responding to disaster or emergency situations.
- (c) The Agent shall solicit advice from donees on types of items donees prefer to acquire from the agency.
- (d) The Agent shall offer donees opportunities to request specific items. This may be done by providing the donee with "search only" access to GSA's online computerized inventory of excess and surplus property. This may also be done by obtaining "want lists" for those items needed by donees.
- (e) The Agent may request GSA assistance to acquire specific items for a donee.
- (f) The Agent may authorize and assist with direct shipment of property to donees.
- (g) The Agent may provide property to eligible donees in another state pursuant to provisions of 41 CFR 102-37.265 and 41 CFR 102-37.335.
- (h) Eligible donees that wish to screen property at Federal holding agencies shall make a written request to the Agent. If approved, the Agent shall submit an Optional Form 92 (with the signature and an affixed passport style photograph of the screener applicant) to the GSA Regional Office. If approved, GSA will complete the Optional Form 92 and return it to the Agent. Screening approval for the Agent's personnel must also be requested from GSA with the Optional Form 92. The appropriate Agent personnel member or eligible donee will then be

authorized to screen surplus property at Federal holding agencies. The Agent will maintain records of authorized screeners in accordance with 41 CFR 102-37.190.

(i) When the donee has completed screening at a Federal holding agency, the donee will submit the screening sheet to the Agent. After review and final approval by the Agent, the item(s) will be frozen on behalf of the donee in GSA's automated inventory system. In situations where property being physically screened does not appear in the GSA automated inventory, the Agent shall first consult with GSA prior to submitting a manual SF 123 transfer document to confirm availability status of the property desired. If GSA approves use and submission of a manual SF 123, the donee will be notified when the actual transfer has been approved. Once transfer action (whether initiated by automated or manual means) has been approved by GSA, the donee shall make arrangements to remove the property from the holding agency. A donee may also pick up property directly from the holding agency or may make arrangements to have the property shipped directly to its location. The property will be subject to the same terms and conditions as property that is acquired through the Agent's warehouse.

#### **580:45-1-42. [RESERVED]**

#### **580:45-1-43. Eligibility**

(a) Pursuant to provisions of 49 USC 549, 41 CFR.102-37.380 through 102-37.430 and provisions of this Section, the Agent shall accept and review applications from donee applicants and determine whether an applicant conforms to one of the categories of eligible donees and meets eligibility requirements to receive surplus property.

(b) The Agent shall utilize a standard application form for completion and submission by public and nonprofit donee applicants, for use by the Agent to determine whether the applicant meets eligibility requirements. The Agent may request GSA assistance to determine whether an applicant meets eligibility requirements.

(c) The application form shall request the following information:

- (1) Legal name, address and, if necessary, directions to the physical location of the donee applicant;
  - (2) Function of the donee applicant as a public agency or an eligible non-profit agency;
  - (3) Explanation of the donee applicant program or mission and types of property needed;
  - (4) Donee applicant financial information including funding sources;
  - (5) Donee applicant certification of compliance with applicable federal nondiscrimination statutes, including Title 40, United States Code - Public Buildings, Property and Works, Subtitle I, Chapter 5. Section 122, Title VI of the Civil Rights Act of 1964 (42 U. S. C. 2000d-2000d-4a), Section 504 of the Rehabilitation Act of 1973 (29 U. S. C. 794), as amended, and section 303 of the Age Discrimination Act of 1975 (42 U. S. C. 6101-6107) and Title IX of the Education Amendment of 1972 (20 U.S.C. 1681-1688 (as amended) ;
  - (6) If applicable, donee applicant certification of recognition as a state public agency by adopted resolution of a governing body;
  - (7) Evidence of donee applicant approval, accreditation, or licensing or other standards of operation documentation as defined by 41 CFR.102-37.395;
  - (8) Certification that the donee applicant is not currently debarred, suspended, declared ineligible or otherwise excluded from any federal program including procurement programs;
- and

- (9) Require that a nonprofit and tax-exempt applicant donee provide evidence that it is tax-exempt pursuant to Section 501 of the Internal Revenue Code;
- (d) The Agent may request a donee applicant to submit additional documentation to substantiate or clarify information the applicant submits on the eligibility form.
- (e) The Agent shall maintain donee eligibility records in donee specific files.
- (f) In determining the eligibility of a donee applicant, the Agent will follow the guidelines of 41 CFR.102-37.380 through 102-37.430.
- (g) The donee shall provide the Agent written authorization from the donee's governing body or Chief Executive Officer (CEO) designating at least one person to act for the donee in acquiring property. The Agent shall seek updated information from donees as required to ensure the Agent maintains current donee information. The Agent shall update eligibility records as needed, but no less than every three years from the eligibility approval date.
- (1) If a donee changes its CEO prior to expiration of the eligibility time period established by the Agent, the donee shall submit a new application to the Agent. The application must designate at least one person to act for the donee in acquiring property.
- (2) The Agent shall establish an eligibility expiration date for nonprofit donees to correspond with the expiration of annual appropriations, licensing or certification.
- (h) If a donee fails to submit documents to substantiate continued eligibility, the Agent shall terminate distribution of property to the donee and seek recovery of usable property subject to use restrictions and requirements at the expense of the donee. If the Agent is unable to retrieve the property, the Agent shall utilize provisions of (g) of Section 580: 45-1-45 to notify GSA of donee noncompliance.
- (i) If the Agent renders a negative eligibility determination, the donee applicant may appeal the decision.
- (1) The applicant shall provide written notice to the Agent requesting appeal of the determination. The Agent, will, in turn, forward all related documentation to GSA. GSA's decision will be final.
- (2) The Agent shall provide written notice to the applicant citing reasons for denial.
- (3) The applicant may request GSA review of the Agent determination.
- (4) If the applicant requests GSA review, the Agent shall abide by the final GSA determination.
- (j) The Agent may grant conditional eligibility and provide property to a donee applicant pursuant to provisions of 41 CFR 102-37.420 through 102-37.430.

**580:45-1-44. [RESERVED]****580:45-1-45. Compliance and utilization**

- (a) The Agent shall employ methods to ensure that donees adhere to property use restrictions and requirements pursuant to provisions of 41 CFR 102-37 and Section 580: 45-1-37.
- (b) For items with an OAC of less than \$5,000, at any time during property use restriction or requirement time periods, the Agent may conduct a utilization review to determine whether a donee complies with property use restrictions and requirements for an item.
- (1) The Agent may issue notice or contact a donee and request the donee to provide information or conduct an on-site inspection to determine whether the donee is complying with property use restrictions and requirements.
- (2) The Agent shall record the findings and advise the donee of the findings.

- (3) If the Agent determines that a donee does not meet property use restrictions or requirements, the Agent shall advise the donee of actions the Agent intends to take pursuant to (g) of this Section.
- (c) For items with an OAC of or exceeding \$5,000 and passenger vehicles, the Agent shall provide an in-use form to a donee at the time the donee acquires the item.
  - (1) The in-use form shall state property use restrictions and requirements.
  - (2) A donee shall provide information for the data elements contained in the form and submit it to the Agent. The donee shall advise the Agent the date the donee placed the item in use, the location of the item and how it will be used.
  - (3) Following receipt of an in-use form, the Agent shall log information provided by the donee.
  - (4) At least once during the time period of property use restrictions and requirements, the Agent shall conduct a utilization review by contact with a donee or an on-site inspection and request the donee to provide information to determine whether the donee complies with the restrictions or special handling limitations imposed by GSA.
  - (5) The Agent shall record and advise the donee of the findings.
  - (6) If the Agent determines that a donee does not meet property use restrictions or requirements, the Agent shall advise the donee of actions the Agent intends to take pursuant to (g) of this Section.
- (d) For aircraft and vessels, the Agent shall provide an in-use form to a donee at the time of property transfer or when the Agent issues an invoice to the donee.
  - (1) The in-use form shall state aircraft and vessel use restrictions and requirements.
  - (2) A donee shall provide information for the data elements contained in the form and submit it to the Agent. The donee shall advise the Agent the date the donee placed the aircraft or vessel in use, the location of the property and how it will be used.
  - (3) Following receipt of an in-use form, the Agent shall log information the donee provides.
  - (4) On an annual basis, the Agent shall solicit information from the donee or perform an on-site inspection to confirm that the donee uses the aircraft or vessel subject to use restrictions and requirements. Whether by request or on-site inspection, the Agent shall acquire photographs of the aircraft or vessel.
  - (5) At least once during the time period of aircraft or vessel use restrictions and requirements, the Agent shall conduct a utilization review by on-site inspection, photograph the aircraft or vessel and request the donee to provide information to determine whether the donee is complying with the restrictions and requirements.
  - (6) The Agent shall record the findings and retain the findings and photographs in a donee specific compliance file.
  - (7) If the Agent determines that a donee does not meet aircraft or vessel use restrictions or requirements, the Agent shall advise the donee of actions the Agent intends to take pursuant to (g) of this Section.
- (e) If the Agent does not receive an in-use form for property received by the donee within 30 days after the property invoice date, the Agent shall issue an in-use reminder form to the donee.
  - (1) The in-use reminder form shall advise the donee of actions the Agent may take if the donee fails to submit the form to the agent.
  - (2) The in-use reminder form shall state property use restrictions and requirements.

- (3) The in-use reminder form shall contain data elements the donee shall submit to the Agent. The donee shall advise the Agent the date the donee placed the item in use, the location of the item and how it will be used.
- (4) If a donee does not submit an in-use reminder form to the Agent within 30 days of the form issue date, the Agent shall advise the donee of actions the Agent may take pursuant to (g) of this Section.
- (f) If the Agent determines that a donee fails to pay service charges to the Agent within 90 days of property acquisition, the Agent shall advise the donee that failure of a donee to pay service charges within 180 days will cause the Agent to perform actions pursuant to (g) of this Section.
- (g) If the Agent determines that a donee fails to adhere to property use restrictions and requirements, including nonpayment of service charges after 180 days of property acquisition, the Agent shall document actions the Agent took to attempt to bring the donee into compliance and report donee noncompliance to GSA. The Agent shall coordinate subsequent actions with GSA in accordance with provisions of 41 CFR 102-37.480 through 102-37.495.
- (1) The Agent will promptly remit funds derived by the Agent from enforcement of compliance efforts to GSA for deposit into the Treasury of the United States. The Agent shall provide supporting documentation to indicate the source of the funds and essential background information.
- (2) The Agent shall retain funds derived from compliance actions involving violations of state-imposed use restrictions.
- (h) If the Agent finds evidence that an agency employee engaged in unethical, fraudulent or illegal acts, the Agent shall advise GSA and, if applicable, local law enforcement authorities with appropriate jurisdiction and coordinate subsequent actions with them as required.

**580:45-1-46. [RESERVED]**

**580:45-1-47. Consultation with advisory groups-public and private**

- (a) Pursuant to provisions of 41 CFR 102-37. Appendix B, Section (k) and 80 O. S., Section 34.3, the Agent shall consult with donees and seek participation in public or private groups that include donees to determine relative needs and resources of donees, proposed utilization of property by donees and how distribution of property can be accomplished to fill existing needs of donees.
- (b) The Agent shall offer speakers and presentations to participate in meetings of public or private groups that include donees or potential donees.
- (1) The Agent shall encourage participation in agency programs by donees and potential donees.
- (2) The Agent shall encourage donees to provide requests for types of property specific to an individual donee or group of donees for transmission to GSA.
- (3) The Agent shall provide information on factors the Agent considers to determine donee eligibility.
- (4) The Agent shall provide information on property use restriction and requirements.
- (c) The Agent shall encourage potential donees to tour the agency or meet with agency staff to provide specific or in-depth agency information.
- (d) The Agent shall maintain contact with donees through a periodic newsletter or other communication, whether distributed as printed or electronic media.

(e) The Agent shall consult with an advisory body which may consist of legislators and persons representing public and nonprofit donee types to advise and support the Agent's management and operation. If the Agent self-appoints the advisory body, the Agent shall determine the number and makeup of its members.

**580:45- 1-48. (RESERVED)**

**580:45-1-49. Audits**

(a) Periodic internal audits of the Agency's operations and financial affairs shall be conducted in accordance with the schedule established by the Oklahoma State Auditor and Inspector.

(b) The Agent shall comply with the external audit requirements and donee audit submission requirements of Office of Management and Budget Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations" for each year in which the Agent receives \$500,000 or more in Federal surplus property or other Federal assistance.

(c) The Agent shall provide GSA with two copies of any audit report made pursuant to OMB Circular A-133 or two copies of those sections that pertain to the Federal donation program.

(d) The Agent shall provide GSA an outline of all external audit related corrective actions and scheduled completion dates for the actions required.

(e) The Agent shall provide for cooperation in GSA or Comptroller General conducted audits. GSA shall notify the Chief Executive Officer of the State of the reasons for a GSA audit.

(f) The Agent shall advise donees that if a donee receives property with a value of or exceeding \$500,000 during a fiscal year, that the donee shall provide the Agent with a copy of an audit of the donee conducted in accordance with OMB Circular No. A-133. The Agent shall advise the donee that it is the donee's responsibility to identify and determine the amount of property received by the donee and to arrange for audits.

**580:45-1-50. (RESERVED)**

**580:45-1-51. Cooperative agreements**

41 CFR 102-37.325 through 102-37.340 and 40 USC 549 provide authorization for GSA, or federal agencies designated by GSA to enter into cooperative agreements with the Agent to provide support to the Agent's operations and facilitate transfer or disposal of property. The Agent may enter into, renew or revise such agreements.

**580:45- 1-52. [RESERVED]**

**580:45-1-53. Liquidation**

(a) Whereas the Legislature authorizes state participation in federal assistance programs to provide federal surplus property to donees in the state, it assigns the Director of the Department of Central Services to appoint the Surplus Property Agent and authorizes the Agent to effect property transfer to donees. Should the Legislature determine that the state should terminate participation, the Director and the Agent shall provide public notice of final distribution of property, liquidation of agency assets, distribution of liquidation proceeds, designation of a successor agency to perform continuing agency obligations and retention of agency records pursuant to a liquidation plan as required by 41 CFR 102-37.365 and 102-37.370.

(b) If the Legislature acts to terminate the agency, the Director and Agent shall issue notice to GSA within 10 days of the date of final legislative and gubernatorial action advising effective dates of the action, reasons and, if applicable, terms the action specifies for agency termination.

(c) Within 20 days of the date of final legislative and gubernatorial action, the Director and Agent shall submit a liquidation plan to GSA of proposed steps and a timetable to effect liquidation.

(1) The liquidation plan shall include methods of property distribution such as transfer to federal agencies, transfer to other State Agencies for Surplus Property and transfer to donees.

(2) The liquidation plan shall include methods and dates of public notice.

(3) The liquidation plan shall include legislative requirements or Director proposals for distribution of Agency financial and physical assets.

(4) The liquidation plan must include methods and dates for disposal of federal property and Agency physical assets through public auction.

(5) The Director and Agent shall specify a successor agency to ensure continuing Agency obligations on property donated prior to the closing of the Agency are fulfilled as a part of its liquidation plan.

(6) The liquidation plan shall include methods of record retention and location of records storage for two years following liquidation.

(7) The liquidation plan shall include methods to finalize disbursement of Agency funds for liquidation activities.

(8) The liquidation plan shall include a final Agency termination date.

(d) Within 30 days of submission of the liquidation plan to GSA, the Director shall commence the liquidation plan.

(e) The Director may include GSA recommendations in the liquidation plan.

(f) The Director shall include GSA requirements in the liquidation plan.

(g) The Director shall issue notice to GSA upon completion of Agency liquidation that includes summaries of property and asset distribution and disposal, and financial assets distribution and disbursement.

#### **580:45-1-54. [RESERVED]**

#### **580:45-1-55. Forms**

(a) The Agent shall utilize forms to enable property receipt and distribution, donee eligibility and other components of Agency operations. The Agent shall comply with Department requirements for form review and approval.

(b) For forms that require GSA approval, following Department approval, the Agent shall submit forms to GSA for review and possible approval.

(1) If GSA approves the form, the Agent shall record the beginning date of form use.

(2) If GSA disapproves the form, the Agent shall incorporate form amendments required by GSA. Following incorporation of GSA amendments and, if applicable, further Department or GSA review and approval, the Agent shall record the beginning date the form was placed into service.

#### **580~45-1-56. [RESERVED]**

**580:45-1-57. Records**

(a) The Agent shall retain Agency property acquisition records to comply with state and Federal records retention requirements. The Agent shall retain Agency records for a minimum of three years following completion of the period of use restrictions (POR) and requirements.

(b) The Agent shall retain records pertaining to items with use restrictions and requirements as shown in the table, below:

(1) Combat configured aircraft - Perpetual Period of Restriction (POR) - Perpetual Records Retention after POR;

(2) Firearms - Perpetual Period of Restriction (POR) - Perpetual Records Retention after POR;

(3) Non-combat aircraft - 5 Year Period of Restriction (POR) - 3 Year Records Retention after POR;

(4) Vessels - 5 Year Period of Restriction (POR) - 3 Year Records Retention after POR;

(5) Motor vehicles and items with OAC of or exceeding \$5,000 - 18 months Period of Restriction (POR) - 3 Year Records Retention after POR;

(6) Items with OAC less than \$5,000 - 1 Year Period of Restriction (POR) - 3 Year Records Retention after POR.

(c) The Agent shall retain records pertaining to noncompliance cases for a minimum of three years following the conclusion of the noncompliance case.

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**Appendix A. Oklahoma State Agency for Surplus Property State Statutes****80 O.S. 2001, Sections 34.1 through 34.7*****Section 34.1 - Authority To Purchase, Lease Or Receive As Gift - Competitive Bidding Not Required.***

*This state, its departments, boards, commission, institutions, and state agencies, political subdivisions, and school districts of the state may purchase, lease, or receive as gifts or donations, any surplus property offered for sale, lease, or donation by the United States Government or any of the agencies thereof, pursuant to the applicable provisions of the "Surplus Property Act of 1944", or amendments thereto, or any act providing for the disposal of surplus property enacted by the Congress of the United States. Laws requiring the state or any of its political subdivisions to purchase property, goods, wares, or merchandise under the terms of competitive bid statutes shall not apply to the purchase of surplus property as provided in this act.*

***Section 34.2 - Surplus Property Agent - Appointment - Bond.***

*A. The Director of the Department of Central Services shall appoint and fix the duties and compensation of a Surplus Property Agent. The Purchasing Division of the Department of Central Services shall purchase for the Surplus Property Agent a bond payable to the State of Oklahoma in the sum of Fifty Thousand Dollars (\$50,000.00), conditioned for the faithful performance of the duties of the Surplus Property Agent.*

*B. Pursuant to the provisions of Sections 34.1 through 34.7 of this title, the Director of the Department of Central Services shall promulgate rules for acquisition of surplus property by the Surplus Property Agent, state departments, institutions and agencies, and other authorized entities. The rules shall provide for the determination of a reasonable fee to assess the state departments, institutions and agencies, and other authorized entities for surplus property. The fee determination shall include costs the Surplus Property Agent incurs to acquire, warehouse, distribute, and other administrative costs and expenses.*

***Section 34.3 - Duties of Surplus Property Agent***

*A. The Surplus Property Agent shall, under the supervision and direction of the Director of the Department of Central Services:*

- 1. Ascertain from the federal government through any of its agencies, any surplus property available for sale, lease, or donation either within or outside this state and shall notify the state departments, boards, commissions, institutions, and agencies, counties, cities, and towns, and school districts of the availability of such property as is deemed necessary according to the types and quantities of property available;*
- 2. Secure from state departments, boards, commissions, institutions, and agencies and from counties, cities, and towns, and school districts, estimates of their needs for surplus property and keep federal agencies informed of such needs;*
- 3. Purchase, or accept as gifts or donations, any surplus property from the federal government, its departments or agencies for redistribution, by sale or donation to any state department, board, commission, institution, or agency and to counties, cities, or towns, and school districts, and provide for the care and handling, transportation, and warehousing of property if necessary;*

4. *Distribute surplus property to state departments, boards, commissions, institutions, and agencies and to counties, cities, towns, school districts, and other entities authorized by the federal government to receive federal surplus property, provided, the entity reimburses the Surplus Property Agent for the purchase price and expenses incurred in connection with acquiring, warehousing, and distributing the surplus property;*
  5. *With the approval of the Director of the Department of Central Services, employ such employees and assistants as may be necessary to carry out the purposes of Sections 34.1 through 34.6 of this title;*
  6. *Make acquisition of surplus automobiles in a manner consistent with other applicable sections of law in this state; and*
  7. *Perform other duties as are necessary for the purposes of Sections 34.1 through 34.6 of this title.*
- B. The surplus property agent may participate in programs through which the Government of the United States offers to provide surplus military equipment, including weapons, protective clothing and transportation devices.*

**Section 34.4 - Requisitions.**

*Agencies of the state, political subdivisions, or authorized entities shall file requisitions with the Surplus Property Agent for any surplus property which they wish to acquire.*

**Section 34.5 - Nonprofit Tax-Exempt Institutions - Trustees Of Public Trusts - Acquisition Of Property For.**

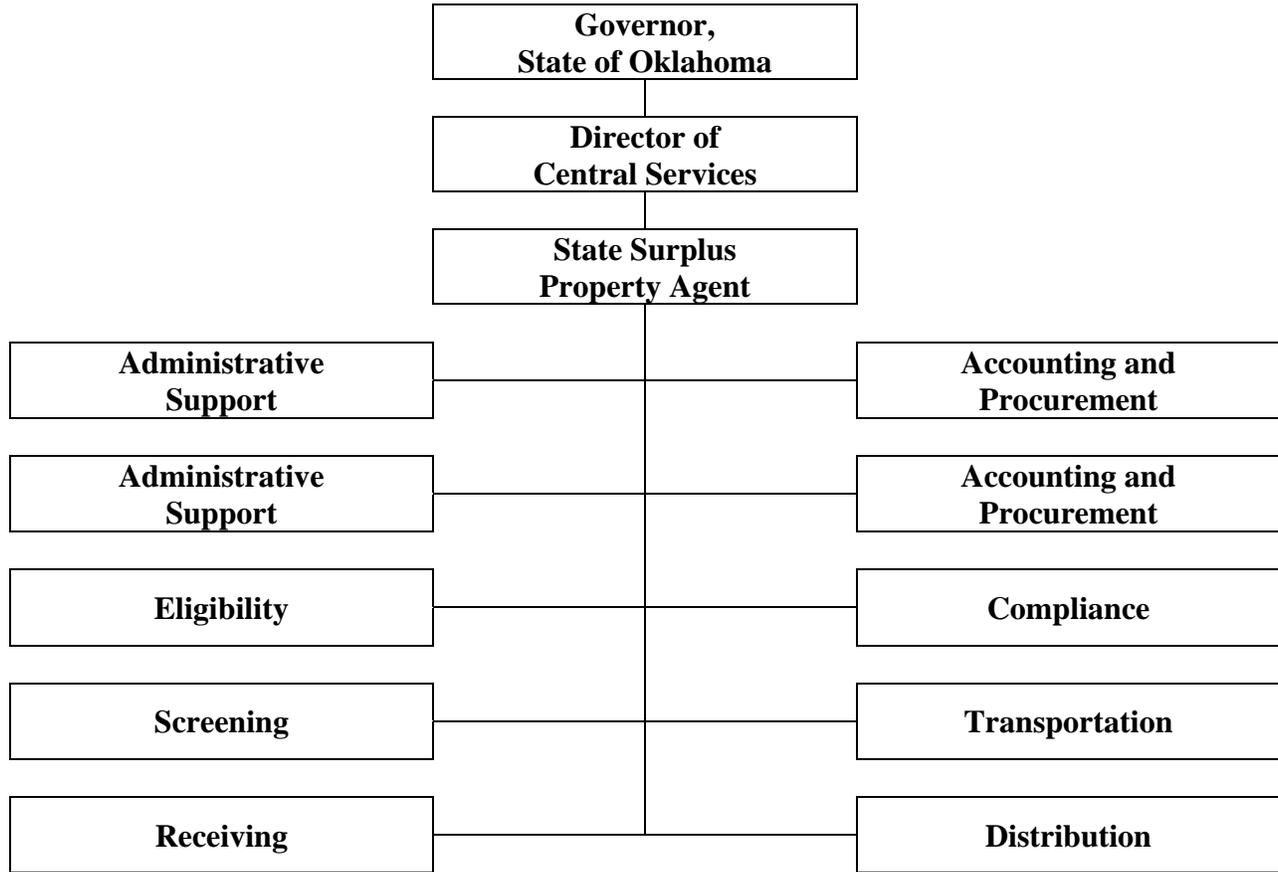
*The State Surplus Property Agent may acquire property for nonprofit tax-exempt institutions and for the trustees of every trust created for the benefit and furtherance of any public function with the state or any political or governmental subdivision as the beneficiary thereof, under the same terms as for institutions of the state or any of its political subdivisions.*

**Section 34.6 - State Surplus Property Revolving Fund.**

*There is hereby created in the State Treasury a revolving fund to be designated as the "State Surplus Property Revolving Fund" which shall consist of all monies appropriated thereto by the Legislature and all monies received by the Surplus Property Agent from state departments, boards, commissions, institutions, and agencies and from counties, cities, and towns, and school districts and other authorized program participants as a reimbursement to the state of monies spent in acquiring surplus property for such entities, and for services to the entities. The Surplus Property Fund shall be expended by the Surplus Property Agent, under the supervision of the Director of the Department of Central Services, for any expense incurred in the handling, transportation, warehousing, distribution of surplus property received by purchase or donation, including the purchase of trucks and equipment, the salary of the Surplus Property Agent and other employees' salaries, other necessary expenses incurred in program administration and operation and expenses the Department incurs to support program operations. Expenditures shall be made from the fund on claims signed by the State Surplus Property Agent and approved for payment by the Director of State Finance.*

**Section 34.7 - Repealed by Laws 2000, HB 1905, c. 218, § 10, eff. November 1, 2000**

**Appendix B. Organizational Chart for the State Agency for Surplus Property**



### **Appendix C. Oklahoma State Agency for Surplus Property Forms**

1. Donation Program Application, Page 1 - Basic Donee Information
2. Donation program Application, Page 2 - Organization Specifics
3. Donation program Application, Page 3 - Property Distribution Information
4. Donation program Application, Page 4 - Nondiscrimination Assurance
5. Donation program Application, Page 5 - Debarment Certification
6. Donation program Application, Page 6 - Donee Authorized Representative
7. Wish List Request Form
8. Letter of Intent - Weapons
9. Letter of Intent - Aircraft
10. Conditional Transfer Document - Combat Aircraft
11. Conditional Transfer Document - Non-Combat Aircraft
12. Letter of Intent - Vessel
13. Conditional Transfer Document - Vessel
14. SF123
15. Invoice & Distribution Document Front (Transfer Document)
16. Invoice & Distribution Document Back (Transfer Document) Terms & Conditions
17. In-Use Compliance Form for 18 Month Compliance
18. In-Use Compliance Form for 5 Year Compliance