STATE OF OKLAHOMA

1st Session of the 53rd Legislature (2011)

COMMITTEE SUBSTITUTE
FOR ENGROSSED
HOUSE BILL 1486 By: Morrissette of the House

and

Justice of the Senate

COMMITTEE SUBSTITUTE

An Act relating to woody biomass; creating the Oklahoma Woody Biomass Energy Initiative Act of 2011; making legislative findings; defining certain term; creating the Woody Biomass Energy Initiative Council; establishing termination date; providing for membership; requiring appointments by a certain date; providing for meetings, a quorum, vacancies and staffing; providing for travel reimbursement; making reimbursement and staffing contingent upon funding; requiring the Council to comply with certain Acts; specifying duties; authorizing the Council to apply for and use certain funds; amending Section 14, Chapter 504, O.S.L. 2004 (47 O.S. Supp. 2010, Section 1135.5), as last amended by Section 25 of Enrolled Senate Bill No. 553 of the 1st Session of the 53rd Oklahoma Legislature, which relates to special license plates; reauthorizing Eastern Red Cedar Tree License Plates; providing for codification; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 18-409 of Title 2, unless there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Oklahoma Woody Biomass Energy Initiative Act of 2011".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 18-410 of Title 2, unless there is created a duplication in numbering, reads as follows:

A. The Legislature makes the following findings:

1. That Oklahoma has an abundance of biomass which is defined as organic material that is available on a renewable or recurring basis including:

a. materials, precommercial thinnings, or invasive species from National Forest System land, Department of Defense lands or public lands, as defined by law, that:

(1) are byproducts of preventive treatments or are removed to reduce hazardous fuels, to reduce or contain disease or insect infestation or to restore ecosystem health,

(2) would not otherwise be used for higher-value products, and

(3) are harvested in accordance with applicable law and a state or federally approved sustainable forest management plan,

b. plant material from nonfederal land or land belonging to a Native American or Native Tribe that is held in

trust by the United States or subject to a restriction against alienation imposed by the United States, including:

(1) feed grains,

(2) other agricultural commodities,

(3) other plants and trees harvested in accordance with applicable law and a state or federally approved sustainable forest management plan, and

(4) algae, and

c. residual material from nonfederal land or land belonging to a Native American or Native Tribe that is held in trust by the United States or subject to a restriction against alienation imposed by the United States, including:

(1) crop residue,

(2) other vegetative material including wood waste and wood residues,

(3) animal waste and byproducts including fats, oils, greases, and manure,

(4) gas derived from the biodegradation of solid waste, and

(5) the organic portion of municipal solid materials including all cellulosic residuals segregated

from waste material, food waste, wastewater treatment plants and yard waste;

2. That for purposes of the Oklahoma Woody Biomass Energy Initiative Act of 2011, "woody biomass" means a material derived from trees, shrubs, bushes, grasses including switch grass or products made from woody plants;

3. That the Eastern Red Cedar tree is a native tree which, due to conditions, is encroaching upon ecosystems outside of its historic habitat, costing the state an average of Four Hundred Twelve Million Dollars ($412,000,000.00) annually in loss of water, grazing lands and wildlife habitat, fire loss and allergic illness;

4. The objectives of the provisions of the Eastern Red Cedar Registry Board Act are to assist state and private land owners with the control of the Eastern Red Cedar tree and to use the removed trees as fuel for said project;

5. That woody biomass is a renewable energy source which can be used to diversify the energy portfolio of the state when converted to fuel known as biofuel;

6. Based on a per million British Thermal Unit (BTU) by fuel type, the rates for biofuel from woody biomass averaged in 2010 Two Dollars and fifty cents ($2.50) for wood chips with forty percent (40%) moisture as compared with electricity which averaged Sixteen Dollars and fifty cents ($16.50);

7. In order for biofuel projects to be successful, there must be a sustainable supply of woody biomass;

8. That harvested woody biomass can be produced for use as chips, pellets and other forms which have energy values higher than all traditional fuel sources, with Eastern Red Cedar having a considerably higher BTU value;

9. That nearly every state in the United States now has some type of public woody biomass project operating in either pilot project or full functioning form, with most focusing on the use of woody biomass as an economical energy resource or as a means to reduce energy costs for public facilities and state agencies; and

10. That in Oklahoma, woody biomass could be used to reduce energy costs for public facilities such as the state correctional facilities, where in FY-09 the cost to provide energy to power the seventeen facilities in the prison system using natural gas and electricity cost the taxpayers Eight Million Two Hundred Nineteen Thousand Seven Hundred Five Dollars ($8,219,705.00). The Department of Corrections paid these high energy costs while at the same time employees at the correctional facilities were forced to undergo furloughs and staffing reductions.

B. There is hereby created to continue until July 1, 2014, the Woody Biomass Energy Initiative Council.

C. The Council shall be composed of members as follows:

1. A member of the House of Representatives, appointed by the Speaker of the House of Representatives;

2. A member of the State Senate, appointed by the President Pro Tempore of the State Senate;

3. Three members of the Eastern Red Cedar Registry Board created in Section 18-403 of Title 2 of the Oklahoma Statutes, appointed by the Governor;

4. Three members of the auxiliary group appointed by the Eastern Red Cedar Registry Board pursuant to Section 18-403 of Title 2 of the Oklahoma Statutes, appointed by the Governor;

5. Two members who are engaged in the business of manufacturing or selling biofuel furnaces, one member to be appointed by the Speaker of the House of Representatives and one member to be appointed by the President Pro Tempore of the State Senate;

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

7. An employee in the Forestry Services Division of the Oklahoma Department of Agriculture, Food, and Forestry appointed by the Commissioner of Agriculture;

8. The Director of the Department of Corrections, or designee;

9. The Director of the Oklahoma Department of Commerce, or designee;

10. A member of the Corporation Commission, or designee;

11. The Executive Director of the Oklahoma Conservation Commission, or designee;

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

13. A member appointed by and representing the United States Environmental Protection Agency; and

14. A member appointed by and representing the United States Department of Energy.

D. Appointments to the Council shall be made by July 31, 2011. Meetings of the Council shall be held at least quarterly at the call of the chair. Members shall serve at the pleasure of their appointing authorities. A majority of the members of the Council shall constitute a quorum to transact business, but no vacancy shall impair the right of the remaining members to exercise all of the powers of the Council. A vacancy on the Council shall be filled by the original appointing authority. Contingent upon the availability of funding, the Oklahoma Department of Agriculture, Food, and Forestry shall provide staff, support and information as requested by the Council.

E. Members of the Council shall receive no compensation for serving on the Council, but contingent upon the availability of funding, shall receive travel reimbursement as follows:

1. State employees who are members of the Council shall be reimbursed for travel expenses incurred in the performance of their duties by their respective agencies in accordance with the State Travel Reimbursement Act;

2. Legislative members shall be reimbursed in accordance with Section 456 of Title 74 of the Oklahoma Statutes; and

3. All other members of the Council shall be reimbursed by the Oklahoma Department of Agriculture, Food, and Forestry for travel expenses incurred in the performance of their duties in accordance with the State Travel Reimbursement Act.

F. The Council shall act in accordance with the provisions of the Oklahoma Open Meeting Act and the Oklahoma Open Records Act.

G. The Council shall:

1. Develop an Oklahoma Renewable Woody Biomass Energy Usage Plan which will:

a. include appropriate harvesting and fuel burning guidelines and techniques that are in compliance with any laws governing the use of biomass for energy production,

b. take into consideration all environmental quality and energy standards,

c. include a funding plan for utilization,

d. identify state lands suitable for use in the production of biomass, and

e. identify available private resources to implement the plan, including resources for implementing the duties of the Eastern Red Cedar Registry Board;

2. Investigate the feasibility of constructing and installing woody biomass furnaces in correctional facilities operated by the Department of Corrections, public schools, and other state agencies, which furnaces can use woody biomass harvested exclusively within Oklahoma from state and private lands;

3. Investigate the feasibility of using woody biomass for the purpose of cogeneration or gasification methods, as well as other emerging applications; and

4. Make recommendations to the Legislature and the Governor on the findings of the Council.

H. The Council is hereby authorized to make application for, seek and utilize any funds received, including, but not limited to, any state or federal funds, grants including renewable energy grants available through the United States Department of Energy and the United States Department of Agriculture, or private donations.

SECTION 3. AMENDATORY Section 14, Chapter 504, O.S.L. 2004 (47 O.S. Supp. 2010, Section 1135.5), as last amended by Section 25 of Enrolled Senate Bill No. 553 of the 1st Session of the 53rd 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. 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;

42. 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;

43. Buffalo Soldier License Plate - such plates shall be issued to any person wishing to honor and celebrate the history and contribution of the Buffalo Soldiers. The license plates shall be designed in consultation with the Lawton-Fort Sill Chapter of the Buffalo Soldiers 9th and 10th (Horse) Cavalry Association. As provided in this section, an amount of the fee collected shall be

deposited in the Buffalo Soldier License Plate Revolving Fund created in Section ~~4 of this act~~ 1104.16 of this title;

44. Prevent Blindness Oklahoma License Plate - such plates shall be issued to any person wishing to provide financial support for vision screening of school age children in this state. The license plates shall be designed in consultation with Prevent Blindness Oklahoma. As provided in this section, an amount of the fee collected shall be deposited in the Prevent Blindness Oklahoma License Plate Revolving Fund created in Section ~~5 of this act~~ 1104.17 of this title;

45. Oklahoma State Capitol Restoration License Plate - such plates shall be designed and issued to any person wishing to demonstrate support for restoration of the Oklahoma State Capitol building. The license plates shall be designed in consultation with the Friends of the Capitol corporation, created pursuant to Section 15.4 of Title 73 of the Oklahoma Statutes and the State Capitol Preservation Commission created pursuant to Section 4102 of Title 74 of the Oklahoma Statutes. As provided in this section, an amount of the fee collected shall be deposited in the Oklahoma Friends of the Capitol License Plate Revolving Fund established in Section ~~6 of this act~~ 1104.18 of this title; and

~~46. 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 18-407 of Title 2 of the Oklahoma Statutes. 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.~~

46. 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 18-407 of Title 2 of the Oklahoma Statutes. 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 4. 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.

53-1-1621 MJM 4/11/2011 11:06:00 AM