

1 ENGROSSED HOUSE
2 BILL NO. 2686

By: Morrisette, Enns, Fields,
Collins, Johnson, Hickman,
Renegar, Bailey and DeWitt
of the House

4 and

5 Coates, Corn and Justice of
6 the Senate

7
8 An Act relating to cedar trees; creating the Eastern
9 Red Cedar Initiative Act of 2010; enacting the
10 Eastern Red Cedar Registry Board Act; stating
11 legislative intent; creating the Eastern Red Cedar
12 Registry Board under authority of the State Board of
13 Agriculture; providing membership, appointments and
14 terms; creating the Eastern Red Cedar Registry;
15 stating duties of the Board; requiring compliance
16 with certain laws; providing for election of a chair
17 and meeting; requiring an annual report; directing
18 the Oklahoma Department of Agriculture, Food, and
19 Forestry and other state agencies to provide support
20 to the Board; authorizing Eastern Red Cedars from
21 public land to be provided to certain harvesters
22 under certain conditions; providing for the Board to
23 issue permits for harvesting trees on state-owned
24 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 Eastern Red Cedar
trees; requiring a purchasing preference be given to
Eastern Red Cedar products and materials; specifying
certain conditions; requiring implementation of a

1 procurement program for Eastern Red Cedar products;
2 amending Section 14, Chapter 504, O.S.L. 2004, as
3 last amended by Section 19 of Enrolled Senate Bill
4 No. 2113 of the 2nd Session of the 52nd Oklahoma
5 Legislature, which relates to special license plates;
6 creating the Eastern Red Cedar Tree License Plate;
7 providing for design and purpose; providing for
8 deposit of certain amount in the Eastern Red Cedar
9 Revolving Fund; limiting expenditure of the monies;
10 imposing duty upon the Oklahoma Department of
11 Commerce with respect to certain economic incentives;
12 amending Section 3, Chapter 340, O.S.L. 2007 (74 O.S.
13 Supp. 2009, Section 5009.12), which relates to the
14 Oklahoma Bioenergy Center; defining biofuels to
15 include fuels derived from cedar trees; declaring
16 legislative intent to promote cedar tree wood
17 products and residue as an energy source; stating
18 intent to promote cedar tree wood products and
19 residue as a renewable energy fuel; providing for
20 codification; providing for noncodification;
21 providing an effective date; and declaring an
22 emergency.

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

24 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 10 of this act shall be known and may be
cited as the "Eastern Red Cedar Registry Board Act".

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

4 It is the intent of the Legislature to:

5 1. Create the Eastern Red Cedar Registry;

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

9 3. Promote the harvesting of Eastern Red Cedars through
10 issuance of harvesting permits, membership in the registry, and
11 maintenance of state harvesting records; and

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

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

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

20 1. The Governor shall appoint three members as follows:
21 a. one member representing a property owner in the state,
22 b. one member engaged in the business of harvesting
23 Eastern Red Cedar trees in the state, and
24

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

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

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

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

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

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

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

17 4. The Commissioner of Agriculture, or a designee;

18 5. The Executive Director of the Oklahoma Conservation
19 Commission;

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

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

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

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

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

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

17 1. The administration of the Eastern Red Cedar Registry for
18 Eastern Red Cedar trees in the state. Private landowners in the
19 state with eighty percent (80%) or more of infestation on the
20 property may register the location of their property, the level of
21 infestation of Eastern Red Cedar trees on the property, and average
22 size of the trees on the property. Not more than a total of five
23 thousand (5,000) acres of private property shall be registered on
24

1 the registry during a calendar year. The Board shall develop and
2 implement an application and registration process for landowners;

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

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

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

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

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

18 7. Assist communities located in any county in the state to
19 organize and establish community-owned Eastern Red Cedar projects
20 including but not limited to harvesting operations, biofuel plants,
21 cedar oil manufacturing facilities, or other cedar product
22 manufacturing facilities in the community. The Board shall assist
23 in securing financing, infrastructure and other resources. The
24 Board shall also establish criteria by which the community-based

1 projects shall be formed in order to qualify for the sales tax
2 credit provided for in Section 1357 of Title 68 of the Oklahoma
3 Statutes and the income tax credit provided for in Section 2358 of
4 Title 68 of the Oklahoma Statutes;

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

8 9. Work with the Oklahoma Tax Commission to develop
9 recommendations for tax incentives for private property owners who
10 donate Eastern Red Cedar trees to the Eastern Red Cedar Registry;
11 and

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

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

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

23 E. The Board shall prepare an annual report of all activities
24 for each fiscal year. The annual report shall be filed with the

1 Governor, Speaker of the House of Representatives, and the President
2 Pro Tempore of the State Senate.

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

6 Contingent upon the availability of funding and agency
7 resources, the Oklahoma Department of Agriculture, Food, and
8 Forestry shall provide support, resources, supplies and information
9 as required by the Eastern Red Cedar Registry Board to implement the
10 provisions of the Eastern Red Cedar Registry Board Act, including
11 but not limited to support in marketing development and promotion,
12 identification of financial resources and grants, and grant
13 application submission.

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

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

22 B. A state agency may cooperate with the Eastern Red Cedar
23 Registry Board to issue permits to registered harvesters to allow
24

1 the harvesting of Eastern Red Cedar trees on land owned by the state
2 agency.

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

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

24

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

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

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

21 2. Taxpayers who are entitled to refunds shall have the refunds
22 reduced by the amount designated by the taxpayer. The Oklahoma Tax
23 Commission shall annually determine the total amount designated plus
24 the amount received in excess payments and shall report the total

1 amount to the Office of the State Treasurer. The State Treasurer
2 shall credit the total amount to the Eastern Red Cedar Revolving
3 Fund created in Section 8 of this act at the earliest possible time.

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

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

11 A. It is the intent of the Legislature that all state agencies
12 procure and use products or materials made from or utilizing
13 materials from Eastern Red Cedar trees when such products or
14 materials are available.

15 B. By July 1, 2011, the Purchasing Division of the Department
16 of Central Services when accepting bids for state purchases of
17 products and materials shall give preference to the suppliers of
18 wood products made from or products manufactured utilizing materials
19 from Eastern Red Cedar trees if the price for Eastern Red Cedar tree
20 products and materials is not substantially higher than the price
21 for other wood products and materials and the quality and grade
22 requirements are otherwise comparable.

23 C. By July 1, 2011, any state agency not subject to The
24 Oklahoma Central Purchasing Act when accepting bids for purchases of

1 products and materials, shall give preference to the suppliers of
2 wood products made from or products manufactured with materials from
3 Eastern Red Cedar trees if the price for Eastern Red Cedar tree
4 products and materials is not substantially higher than the price
5 for other wood products and materials and the quality and grade
6 requirements are otherwise comparable.

7 D. By July 1, 2011, the Purchasing Division of the Department
8 of Central Services shall promulgate rules and implement a program
9 for extending state procurement specifications to products made from
10 or manufactured utilizing materials from Eastern Red Cedar trees and
11 identifying Eastern Red Cedar products.

12 E. By July 1, 2011, any state agency not subject to The
13 Oklahoma Central Purchasing Act shall implement a program for
14 extending agency procurement specifications to products made from or
15 manufactured utilizing materials from Eastern Red Cedar trees.

16 SECTION 11. AMENDATORY Section 14, Chapter 504, O.S.L.
17 2004, as last amended by Section 19 of Enrolled Senate Bill No. 2113
18 of the 2nd Session of the 52nd Oklahoma Legislature, is amended to
19 read as follows:

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

24

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

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

13 The Tax Commission is hereby directed to develop and implement a
14 system whereby motor license agents are permitted to accept
15 applications for special license plates authorized under this
16 section. The motor license agent shall confirm the applicant's
17 eligibility, if applicable, collect and deposit any amount
18 specifically authorized by law, accept and process the necessary
19 information directly into such system and generate a receipt
20 accordingly. For performance of these duties, motor license agents
21 shall retain the fee provided in Section 1141.1 of this title for
22 registration of a motor vehicle. The motor license agent fees for
23 acceptance of applications and renewals shall be paid out of the
24 Oklahoma Tax Commission Reimbursement Fund.

1 If fewer than one hundred of any type of special license plates
2 authorized prior to January 1, 2004, are issued prior to January 1,
3 2006, the Tax Commission shall discontinue issuance and renewal of
4 that type of special license plate. Any such authorized special
5 license plate registrant shall be allowed to display the license
6 plate upon the designated vehicle until the registration expiration
7 date. After such time the expired special license plate shall be
8 removed from the vehicle.

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

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

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

1 2. Environmental Awareness License Plates - such plates shall
2 be designed, subject to the criteria to be presented to the Tax
3 Commission by the Department of Environmental Quality in
4 consultation with the Oklahoma Arts Council, and issued to any
5 person wishing to demonstrate support to implement the statewide
6 general public environmental education program created pursuant to
7 the provisions of the Oklahoma Environmental Quality Code. Such
8 plates shall be designed and issued to any person in any combination
9 of numbers and letters from one to a maximum of seven, as for
10 personalized license plates. A dealer's license plate issued
11 pursuant to Section 1116.1 or 1128 of this title may be designated
12 an Environmental Awareness License Plate upon payment of the fee
13 imposed by this section and any other registration fees required by
14 the Oklahoma Vehicle License and Registration Act. As provided in
15 this section, an amount of the fee collected shall be apportioned
16 pursuant to Section 1104.2 of this title;

17 3. Firefighter License Plates - such plates shall be designed
18 for any career or retired firefighter, volunteer or paid.
19 Firefighters may apply for firefighter plates for up to four
20 vehicles with a rated capacity of one (1) ton or less or for a
21 motorcycle upon proof of a fire department membership by either an
22 identification card or letter from the chief of the fire department.
23 Retirees who are eligible for such plates shall provide proof of
24 eligibility upon initial application, but shall not be required to

1 provide proof of eligibility annually. The surviving spouse of any
2 deceased firefighter, if the spouse has not since remarried, may
3 apply for a firefighter license plate for one vehicle with a rated
4 carrying capacity of one (1) ton or less or for a motorcycle upon
5 proof that the deceased firefighter was a member of a fire
6 department by either an identification card or letter from the chief
7 of the fire department.

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

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

1 4. Wildlife Conservation License Plates - such plates shall be
2 designed, subject to the criteria to be presented to the Tax
3 Commission by the Oklahoma Department of Wildlife Conservation in
4 consultation with the Oklahoma Arts Council, and issued to any
5 person wishing to demonstrate support for wildlife conservation in
6 this state through the Wildlife Diversity Fund, provided for in
7 Section 3-310 of Title 29 of the Oklahoma Statutes. Such plates may
8 be designed and issued to any person as for personalized license
9 plates.

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

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

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

21 6. United States Olympic Committee Supporter License Plates -
22 such plates shall be designed and issued to any person wishing to
23 demonstrate support for the United States Olympic Committee. The
24 plates shall be issued to any person in any combination of numbers

1 and letters from one to a maximum of seven, as for personalized
2 license plates. The plate shall contain the official United States
3 Olympic Committee logo. The Tax Commission shall be authorized, if
4 necessary, to enter into a licensing agreement with the United
5 States Olympic Committee for any licensing fees which may be
6 required in order to use the United States Olympic Committee logo or
7 design. The licensing agreement shall provide for a payment of not
8 more than Twenty-five Dollars (\$25.00) for each license plate
9 issued;

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

15 8. Historic Route 66 License Plates - such plates shall be
16 designed to honor historic Route 66, also known as the "Mother
17 Road". As provided in this section, an amount of the fee collected
18 shall be apportioned to the Oklahoma Historical Society Revolving
19 Fund to be distributed to the Route 66 Museum located in Clinton,
20 Oklahoma;

21 9. Heart of the Heartland License Plates - such plates shall be
22 designed and issued to any person wishing to honor the victims of
23 the terrorist bombing attack on the Alfred P. Murrah Federal
24 Building in downtown Oklahoma City on April 19, 1995. As provided

1 in this section, an amount of the fee collected shall be deposited
2 in the Heart of the Heartland Scholarship Fund, as established in
3 Section 2282 of Title 70 of the Oklahoma Statutes;

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

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

20 12. Crime Victims Awareness License Plates - such plates shall
21 be designed and issued to any person wishing to demonstrate
22 awareness of and support for victims of crimes. The license plates
23 shall be designed in consultation with the Oklahoma Crime Victims
24 Centre. As provided in this section, an amount of the fee collected

1 shall be apportioned to the Attorney General's Revolving Fund for
2 the Office of the Attorney General, which is hereby directed to use
3 such funds to contract with a statewide nonprofit organization to
4 provide services to crime victims;

5 13. Oklahoma Safe Kids Association License Plates - such plates
6 shall be designed and issued to any person wishing to demonstrate
7 support and awareness of the Oklahoma Safe Kids Association. The
8 license plate shall be designed in consultation with the Oklahoma
9 Safe Kids Association. As provided in this section, an amount of
10 the fee collected shall be deposited in the Children's Hospital -
11 Oklahoma Safe Kids Association Revolving Fund to be distributed to
12 the Oklahoma Safe Kids Association program;

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

21 15. Agricultural Awareness License Plates - such plates shall
22 be designed, subject to criteria to be presented to the Tax
23 Commission, by the Oklahoma Department of Agriculture, Food, and
24 Forestry in consultation with the Oklahoma Arts Council, and issued

1 to any person wishing to demonstrate support of the Department's Ag
2 in the Classroom Education Program. As provided in this section, an
3 amount of the fee collected shall be apportioned as provided in
4 Section 1104.3 of this title;

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

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

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

- 1 b. five percent (5%) shall be deposited to the Higher
2 Education Revolving Fund,
3 c. five percent (5%) shall be deposited to the State
4 Career Technology Fund, and
5 d. eighty-five percent (85%) of the fee shall be
6 deposited to the Teachers' Retirement Benefit Fund as
7 set forth in Section 17-108 of Title 70 of the
8 Oklahoma Statutes.

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

14 18. Retired Oklahoma Highway Patrol Officers License Plates -
15 such plates shall be designed and issued to any retired officer of
16 the Oklahoma Highway Patrol. The license plate shall have the
17 legend "Oklahoma" and shall contain, in the center of the plate, the
18 Highway Patrol Officers patch using the same colors and pattern as
19 used in the patch. Centered on the bottom of the license plate
20 shall be the word "Retired". The letters "TRP" shall be used in
21 combination with three numbers on either side of the insignia or
22 emblem. The color of the letters and numbers shall be brown.
23 Retirees who are eligible for such plates shall provide proof of
24 eligibility upon initial application, but shall not be required to

1 provide proof of eligibility annually. The surviving spouse of any
2 deceased retired officer of the Oklahoma Highway Patrol, if the
3 spouse has not since remarried, or if remarried, the remarriage is
4 terminated by death, divorce, or annulment, may apply for a Retired
5 Oklahoma Highway Patrol Officers license plate. As provided in this
6 section, an amount of the fee collected shall be deposited into the
7 Law Enforcement Retirement Fund;

8 19. Boy Scouts of America Supporter License Plates - such
9 plates shall be designed and issued to any person wishing to
10 demonstrate support for the Boy Scouts of America. The plates shall
11 be issued to any person in any combination of numbers and letters
12 from one to a maximum of seven, as for personalized license plates.
13 The plate shall contain the official Boy Scouts of America logo.
14 The Tax Commission shall be authorized, if necessary, to enter into
15 a licensing agreement with the Boy Scouts of America for any
16 licensing fees which may be required in order to use the Boy Scouts
17 of America logo or design. The licensing agreement shall provide
18 for a payment to the Boy Scouts of America of not more than Twenty
19 Dollars (\$20.00) for each license plate issued;

20 20. Urban Forestry and Beautification License Plates - such
21 plates shall be designed, subject to criteria to be presented to the
22 Tax Commission, by the Oklahoma Department of Agriculture, Food, and
23 Forestry in consultation with nonprofit organizations in this state
24 that develop and operate programs to encourage urban forestry and

1 beautification, and issued to any person wishing to demonstrate
2 support of such programs. As provided in this section, an amount of
3 the fee collected shall be apportioned as provided in Section 1104.5
4 of this title;

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

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

24

1 implementation of the Investing in Stronger Oklahoma Families Act
2 specifically for created families;

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

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

18 25. Lions Club License Plates - such plates shall be designed
19 and issued to persons wishing to demonstrate support for the Lions
20 Club of Oklahoma. The plates shall be issued to any person in any
21 combination of numbers and letters from one to a maximum of seven,
22 as for personalized license plates. The license plates shall be
23 designed in consultation with the Oklahoma Lions Service Foundation
24 and shall contain the official logo of the International Association

1 of Lions Clubs. The Tax Commission shall be authorized to enter
2 into a licensing agreement with the Oklahoma Lions Service
3 Foundation. The licensing agreement shall provide for a payment to
4 the Oklahoma Lions Service Foundation of not more than Ten Dollars
5 (\$10.00) for each license plate issued;

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

14 27. Girl Scouts of the United States of America Supporter
15 License Plates - such plates shall be designed and issued to any
16 person wishing to demonstrate support for the Girl Scouts of the
17 United States of America. The plates shall be issued to any person
18 in any combination of numbers and letters from one to a maximum of
19 seven, as for personalized license plates. The plate shall contain
20 the official Girl Scouts of the United States of America logo. The
21 Tax Commission shall be authorized, if necessary, to enter into a
22 licensing agreement with the Girl Scouts of the United States of
23 America for any licensing fees which may be required in order to use
24 the Girl Scouts of the United States of America logo or design. The

1 licensing agreement shall provide for a payment to the Girl Scouts
2 of Magic Empire Council, acting on behalf of all Oklahoma Girl Scout
3 councils, of not more than Twenty Dollars (\$20.00) for each license
4 plate issued;

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

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

21 30. Fight Cancer License Plate - such plates shall be designed
22 to demonstrate support for the Oklahoma Central Cancer Registry.
23 The plate shall contain the American Cancer Society logo. The
24 American Cancer Society logo shall be used in accordance with the

1 American Cancer Society's branding guidelines and shall only be
2 utilized to support the Oklahoma Central Cancer Registry. Twenty
3 Dollars (\$20.00) of the fee shall be apportioned to the Oklahoma
4 Central Cancer Registry Revolving Fund;

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

15 32. Patriot License Plate - such plates shall be designed in
16 consultation with the Military Department of Oklahoma and issued to
17 any person wishing to demonstrate support for Oklahoma residents who
18 are members of the Oklahoma National Guard and deployed on active
19 duty. The plates shall be issued to any person in any combination
20 of numbers and letters from one to a maximum of seven, as for
21 personalized license plates. As provided in this section, a portion
22 of the fee collected shall be deposited in the Patriot License Plate
23 Revolving Fund created in Section 1104.11 of this title;

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1 33. Armed Forces Veterans Motorcycle License Plate - such
2 plates shall be designed for use on a motorcycle in consultation
3 with A Brotherhood Aiming Toward Education of Oklahoma, Inc.
4 (ABATE), and issued to any honorably discharged former member of the
5 United States Armed Forces wishing to demonstrate support for the
6 45th Infantry Division Museum. Persons applying for such license
7 plate must show proof of past military service. As provided in this
8 section, a portion of the fee collected shall be deposited in the
9 45th Infantry Division Museum Fund created in Section 235.1 of Title
10 44 of the Oklahoma Statutes;

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

21 35. Boys and Girls Clubs of America Supporter License Plates -
22 such plates shall be designed and issued to any person wishing to
23 demonstrate support for the Boys and Girls Clubs of America. The
24 plates shall be issued to any person in any combination of numbers

1 and letters from one to a maximum of seven, as for personalized
2 license plates. The plate shall contain the official Boys and Girls
3 Clubs of America logo. The Tax Commission, if necessary, may enter
4 into a licensing agreement with the Boys and Girls Clubs of America
5 for any licensing fees which may be required in order to use the
6 Boys and Girls Clubs of America logo or design. The licensing
7 agreement shall provide for a payment to the Boys and Girls Clubs of
8 America of not more than Twenty Dollars (\$20.00) for each license
9 plate issued;

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

17 37. Oklahoma Association for the Deaf License Plate - such
18 plates shall be designed in consultation with the Oklahoma
19 Association for the Deaf and issued to any person wishing to
20 demonstrate support for Oklahoma residents who are deaf. The plates
21 shall be issued to any person in any combination of numbers and
22 letters from one to maximum of seven, as for personalized license
23 plates. As provided in this section, a portion of the fee collected
24

1 shall be deposited in the Oklahoma Association for the Deaf License
2 Plate Revolving Fund created in Section 1104.15 of this title;

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

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

18 40. Support Our Troops Supporter License Plates - such plates
19 shall be designed and issued to any person wishing to demonstrate
20 support for Support Our Troops Incorporated. The plates shall be
21 issued to any person in any combination of numbers and letters from
22 one to a maximum of six. The plate shall contain the official
23 Support Our Troops Incorporated logo which includes the mark
24 "Support Our Troops" across the bottom of the plate. The Tax

1 Commission, if necessary, may enter into a licensing agreement with
2 Support Our Troops Incorporated for any licensing fees which may be
3 required in order to use the Support Our Troops Incorporated logo or
4 design. The licensing agreement shall provide for a payment to
5 Support Our Troops Incorporated of Twenty-five Dollars (\$25.00) for
6 each license plate issued;

7 41. Folds of Honor Supporter License Plate - such plates shall
8 be designed and issued to any person wishing to demonstrate support
9 for Folds of Honor Incorporated, a nonprofit charitable organization
10 exempt from taxation pursuant to the provisions of the Internal
11 Revenue Code, 26 U.S.C., Section 501(c)(3), providing academic and
12 vocational training scholarships to dependents of military
13 servicemen and servicewomen who were either killed or wounded in
14 action due to military service in the war in Iraq or Afghanistan.
15 The plates shall be issued to any person in any combination of
16 numbers and letters from one to a maximum of six. The plate shall
17 be designed in consultation with Folds of Honor Incorporated and
18 shall contain the official Folds of Honor Incorporated logo which
19 includes the mark "Folds of Honor" across the bottom of the plate.
20 The Tax Commission, if necessary, may enter into a licensing
21 agreement with Folds of Honor Incorporated for any licensing fees
22 which may be required in order to use the Folds of Honor
23 Incorporated logo or design. The licensing agreement shall provide

24

1 for a payment to Folds of Honor Incorporated of Twenty-five Dollars
2 (\$25.00) for each license plate issued; ~~and~~

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

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

23 C. The fee for such plates shall be Thirty-five Dollars
24 (\$35.00) and shall be in addition to all other registration fees

1 provided by the Oklahoma Vehicle License and Registration Act. The
2 fee shall be apportioned as follows:

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

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

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

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

16 A. The Oklahoma Department of Commerce shall place special
17 emphasis on the existing economic and tax incentives that would be
18 available to private for-profit business entities or governmental
19 entities or both which are engaged in an activity related to the
20 processing of Eastern Red Cedar trees and products or processes
21 related to the Eastern Red Cedar tree including, but not limited to:

- 22 1. The Oklahoma Quality Jobs Program Act;
23 2. The Saving Quality Jobs Act;
24 3. The Local Development Act;

- 1 4. The Oklahoma Local Development and Enterprise Zone Incentive
2 Leverage Act;
- 3 5. The Small Business Capital Formation Incentive Act;
- 4 6. The Rural Venture Capital Formation Incentive Act; and
- 5 7. Such other state or local economic incentive programs as may
6 be relevant to the specific activity.

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

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

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

- 19 1. Strategically coordinate resources and research programs in
20 Oklahoma to address and undertake complex research facing the
21 biofuels and bioenergy industry in Oklahoma and in the nation;
- 22 2. Assist Oklahoma in being a recognized leader in the fields
23 of research and production of biofuels, bioenergy and related
24 biobased products;

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

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

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

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

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

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

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

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

23 A. The Legislature declares that it is in the interest of
24 Oklahoma to promote the use of cedar tree wood products and residue

1 as an energy source in the state in order to take advantage of the
2 abundance of cedar trees growing in the state and its natural
3 compatibility with other renewable energy sources.

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

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

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

12 Passed the House of Representatives the 11th day of March, 2010.

13

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Presiding Officer of the House of
Representatives

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17

Passed the Senate the ____ day of _____, 2010.

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19

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Presiding Officer of the Senate

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