An Act

ENROLLED HOUSE
BILL NO. 2686

By: Morrissette, Enns, Fields, Collins, Johnson, Hickman, Renegar, Bailey, DeWitt, Walker, Richardson and Sanders of the House

and

Coates, Corn and Justice of the Senate

An Act relating to cedar trees; creating the Eastern Red Cedar Initiative Act of 2010; enacting the Eastern Red Cedar Registry Board Act; stating legislative intent; creating the Eastern Red Cedar Registry Board under authority of the State Board of Agriculture; providing membership, appointments and terms; providing for creation of a citizens' auxiliary group; providing for nominations, approval, rights and terms; stating function of the citizens' auxiliary group; creating the Eastern Red Cedar Registry; stating duties of the Board; requiring compliance with certain laws; providing for election of a chair and meeting; requiring an annual report; directing the Oklahoma Department of Agriculture, Food, and Forestry and other state agencies to provide support to the Board; authorizing Eastern Red Cedars from public land to be provided to certain harvesters under certain conditions; providing for the Board to issue permits for harvesting trees on state-owned land; creating the Eastern Red Cedar Revolving Fund; making the fund a continuing fund; providing for source of monies; stating purpose of funds; requiring payments to be made on warrants; allowing taxpayers to designate contributions to the Eastern Red Cedar Revolving Fund on income tax forms; specifying impact of contribution on tax liability; directing the Oklahoma Tax Commission to include opportunity for contributions; providing for

instructions; providing for reduction of tax refunds; directing the State Treasurer to credit certain amount to the Revolving Fund; providing for payment of incremental costs; stating legislative intent that state entities use products and materials made from trees harvested in Oklahoma; requiring a purchasing preference be given to certain products and materials; specifying certain conditions; requiring implementation of a procurement program for products from trees harvested in Oklahoma; amending Section 14, Chapter 504, O.S.L. 2004 (47 O.S. Supp. 2009, Section 1135.5), as last amended by Section 1 of Enrolled Senate Bill No. 1917 of the 2nd Session of the 52nd Oklahoma Legislature, which relates to special license plates; creating the Eastern Red Cedar Tree License Plate; providing for design and purpose; providing for deposit of certain amount in the Eastern Red Cedar Revolving Fund; limiting expenditure of the monies; directing the Oklahoma Department of Commerce to provide direction and assistance with respect to economic and tax incentives; amending Section 3, Chapter 340, O.S.L. 2007 (74 O.S. Supp. 2009, Section 5009.12), which relates to the Oklahoma Bioenergy Center; defining biofuels to include fuels derived from cedar trees; declaring legislative intent to promote cedar tree wood products and residue as an energy source; stating intent to promote cedar tree wood products and residue as a renewable energy fuel; providing for codification; providing for noncodification; providing an effective date; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

This act shall be known and may be cited as the "Eastern Red Cedar Initiative Act of 2010".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 18-401 of Title 2, unless there is created a duplication in numbering, reads as follows:

Sections 3 through 9 of this act shall be known and may be cited as the "Eastern Red Cedar Registry Board Act".

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 18-402 of Title 2, unless there is created a duplication in numbering, reads as follows:

It is the intent of the Legislature to:

1. Create the Eastern Red Cedar Registry;

2. Provide for a registry for Eastern Red Cedar trees in the state, including but not limited to the location, ownership, level of infestation, and average size of the trees;

3. Promote the harvesting of Eastern Red Cedars through issuance of harvesting permits, membership in the registry, a property owner and harvester information exchange, and maintenance of state harvesting records; and

4. Promote marketing, research and education efforts concerning the Eastern Red Cedar tree and Eastern Red Cedar products.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 18-403 of Title 2, unless there is created a duplication in numbering, reads as follows:

A. There is hereby created the Eastern Red Cedar Registry Board. The Board shall be under the authority of the State Board of Agriculture. The Board shall consist of the following members:

1. The Governor shall appoint three members as follows:

   a. one member representing a property owner in the state,

   b. one member engaged in the business of harvesting Eastern Red Cedar trees in the state, and

   c. one member engaged in the business of manufacturing products from Eastern Red Cedar trees;

2. The Speaker of the House of Representatives shall appoint two members as follows:

a. one member with a background or experience in marketing agricultural products, and

b. one member with a background or experience in renewable energy;

3. The President Pro Tempore of the State Senate shall appoint two members as follows:

a. one member from a higher education institution in The Oklahoma State System of Higher Education who specializes in agricultural production, and

b. one member from a higher education institution in The Oklahoma State System of Higher Education who specializes in forestry and forest management;

4. The Commissioner of Agriculture, or a designee;

5. The Executive Director of the Oklahoma Conservation Commission;

6. The Executive Director of the Department of Environmental Quality, or designee;

7. A member of the Corporation Commission, or designee; and

8. A member appointed by and representing the Natural Resources Conservation Service of the United States Department of Agriculture.

B. The initial appointment for each member appointed by the Governor shall be for progressive terms of one (1) through three (3) years. The initial appointment for each member appointed by the Speaker of the House of Representatives shall be for progressive terms of one (1) and two (2) years. The initial appointment for each member appointed by the President Pro Tempore of the State Senate shall be for progressive terms of one (1) and two (2) years. Subsequent appointments shall be for three-year terms. Members shall continue to serve until their successors are appointed. Any vacancy shall be filled in the same manner as the original appointment. No member shall serve more than two consecutive terms.

C. The members of the Board appointed pursuant to paragraphs 1, 2 and 3 of subsection A of this section may nominate up to sixteen persons who are residents of the state to serve on a citizens' auxiliary group. The nominations shall be approved by a majority vote of the Board. Members of the citizens' auxiliary group shall not have voting rights and privileges on the Board and shall serve three-year terms. The citizens' auxiliary group will provide information and feedback to the Board on issues related to the Eastern Red Cedar tree and shall assist the Board in achieving its duties as set forth in the Eastern Red Cedar Registry Board Act.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 18-404 of Title 2, unless there is created a duplication in numbering, reads as follows:

A. The Eastern Red Cedar Registry Board shall establish procedures and standards and oversee the following:

1. The administration of the Eastern Red Cedar Registry for Eastern Red Cedar trees in the state. Private landowners in the state may register the location of their property, the level of infestation of Eastern Red Cedar trees on the property, and average size of the trees on the property. The Board shall develop and implement an application and registration process for landowners;

2. Promote the harvesting of Eastern Red Cedar trees. Persons or entities involved in the harvesting of Eastern Red Cedar trees or the manufacturing of products from Eastern Red Cedar trees may apply for registration with the Board. The Board shall develop and implement an application and registration process for harvesters and manufacturers;

3. Maintain harvesting records of Eastern Red Cedar trees in the state;

4. Promote the development of new uses and markets for Eastern Red Cedar trees and Eastern Red Cedar products;

5. Promote marketing, research and education efforts concerning the Eastern Red Cedar tree and Eastern Red Cedar products;

6. Cooperate with any local, state, regional, or nationwide organization or agency engaged in work or activities consistent with the objectives of the Eastern Red Cedar Registry Board Act;

7. Assist communities located in any county in the state to organize and establish community-owned Eastern Red Cedar projects in the community and to recruit and locate private for-profit Eastern Red Cedar businesses in the community including but not limited to harvesting operations, biofuel plants, cedar oil manufacturing facilities, or other cedar product manufacturing facilities. The Board shall assist in securing financing, infrastructure and other resources. The Board shall also provide direction and assistance to the community-based projects and individually owned businesses on steps to take in order to qualify for existing sales tax credits and income tax credits;

8. Provide a process for the transfer of donated Eastern Red Cedar trees from landowners registered with the Board to registered harvesters and manufacturers;

9. Establish a limit on the number of acres of private property and the number of harvesters that may be registered on the registry during a calendar year; and

10. Take any other actions necessary to implement the Eastern Red Cedar Registry Board Act.

B. The Board and all landowners and harvesters registered with the Board shall comply with all applicable provisions of Article 16 of Title 2 of the Oklahoma Statutes, known as the Oklahoma Forestry Code, when managing and harvesting Eastern Red Cedar trees.

C. The Board shall annually elect a chair from among the members. The Board shall meet regularly, but in no case shall it meet less than one time per calendar quarter, and shall meet at any other times as called by the chair, or upon request of three or more members of the Board.

D. Upon the availability of funds, the Board shall prepare an annual report of all activities for each fiscal year. The annual report shall be filed with the Governor, Speaker of the House of Representatives, and the President Pro Tempore of the State Senate.

SECTION 6. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 18-405 of Title 2, unless there is created a duplication in numbering, reads as follows:

Contingent upon the availability of funding and agency resources, the Oklahoma Department of Agriculture, Food, and

Forestry shall provide support, resources, supplies and information as required by the Eastern Red Cedar Registry Board to implement the provisions of the Eastern Red Cedar Registry Board Act, including but not limited to support in marketing development and promotion, identification of financial resources and grants, and grant application submission.

SECTION 7. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 18-406 of Title 2, unless there is created a duplication in numbering, reads as follows:

A. Eastern Red Cedar trees removed from lands owned by any state agency or any person or entity with authority to remove the trees from state-owned lands may be provided to harvesters registered with the Eastern Red Cedar Registry Board in a manner consistent with law.

B. A state agency may cooperate with the Eastern Red Cedar Registry Board to issue permits to registered harvesters to allow the harvesting of Eastern Red Cedar trees on land owned by the state agency.

SECTION 8. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 18-407 of Title 2, unless there is created a duplication in numbering, reads as follows:

There is hereby created in the State Treasury a revolving fund for the Eastern Red Cedar Registry Board to be designated the "Eastern Red Cedar Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies received by the State Board of Agriculture for the Eastern Red Cedar Registry Board from the state income tax checkoff as provided for in Section 9 of this act, the special license plate issued pursuant to Section 1135.5 of Title 47 of the Oklahoma Statutes, any state-appropriated funds, federal funds, donations, grants, contributions, and gifts from any public or private source. All monies accruing to the credit of said fund are hereby appropriated and may be budgeted and expended by the State Board of Agriculture as directed by the Eastern Red Cedar Registry Board for the purposes set forth in the Eastern Red Cedar Registry Board Act. Expenditures from said fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of the Office of State Finance for approval and payment.

SECTION 9. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 18-408 of Title 2, unless there is created a duplication in numbering, reads as follows:

A. Each individual taxpayer required to file a state income tax return who desires to contribute to the Eastern Red Cedar Revolving Fund, as created in Section 8 of this act, may designate the contribution on the appropriate income tax form. The contribution may not increase or decrease the income or liability of the taxpayer and may be made by reducing the income tax refund of a taxpayer by the amount designated or by accepting additional payment from the taxpayer by the amount designated, whichever is appropriate.

B. 1. The Oklahoma Tax Commission shall include on each state individual income tax return form for tax years beginning after December 31, 2010, an opportunity for the taxpayer to donate for the benefit of the Eastern Red Cedar Revolving Fund. The instructions accompanying the income tax form shall be provided to the Oklahoma Tax Commission by the Eastern Red Cedar Registry Board and shall contain a description of the purpose for which the Eastern Red Cedar Revolving Fund was established and information on the use of monies from the income tax contribution.

2. Taxpayers who are entitled to refunds shall have the refunds reduced by the amount designated by the taxpayer. The Oklahoma Tax Commission shall annually determine the total amount designated plus the amount received in excess payments and shall report the total amount to the Office of the State Treasurer. The State Treasurer shall credit the total amount to the Eastern Red Cedar Revolving Fund created in Section 8 of this act at the earliest possible time.

C. The incremental cost of administration of contributions shall be paid out of the fund to the Oklahoma Tax Commission from amounts received pursuant to this section before funds are expended for the purposes of the fund.

SECTION 10. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 85.44D of Title 74, unless there is created a duplication in numbering, reads as follows:

A. It is the intent of the Legislature that all state agencies procure and use products or materials made from or utilizing materials from trees harvested in Oklahoma when such products or materials are available.

B. By July 1, 2011, the Purchasing Division of the Department of Central Services when accepting bids for state purchases of products and materials shall give preference to the suppliers of wood products made from or products manufactured utilizing materials from trees harvested in Oklahoma if the price for the products and materials is not substantially higher than the price for other wood products and materials and the quality and grade requirements are otherwise comparable.

C. By July 1, 2011, the Purchasing Division of the Department of Central Services shall promulgate rules and implement a program for extending state procurement specifications to products made from or manufactured utilizing materials from trees harvested in Oklahoma and identifying the products.

SECTION 11. AMENDATORY Section 14, Chapter 504, O.S.L. 2004 (47 O.S. Supp. 2009, Section 1135.5), as last amended by Section 1 of Enrolled Senate Bill No. 1917 of the 2nd Session of the 52nd Oklahoma Legislature, is amended to read as follows:

Section 1135.5 A. The Oklahoma Tax Commission is hereby authorized to design and issue appropriate official special license plates to persons wishing to demonstrate support and provide financial assistance as provided by this section.

Special license plates shall not be transferred to any other person but shall be removed from the vehicle upon transfer of ownership and retained. The special license plate may then be used on another vehicle but only after such other vehicle has been registered for the current year with a motor license agent.

Special license plates shall be renewed each year by the Tax Commission or a motor license agent. The Tax Commission shall annually notify by mail all persons issued special license plates. The notice shall contain all necessary information and shall contain instructions for the renewal procedure upon presentation to a motor license agent or the Tax Commission. The license plates shall be issued on a staggered system.

The Tax Commission is hereby directed to develop and implement a system whereby motor license agents are permitted to accept applications for special license plates authorized under this section. The motor license agent shall confirm the applicant's eligibility, if applicable, collect and deposit any amount specifically authorized by law, accept and process the necessary

information directly into such system and generate a receipt accordingly. For performance of these duties, motor license agents shall retain the fee provided in Section 1141.1 of this title for registration of a motor vehicle. The motor license agent fees for acceptance of applications and renewals shall be paid out of the Oklahoma Tax Commission Reimbursement Fund.

If fewer than one hundred of any type of special license plates authorized prior to January 1, 2004, are issued prior to January 1, 2006, the Tax Commission shall discontinue issuance and renewal of that type of special license plate. Any such authorized special license plate registrant shall be allowed to display the license plate upon the designated vehicle until the registration expiration date. After such time the expired special license plate shall be removed from the vehicle.

For special license plates authorized on or after July 1, 2004, no special license plates shall be developed or issued by the Tax Commission until the Commission receives one hundred prepaid applications therefor. The prepaid applications must be received by the Tax Commission within one hundred and eighty (180) days of the effective date of the authorization or the authority to issue shall be null and void. In the event one hundred prepaid applications are not received by the Tax Commission within such prescribed time period any payment so received shall be refunded accordingly.

B. The special license plates provided by this section are as follows:

1. University or College Supporter License Plates - such plates shall be designed and issued to any person wishing to demonstrate support to any state-supported or private university or college. As provided in this section, an amount of the fee collected shall be apportioned as provided in Section 1104.1 of this title;

2. Environmental Awareness License Plates - such plates shall be designed, subject to the criteria to be presented to the Tax Commission by the Department of Environmental Quality in consultation with the Oklahoma Arts Council, and issued to any person wishing to demonstrate support to implement the statewide general public environmental education program created pursuant to the provisions of the Oklahoma Environmental Quality Code. Such plates shall be designed and issued to any person in any combination of numbers and letters from one to a maximum of seven, as for personalized license plates. A dealer's license plate issued

pursuant to Section 1116.1 or 1128 of this title may be designated an Environmental Awareness License Plate upon payment of the fee imposed by this section and any other registration fees required by the Oklahoma Vehicle License and Registration Act. As provided in this section, an amount of the fee collected shall be apportioned pursuant to Section 1104.2 of this title;

3. Firefighter License Plates - such plates shall be designed for any career or retired firefighter, volunteer or paid. Firefighters may apply for firefighter plates for up to four vehicles with a rated capacity of one (1) ton or less or for a motorcycle upon proof of a fire department membership by either an identification card or letter from the chief of the fire department. Retirees who are eligible for such plates shall provide proof of eligibility upon initial application, but shall not be required to provide proof of eligibility annually. The surviving spouse of any deceased firefighter, if the spouse has not since remarried, may apply for a firefighter license plate for one vehicle with a rated carrying capacity of one (1) ton or less or for a motorcycle upon proof that the deceased firefighter was a member of a fire department by either an identification card or letter from the chief of the fire department.

Except for motorcycles, the license plate shall have the legend "Oklahoma" in the color Pantone 186C Red and shall contain no more than three letters and three numbers in the color Pantone 301C Blue. Between the letters and numbers shall be the Firefighter Maltese Cross Logo in the color Pantone 186C Red outlined in the color Pantone 301C Blue. Below the letters and the logo shall be the word "Firefighter" in the color Pantone 186C Red. The license plate for motorcycles may be of a similar design as space permits or a new design in order to meet the space requirements of a motorcycle license plate. The plates shall not be subject to the design requirements of any other license plates prescribed by law other than the space for the placement of the yearly decals for each succeeding year of registration after the initial issue.

As provided in this section, an amount of the fee collected shall be deposited to the Oklahoma State Firemen's Museum Building & Memorial Fund for support of the Oklahoma Firefighter Fallen and Living Memorial;

4. Wildlife Conservation License Plates - such plates shall be designed, subject to the criteria to be presented to the Tax Commission by the Oklahoma Department of Wildlife Conservation in

consultation with the Oklahoma Arts Council, and issued to any person wishing to demonstrate support for wildlife conservation in this state through the Wildlife Diversity Fund, provided for in Section 3-310 of Title 29 of the Oklahoma Statutes. Such plates may be designed and issued to any person as for personalized license plates.

As provided in this section, an amount of the fee collected shall be apportioned pursuant to subsection D of Section 3-310 of Title 29 of the Oklahoma Statutes;

5. Child Abuse Prevention License Plates - such plates shall be designed, subject to the criteria to be presented to the Tax Commission by the Office of Child Abuse Prevention in the State Department of Health and the Oklahoma Committee to Prevent Child Abuse, and issued to any person wishing to demonstrate support for the prevention of child abuse.

As provided in this section, an amount of the fee collected shall be deposited in the Child Abuse Prevention Fund;

6. United States Olympic Committee Supporter License Plates - such plates shall be designed and issued to any person wishing to demonstrate support for the United States Olympic Committee. The plates shall be issued to any person in any combination of numbers and letters from one to a maximum of seven, as for personalized license plates. The plate shall contain the official United States Olympic Committee logo. The Tax Commission shall be authorized, if necessary, to enter into a licensing agreement with the United States Olympic Committee for any licensing fees which may be required in order to use the United States Olympic Committee logo or design. The licensing agreement shall provide for a payment of not more than Twenty-five Dollars ($25.00) for each license plate issued;

7. Oklahoma History License Plates - such plates shall be designed and issued to any person wishing to demonstrate interest in Oklahoma history. As provided in this section, an amount of the fee collected shall be deposited to the Oklahoma Historical Society Revolving Fund to be used for educational purposes;

8. Historic Route 66 License Plates - such plates shall be designed to honor historic Route 66, also known as the "Mother Road". As provided in this section, an amount of the fee collected shall be apportioned to the Oklahoma Historical Society Revolving

Fund to be distributed to the Route 66 Museum located in Clinton, Oklahoma;

9. Heart of the Heartland License Plates - such plates shall be designed and issued to any person wishing to honor the victims of the terrorist bombing attack on the Alfred P. Murrah Federal Building in downtown Oklahoma City on April 19, 1995. As provided in this section, an amount of the fee collected shall be deposited in the Heart of the Heartland Scholarship Fund, as established in Section 2282 of Title 70 of the Oklahoma Statutes;

10. Emergency Medical Technician License Plates - such plates shall be designed and issued to any person who is an emergency medical technician. Such persons may apply for an emergency medical technician license plate for each vehicle with a rated carrying capacity of one (1) ton or less upon proof of an emergency medical technician's license. The license plate shall be designed in consultation with the state association of emergency medical technicians. As provided in this section, an amount of the fee collected shall be apportioned to the Emergency Medical Technician Death Benefit Revolving Fund created in Section 1-2505.2 of Title 63 of the Oklahoma Statutes;

11. Fight Breast Cancer License Plates - such plates shall be designed to demonstrate support for the prevention and treatment of breast cancer in this state. As provided in this section, an amount of the fee collected shall be apportioned to the Breast Cancer Act Revolving Fund;

12. Crime Victims Awareness License Plates - such plates shall be designed and issued to any person wishing to demonstrate awareness of and support for victims of crimes. The license plates shall be designed in consultation with the Oklahoma Crime Victims Centre. As provided in this section, an amount of the fee collected shall be apportioned to the Attorney General's Revolving Fund for the Office of the Attorney General, which is hereby directed to use such funds to contract with a statewide nonprofit organization to provide services to crime victims;

13. Oklahoma Safe Kids Association License Plates - such plates shall be designed and issued to any person wishing to demonstrate support and awareness of the Oklahoma Safe Kids Association. The license plate shall be designed in consultation with the Oklahoma Safe Kids Association. As provided in this section, an amount of the fee collected shall be deposited in the Children's Hospital -

Oklahoma Safe Kids Association Revolving Fund to be distributed to the Oklahoma Safe Kids Association program;

14. Four-H Club License Plates - such plates shall be designed, subject to criteria to be presented to the Tax Commission by the Four-H Foundation, and issued to any person wishing to demonstrate support of the Four-H Club. Such plates may be designed and issued to any person as for personalized license plates. As provided in this section, an amount of the fee collected shall be apportioned to the OSU Extension Service License Plate Revolving Fund created in Section 1104.4 of this title;

15. Agricultural Awareness License Plates - such plates shall be designed, subject to criteria to be presented to the Tax Commission, by the Oklahoma Department of Agriculture, Food, and Forestry in consultation with the Oklahoma Arts Council, and issued to any person wishing to demonstrate support of the Department's Ag in the Classroom Education Program. As provided in this section, an amount of the fee collected shall be apportioned as provided in Section 1104.3 of this title;

16. Oklahoma Statehood Centennial License Plates - such plates shall be designed and issued to any person wishing to commemorate the centennial of Oklahoma's admission to statehood in 1907. The license plates shall be designed in consultation with the Oklahoma Capitol Complex and Centennial Commemoration Commission. As provided in this section, an amount of the fee collected shall be deposited in the Oklahoma Capitol Complex and Centennial Commemoration Commission Revolving Fund created in Section 98.5 of Title 73 of the Oklahoma Statutes;

17. Support Education License Plates - such plates shall be designed, subject to criteria to be presented to the Tax Commission by the State Department of Education in consultation with the Oklahoma Arts Council, and issued to any person wishing to demonstrate support for education in this state. All motor license agents shall display a sample of the Support Education License plate in the area of the business accessed by the public. Twenty-three Dollars ($23.00) of the fee collected shall be apportioned as follows:

a. five percent (5%) shall be deposited to the Education Reform Revolving Fund,

b. five percent (5%) shall be deposited to the Higher Education Revolving Fund,

c. five percent (5%) shall be deposited to the State Career Technology Fund, and

d. eighty-five percent (85%) of the fee shall be deposited to the Teachers' Retirement Benefit Fund as set forth in Section 17-108 of Title 70 of the Oklahoma Statutes.

However, when the Teachers' Retirement Benefit Fund attains a seventy percent (70%) funded ratio based on an annual actuarial valuation as required by law, the amount of the fee shall be apportioned equally pursuant to subparagraphs a, b and c of this paragraph;

18. Retired Oklahoma Highway Patrol Officers License Plates - such plates shall be designed and issued to any retired officer of the Oklahoma Highway Patrol. The license plate shall have the legend "Oklahoma" and shall contain, in the center of the plate, the Highway Patrol Officers patch using the same colors and pattern as used in the patch. Centered on the bottom of the license plate shall be the word "Retired". The letters "TRP" shall be used in combination with three numbers on either side of the insignia or emblem. The color of the letters and numbers shall be brown. Retirees who are eligible for such plates shall provide proof of eligibility upon initial application, but shall not be required to provide proof of eligibility annually. The surviving spouse of any deceased retired officer of the Oklahoma Highway Patrol, if the spouse has not since remarried, or if remarried, the remarriage is terminated by death, divorce, or annulment, may apply for a Retired Oklahoma Highway Patrol Officers license plate. As provided in this section, an amount of the fee collected shall be deposited into the Law Enforcement Retirement Fund;

19. Boy Scouts of America Supporter License Plates - such plates shall be designed and issued to any person wishing to demonstrate support for the Boy Scouts of America. The plates shall be issued to any person in any combination of numbers and letters from one to a maximum of seven, as for personalized license plates. The plate shall contain the official Boy Scouts of America logo. The Tax Commission shall be authorized, if necessary, to enter into a licensing agreement with the Boy Scouts of America for any licensing fees which may be required in order to use the Boy Scouts

of America logo or design. The licensing agreement shall provide for a payment to the Boy Scouts of America of not more than Twenty Dollars ($20.00) for each license plate issued;

20. Urban Forestry and Beautification License Plates - such plates shall be designed, subject to criteria to be presented to the Tax Commission, by the Oklahoma Department of Agriculture, Food, and Forestry in consultation with nonprofit organizations in this state that develop and operate programs to encourage urban forestry and beautification, and issued to any person wishing to demonstrate support of such programs. As provided in this section, an amount of the fee collected shall be apportioned as provided in Section 1104.5 of this title;

21. Oklahoma State Parks Supporter License Plates - such plates shall be designed, subject to criteria to be presented to the Tax Commission by the Oklahoma Tourism and Recreation Department, and issued to any person wishing to demonstrate support for the Oklahoma state parks system. Twenty-three Dollars ($23.00) of the fee collected shall be deposited in the Oklahoma Tourism and Recreation Department Revolving Fund. Such money shall be designated for and may only be expended for the support of Oklahoma state parks;

22. Adoption Creates Families License Plates - such plates shall be issued to any person wishing to demonstrate support of pregnant women who are committed to placing their children for adoption and wishing to provide assistance to guardians, adoptive parents and other created families to assist in the adoption and placement of children in permanent, safe homes. The license plates shall be designed and final terminology delivered in consultation with the Oklahoma Adoption Coalition and the Department of Human Services. Twenty-five Dollars ($25.00) of the fee collected shall be deposited in a revolving fund established in the State Treasury for and to be used by the Department of Human Services for the implementation of the Investing in Stronger Oklahoma Families Act specifically for created families;

23. Choose Life License Plates - such plates shall be designed, subject to criteria presented to the Tax Commission, by Choose Life, Inc., and issued to any person who wishes to demonstrate support of organizations that encourage adoption as a positive choice for women with unplanned pregnancies. As provided in this section, an amount of the fee collected shall be deposited in the Choose Life Assistance Program Revolving Fund established in Section 1104.6 of this title;

24. Future Farmers of America License Plate - such plates shall be designed and issued to persons wishing to demonstrate support for the Oklahoma FFA (formerly known as Future Farmers of America). The license plates shall be designed in consultation with the Oklahoma FFA Foundation Board of Directors. As provided in this section, an amount of the fee collected shall be apportioned as provided in Section 1104.7 of this title;

25. Lions Club License Plates - such plates shall be designed and issued to persons wishing to demonstrate support for the Lions Club of Oklahoma. The plates shall be issued to any person in any combination of numbers and letters from one to a maximum of seven, as for personalized license plates. The license plates shall be designed in consultation with the Oklahoma Lions Service Foundation and shall contain the official logo of the International Association of Lions Clubs. The Tax Commission shall be authorized to enter into a licensing agreement with the Oklahoma Lions Service Foundation. The licensing agreement shall provide for a payment to the Oklahoma Lions Service Foundation of not more than Ten Dollars ($10.00) for each license plate issued;

26. Color Oklahoma License Plates - such plates shall be designed, subject to criteria to be presented to the Tax Commission by the Oklahoma Native Plant Society, and issued to any person wishing to demonstrate support for preserving and planting wildflowers and native plants in Oklahoma and to promote Oklahoma's wildflower heritage through education. As provided in this section, an amount of the fee collected shall be apportioned as provided in Section 1104.8 of this title;

27. Girl Scouts of the United States of America Supporter License Plates - such plates shall be designed and issued to any person wishing to demonstrate support for the Girl Scouts of the United States of America. The plates shall be issued to any person in any combination of numbers and letters from one to a maximum of seven, as for personalized license plates. The plate shall contain the official Girl Scouts of the United States of America logo. The Tax Commission shall be authorized, if necessary, to enter into a licensing agreement with the Girl Scouts of the United States of America for any licensing fees which may be required in order to use the Girl Scouts of the United States of America logo or design. The licensing agreement shall provide for a payment to the Girl Scouts of Magic Empire Council, acting on behalf of all Oklahoma Girl Scout

councils, of not more than Twenty Dollars ($20.00) for each license plate issued;

28. Oklahoma City Memorial Marathon License Plates - such plates shall be designed and issued to any person wishing to demonstrate support for the Oklahoma City Memorial Marathon. The plate shall be designed in consultation with the Oklahoma City Memorial Marathon. The Tax Commission shall be authorized to enter into a licensing agreement with the Oklahoma City Memorial Marathon for any licensing fees which may be required in order to use the Oklahoma City Memorial Marathon logo or design. The licensing agreement shall provide for a payment to the Oklahoma City Memorial Marathon of not more than Twenty Dollars ($20.00) for each license plate issued;

29. Oklahoma Scenic Rivers License Plate - such plates shall be designed to demonstrate support for the Oklahoma Scenic Rivers. The plates shall be designed in consultation with the Oklahoma Scenic Rivers Commission. Twenty-five Dollars ($25.00) of the fee shall be apportioned to the Oklahoma Scenic Rivers Commission;

30. Fight Cancer License Plate - such plates shall be designed to demonstrate support for the Oklahoma Central Cancer Registry. The plate shall contain the American Cancer Society logo. The American Cancer Society logo shall be used in accordance with the American Cancer Society's branding guidelines and shall only be utilized to support the Oklahoma Central Cancer Registry. Twenty Dollars ($20.00) of the fee shall be apportioned to the Oklahoma Central Cancer Registry Revolving Fund;

31. Animal Friendly License Plate - such plates shall be designed and issued to any person wishing to demonstrate support for controlling the overpopulation of dogs and cats through educational and sterilization efforts. The plates shall be designed in consultation with the Veterinary Medical Association. Twenty Dollars ($20.00) of the fee collected shall be designated by the purchaser of the plate to be deposited in the Oklahoma Pet Overpopulation Fund created in Section 2368.13 of Title 68 of the Oklahoma Statutes or the Animal Friendly Revolving Fund created in Section 1104.10 of this title;

32. Patriot License Plate - such plates shall be designed in consultation with the Military Department of Oklahoma and issued to any person wishing to demonstrate support for Oklahoma residents who are members of the Oklahoma National Guard and deployed on active

duty. The plates shall be issued to any person in any combination of numbers and letters from one to a maximum of seven, as for personalized license plates. As provided in this section, a portion of the fee collected shall be deposited in the Patriot License Plate Revolving Fund created in Section 1104.11 of this title;

33. Global War on Terrorism License Plate - such plate shall be designed in consultation with the Military Department of Oklahoma and issued to any person wishing to demonstrate support for Oklahoma residents who are members of the Armed Forces of the United States or Oklahoma National Guard that have served in the Global War on Terrorism. The plate shall be issued to any person in any combination of numbers and letters from one to a maximum of six. As provided in this section, a portion of the fee collected shall be deposited in the 45th Infantry Division Museum Fund created in Section 235.1 of Title 44 of the Oklahoma Statutes;

34. Boys and Girls Clubs of America Supporter License Plates - such plates shall be designed and issued to any person wishing to demonstrate support for the Boys and Girls Clubs of America. The plates shall be issued to any person in any combination of numbers and letters from one to a maximum of seven, as for personalized license plates. The plate shall contain the official Boys and Girls Clubs of America logo. The Tax Commission, if necessary, may enter into a licensing agreement with the Boys and Girls Clubs of America for any licensing fees which may be required in order to use the Boys and Girls Clubs of America logo or design. The licensing agreement shall provide for a payment to the Boys and Girls Clubs of America of not more than Twenty Dollars ($20.00) for each license plate issued;

35. Oklahoma Quarter Horse License Plates - such plates shall be designed and issued to any person wishing to demonstrate support for the American Quarter Horse in Oklahoma. The plate shall be designed in consultation with the Oklahoma Quarter Horse Association. As provided in this section, a portion of the fee collected shall be deposited in the Oklahoma Quarter Horse Revolving Fund created in Section 1104.12 of this title;

36. Oklahoma Association for the Deaf License Plate - such plates shall be designed in consultation with the Oklahoma Association for the Deaf and issued to any person wishing to demonstrate support for Oklahoma residents who are deaf. The plates shall be issued to any person in any combination of numbers and letters from one to maximum of seven, as for personalized license

plates. As provided in this section, a portion of the fee collected shall be deposited in the Oklahoma Association for the Deaf License Plate Revolving Fund created in Section 1104.15 of this title;

37. Oklahoma City Zoo License Plate - such plates shall be issued to any person wishing to demonstrate support for the Oklahoma City Zoo. The license plates shall be designed in consultation with the Oklahoma Zoological Society, Inc. As provided in this section, an amount of the fee collected shall be deposited in the Oklahoma Zoological Society Revolving Fund created in Section 1104.13 of this title;

38. March of Dimes License Plate - such plates shall be issued to persons wishing to demonstrate support for the March of Dimes mission to improve the health of babies by preventing birth defects, premature birth and infant mortality. The license plates shall be designed in consultation with the Oklahoma Chapter March of Dimes. As provided in this section, an amount of the fee collected shall be deposited in the Oklahoma Prevent Birth Defects, Premature Birth and Infant Mortality Fund established in Section 1104.14 of this title;

39. Support Our Troops Supporter License Plates - such plates shall be designed and issued to any person wishing to demonstrate support for Support Our Troops Incorporated. The plates shall be issued to any person in any combination of numbers and letters from one to a maximum of six. The plate shall contain the official Support Our Troops Incorporated logo which includes the mark "Support Our Troops" across the bottom of the plate. The Tax Commission, if necessary, may enter into a licensing agreement with Support Our Troops Incorporated for any licensing fees which may be required in order to use the Support Our Troops Incorporated logo or design. The licensing agreement shall provide for a payment to Support Our Troops Incorporated of Twenty-five Dollars ($25.00) for each license plate issued;

40. Folds of Honor Supporter License Plate - such plates shall be designed and issued to any person wishing to demonstrate support for Folds of Honor Incorporated, a nonprofit charitable organization exempt from taxation pursuant to the provisions of the Internal Revenue Code, 26 U.S.C., Section 501(c)(3), providing academic and vocational training scholarships to dependents of military servicemen and servicewomen who were either killed or wounded in action due to military service in the war in Iraq or Afghanistan. The plates shall be issued to any person in any combination of numbers and letters from one to a maximum of six. The plate shall

be designed in consultation with Folds of Honor Incorporated and shall contain the official Folds of Honor Incorporated logo which includes the mark "Folds of Honor" across the bottom of the plate. The Tax Commission, if necessary, may enter into a licensing agreement with Folds of Honor Incorporated for any licensing fees which may be required in order to use the Folds of Honor Incorporated logo or design. The licensing agreement shall provide for a payment to Folds of Honor Incorporated of Twenty-five Dollars ($25.00) for each license plate issued;

41. Oklahoma City Thunder License Plate - such plates shall be designed and issued to any person wishing to demonstrate support for the Oklahoma City Thunder. The license plate shall be designed in consultation with the Oklahoma City Thunder organization. The Tax Commission shall be authorized, if necessary, to enter into a licensing agreement with the Oklahoma City Thunder organization for any licensing fees which may be required in order to use the Oklahoma City Thunder logo or design. The licensing agreement shall provide for a payment of not more than Twenty Dollars ($20.00);

42. Downed Bikers Association License Plate - such plates shall be designed and issued to any person wishing to demonstrate support for the Downed Bikers Association, a nonprofit charitable organization exempt from taxation pursuant to the provisions of the Internal Revenue Code, 26 U.S.C., Section 501(c)(3), which provides emotional and financial support for downed bikers. The license plate shall be designed in consultation with the Central Oklahoma Chapter of the Downed Bikers Association and shall contain any official logo or design of the organization. The Tax Commission, if necessary, may enter into a licensing agreement with the Downed Bikers Association for any licensing fees which may be required in order to use the organization's logo or design. The licensing agreement shall provide for a payment to the Downed Bikers Association of not more than Twenty Dollars ($20.00) for each license plate; ~~and~~

43. Armed Forces Veterans Motorcycle License Plate - such plates shall be designed for use on a motorcycle in consultation with A Brotherhood Aiming Toward Education of Oklahoma, Inc. (ABATE), and issued to any honorably discharged former member of the United States Armed Forces wishing to demonstrate support for the 45th Infantry Division Museum. Persons applying for such license plate must show proof of past military service. As provided in this section, a portion of the fee collected shall be deposited in the

45th Infantry Division Museum Fund created in Section 235.1 of Title 44 of the Oklahoma Statutes; and

44. Eastern Red Cedar Tree License Plates - such plates shall be designed, subject to criteria to be presented to the Tax Commission and issued to any person wishing to demonstrate support for the removal of Eastern Red Cedar trees from lands in the state and to develop marketable uses for the harvested trees. The license plate shall be designed in consultation with the Eastern Red Cedar Registry Board. Twenty-three Dollars ($23.00) of the fee collected shall be deposited in the Eastern Red Cedar Revolving Fund created in Section 8 of this act. The money shall be designated for and may only be expended for the purposes as set forth in the Eastern Red Cedar Registry Board Act.

C. The fee for such plates shall be Thirty-five Dollars ($35.00) and shall be in addition to all other registration fees provided by the Oklahoma Vehicle License and Registration Act. The fee shall be apportioned as follows:

1. Twenty Dollars ($20.00) or any other amount as provided in this title of the fee shall be apportioned as provided or deposited in a fund as specified within the paragraph authorizing the special license plate;

2. Eight Dollars ($8.00) of the fee shall be deposited in the Oklahoma Tax Commission Reimbursement Fund to be used for the administration of the Oklahoma Vehicle License and Registration Act; and

3. Any remaining amounts of the fee shall be apportioned as provided in Section 1104 of this title.

SECTION 12. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 5003.21 of Title 74, unless there is created a duplication in numbering, reads as follows:

A. The Oklahoma Department of Commerce shall provide direction and assistance to private for-profit business entities, community-owned business entities, and governmental entities which are engaged in an activity related to the processing of Eastern Red Cedar trees and products or processes related to the Eastern Red Cedar tree on the steps necessary to qualify for and access existing economic and tax incentives. The Department shall work with the Eastern Red Cedar Registry Board created in Section 4 of this act to identify

viable programs that can provide or create opportunities for business or governmental entities involved in an activity related to the processing of Eastern Red Cedar trees and products or processes related to the Eastern Red Cedar tree.

B. The Oklahoma Department of Commerce shall utilize its existing resources in order to make the information described in subsection A of this section accessible to interested persons and business entities that could benefit from the utilization of any incentive programs.

SECTION 13. AMENDATORY Section 3, Chapter 340, O.S.L. 2007 (74 O.S. Supp. 2009, Section 5009.12), is amended to read as follows:

Section 5009.12 A. There is hereby created within the Oklahoma Department of Commerce, the Oklahoma Bioenergy Center to serve as a strategic partnership that will focus the collective resources of contributing institutions in the field of bioenergy research to:

1. Strategically coordinate resources and research programs in Oklahoma to address and undertake complex research facing the biofuels and bioenergy industry in Oklahoma and in the nation;

2. Assist Oklahoma in being a recognized leader in the fields of research and production of biofuels, bioenergy and related biobased products;

3. Advance the research capacity in Oklahoma in the fields of biofuels and bioenergy development and production along the biofuel, bioenergy and biobased product production/value chain, from field to conversion to utilization;

4. Serve as a focal point and resource for the emerging agriculture-based biofuels and bioenergy industry in Oklahoma; and

5. Conduct research through its contributing institutions and partnerships to deliver practical outcomes to:

a. enable the competitive and sustainable production of liquid biofuels, including ethanol, in Oklahoma, and

b. contribute to the national research effort to enable the United States to achieve prescribed levels of petroleum independence.

B. The Department of Commerce shall assist the Center in fulfilling the responsibilities of this act, as requested by the Center.

C. For purposes of the Oklahoma Bioenergy Center Act, the term "biofuels" shall include fuels derived from cedar tree residue and cedar tree products.

SECTION 14. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 801 of Title 17, unless there is created a duplication in numbering, reads as follows:

A. The Legislature declares that it is in the interest of Oklahoma to promote the use of cedar tree wood products and residue as an energy source in the state in order to take advantage of the abundance of cedar trees growing in the state and its natural compatibility with other renewable energy sources.

B. It is hereby declared the intent of the State of Oklahoma to promote use of cedar tree wood products and residue as a renewable energy fuel.

SECTION 15. This act shall become effective July 1, 2010.

SECTION 16. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 25th day of May, 2010.

Presiding Officer of the House of Representatives

Passed the Senate the 28th day of May, 2010.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Governor this 28th **day of** May, 2010, **at** 8:45 **o'clock** P **M.**

By:

Approved by the Governor of the State of Oklahoma the 10th **day of** June, 2010, **at** 3:21 **o'clock** A **M.**

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this 11th **day of** June, 2010, **at** 4:18 **o'clock** P **M.**

By: