

1 **SENATE FLOOR VERSION**

2 April 11, 2011

3 COMMITTEE SUBSTITUTE

4 FOR ENGROSSED

5 HOUSE BILL NO. 1486

By: Morrissette of the House

and

Justice of the Senate

8 An Act relating to woody biomass; creating the  
9 Oklahoma Woody Biomass Energy Initiative Act of 2011;  
10 making legislative findings; defining certain term;  
11 creating the Woody Biomass Energy Initiative Council;  
12 establishing termination date; providing for  
13 membership; requiring appointments by a certain date;  
14 providing for meetings, a quorum, vacancies and  
15 staffing; providing for travel reimbursement; making  
16 reimbursement and staffing contingent upon funding;  
17 requiring the Council to comply with certain Acts;  
18 specifying duties; authorizing the Council to apply  
19 for and use certain funds; amending Section 14,  
20 Chapter 504, O.S.L. 2004 (47 O.S. Supp. 2010, Section  
21 1135.5), as last amended by Section 25 of Enrolled  
22 Senate Bill No. 553 of the 1st Session of the 53rd  
23 Oklahoma Legislature, which relates to special  
24 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".

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

4           A. The Legislature makes the following findings:

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

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

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

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

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

21           b. plant material from nonfederal land or land belonging  
22 to a Native American or Native Tribe that is held in  
23 trust by the United States or subject to a restriction  
24

1 against alienation imposed by the United States,  
2 including:

- 3 (1) feed grains,
- 4 (2) other agricultural commodities,
- 5 (3) other plants and trees harvested in accordance  
6 with applicable law and a state or federally  
7 approved sustainable forest management plan, and
- 8 (4) algae, and

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

- 14 (1) crop residue,
- 15 (2) other vegetative material including wood waste  
16 and wood residues,
- 17 (3) animal waste and byproducts including fats, oils,  
18 greases, and manure,
- 19 (4) gas derived from the biodegradation of solid  
20 waste, and
- 21 (5) the organic portion of municipal solid materials  
22 including all cellulosic residuals segregated  
23 from waste material, food waste, wastewater  
24 treatment plants and yard waste;

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

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

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

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

17          6. Based on a per million British Thermal Unit (BTU) by fuel  
18 type, the rates for biofuel from woody biomass averaged in 2010 Two  
19 Dollars and fifty cents (\$2.50) for wood chips with forty percent  
20 (40%) moisture as compared with electricity which averaged Sixteen  
21 Dollars and fifty cents (\$16.50);

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

24

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

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

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

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

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

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

24

- 1           2. A member of the State Senate, appointed by the President Pro  
2 Tempore of the State Senate;
- 3           3. Three members of the Eastern Red Cedar Registry Board  
4 created in Section 18-403 of Title 2 of the Oklahoma Statutes,  
5 appointed by the Governor;
- 6           4. Three members of the auxiliary group appointed by the  
7 Eastern Red Cedar Registry Board pursuant to Section 18-403 of Title  
8 2 of the Oklahoma Statutes, appointed by the Governor;
- 9           5. Two members who are engaged in the business of manufacturing  
10 or selling biofuel furnaces, one member to be appointed by the  
11 Speaker of the House of Representatives and one member to be  
12 appointed by the President Pro Tempore of the State Senate;
- 13           6. The Executive Director of the Department of Environmental  
14 Quality, or designee;
- 15           7. An employee in the Forestry Services Division of the  
16 Oklahoma Department of Agriculture, Food, and Forestry appointed by  
17 the Commissioner of Agriculture;
- 18           8. The Director of the Department of Corrections, or designee;
- 19           9. The Director of the Oklahoma Department of Commerce, or  
20 designee;
- 21           10. A member of the Corporation Commission, or designee;
- 22           11. The Executive Director of the Oklahoma Conservation  
23 Commission, or designee;
- 24

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

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

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

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

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

22           1. State employees who are members of the Council shall be  
23 reimbursed for travel expenses incurred in the performance of their  
24

1 duties by their respective agencies in accordance with the State  
2 Travel Reimbursement Act;

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

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

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

11 G. The Council shall:

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

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

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

20 c. include a funding plan for utilization,

21 d. identify state lands suitable for use in the  
22 production of biomass, and  
23  
24

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

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

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

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

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

19 SECTION 3. AMENDATORY Section 14, Chapter 504, O.S.L.  
20 2004 (47 O.S. Supp. 2010, Section 1135.5), as last amended by  
21 Section 25 of Enrolled Senate Bill No. 553 of the 1st Session of the  
22 53rd Oklahoma Legislature, is amended to read as follows:

23 Section 1135.5. A. The Oklahoma Tax Commission is hereby  
24 authorized to design and issue appropriate official special license

1 plates to persons wishing to demonstrate support and provide  
2 financial assistance as provided by this section.

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

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

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

1 acceptance of applications and renewals shall be paid out of the  
2 Oklahoma Tax Commission Reimbursement Fund.

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

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

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

22 1. University or College Supporter License Plates - such plates  
23 shall be designed and issued to any person wishing to demonstrate  
24 support to any state-supported or private university or college. As

1 provided in this section, an amount of the fee collected shall be  
2 apportioned as provided in Section 1104.1 of this title;

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

19       3. Firefighter License Plates - such plates shall be designed  
20 for any career or retired firefighter, volunteer or paid.  
21 Firefighters may apply for firefighter plates for up to four  
22 vehicles with a rated capacity of one (1) ton or less or for a  
23 motorcycle upon proof of a fire department membership by either an  
24 identification card or letter from the chief of the fire department.

1 Retirees who are eligible for such plates shall provide proof of  
2 eligibility upon initial application, but shall not be required to  
3 provide proof of eligibility annually. The surviving spouse of any  
4 deceased firefighter, if the spouse has not since remarried, may  
5 apply for a firefighter license plate for one vehicle with a rated  
6 carrying capacity of one (1) ton or less or for a motorcycle upon  
7 proof that the deceased firefighter was a member of a fire  
8 department by either an identification card or letter from the chief  
9 of the fire department.

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

23 As provided in this section, an amount of the fee collected  
24 shall be deposited to the Oklahoma State Firemen's Museum Building &

1 Memorial Fund for support of the Oklahoma Firefighter Fallen and  
2 Living Memorial;

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

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

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

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

23 6. United States Olympic Committee Supporter License Plates -  
24 such plates shall be designed and issued to any person wishing to

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

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

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

23 9. Heart of the Heartland License Plates - such plates shall be  
24 designed and issued to any person wishing to honor the victims of

1 the terrorist bombing attack on the Alfred P. Murrah Federal  
2 Building in downtown Oklahoma City on April 19, 1995. As provided  
3 in this section, an amount of the fee collected shall be deposited  
4 in the Heart of the Heartland Scholarship Fund, as established in  
5 Section 2282 of Title 70 of the Oklahoma Statutes;

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

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

22 12. Crime Victims Awareness License Plates - such plates shall  
23 be designed and issued to any person wishing to demonstrate  
24 awareness of and support for victims of crimes. The license plates

1 shall be designed in consultation with the Oklahoma Crime Victims  
2 Centre. As provided in this section, an amount of the fee collected  
3 shall be apportioned to the Attorney General's Revolving Fund for  
4 the Office of the Attorney General, which is hereby directed to use  
5 such funds to contract with a statewide nonprofit organization to  
6 provide services to crime victims;

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

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

23 15. Agricultural Awareness License Plates - such plates shall  
24 be designed, subject to criteria to be presented to the Tax

1 Commission, by the Oklahoma Department of Agriculture, Food, and  
2 Forestry in consultation with the Oklahoma Arts Council, and issued  
3 to any person wishing to demonstrate support of the Department's Ag  
4 in the Classroom Education Program. As provided in this section, an  
5 amount of the fee collected shall be apportioned as provided in  
6 Section 1104.3 of this title;

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

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

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

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

16           18.   Retired Oklahoma Highway Patrol Officers License Plates -  
17   such plates shall be designed and issued to any retired officer of  
18   the Oklahoma Highway Patrol. The license plate shall have the  
19   legend "Oklahoma" and shall contain, in the center of the plate, the  
20   Highway Patrol Officers patch using the same colors and pattern as  
21   used in the patch. Centered on the bottom of the license plate  
22   shall be the word "Retired". The letters "TRP" shall be used in  
23   combination with three numbers on either side of the insignia or  
24   emblem. The color of the letters and numbers shall be brown.

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

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

22 20. Urban Forestry and Beautification License Plates - such  
23 plates shall be designed, subject to criteria to be presented to the  
24 Tax Commission, by the Oklahoma Department of Agriculture, Food, and

1 Forestry in consultation with nonprofit organizations in this state  
2 that develop and operate programs to encourage urban forestry and  
3 beautification, and issued to any person wishing to demonstrate  
4 support of such programs. As provided in this section, an amount of  
5 the fee collected shall be apportioned as provided in Section 1104.5  
6 of this title;

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

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

1 for and to be used by the Department of Human Services for the  
2 implementation of the Investing in Stronger Oklahoma Families Act  
3 specifically for created families;

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

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

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

1 and shall contain the official logo of the International Association  
2 of Lions Clubs. The Tax Commission shall be authorized to enter  
3 into a licensing agreement with the Oklahoma Lions Service  
4 Foundation. The licensing agreement shall provide for a payment to  
5 the Oklahoma Lions Service Foundation of not more than Ten Dollars  
6 (\$10.00) for each license plate issued;

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

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

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

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

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

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

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

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

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

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

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

24

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

8           36. Oklahoma Association for the Deaf License Plate - such  
9 plates shall be designed in consultation with the Oklahoma  
10 Association for the Deaf and issued to any person wishing to  
11 demonstrate support for Oklahoma residents who are deaf. The plates  
12 shall be issued to any person in any combination of numbers and  
13 letters from one to maximum of seven, as for personalized license  
14 plates. As provided in this section, a portion of the fee collected  
15 shall be deposited in the Oklahoma Association for the Deaf License  
16 Plate Revolving Fund created in Section 1104.15 of this title;

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

24

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

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

22           40. Folds of Honor Supporter License Plate - such plates shall  
23 be designed and issued to any person wishing to demonstrate support  
24 for Folds of Honor Incorporated, a nonprofit charitable organization

1 exempt from taxation pursuant to the provisions of the Internal  
2 Revenue Code, 26 U.S.C., Section 501(c)(3), providing academic and  
3 vocational training scholarships to dependents of military  
4 servicemen and servicewomen who were either killed or wounded in  
5 action due to military service in the war in Iraq or Afghanistan.  
6 The plates shall be issued to any person in any combination of  
7 numbers and letters from one to a maximum of six. The plate shall  
8 be designed in consultation with Folds of Honor Incorporated and  
9 shall contain the official Folds of Honor Incorporated logo which  
10 includes the mark "Folds of Honor" across the bottom of the plate.  
11 The Tax Commission, if necessary, may enter into a licensing  
12 agreement with Folds of Honor Incorporated for any licensing fees  
13 which may be required in order to use the Folds of Honor  
14 Incorporated logo or design. The licensing agreement shall provide  
15 for a payment to Folds of Honor Incorporated of Twenty-five Dollars  
16 (\$25.00) for each license plate issued;

17 41. Downed Bikers Association License Plate - such plates shall  
18 be designed and issued to any person wishing to demonstrate support  
19 for the Downed Bikers Association, a nonprofit charitable  
20 organization exempt from taxation pursuant to the provisions of the  
21 Internal Revenue Code, 26 U.S.C., Section 501(c)(3), which provides  
22 emotional and financial support for downed bikers. The license  
23 plate shall be designed in consultation with the Central Oklahoma  
24 Chapter of the Downed Bikers Association and shall contain any

1 official logo or design of the organization. The Tax Commission, if  
2 necessary, may enter into a licensing agreement with the Downed  
3 Bikers Association for any licensing fees which may be required in  
4 order to use the organization's logo or design. The licensing  
5 agreement shall provide for a payment to the Downed Bikers  
6 Association of not more than Twenty Dollars (\$20.00) for each  
7 license plate;

8 42. Armed Forces Veterans Motorcycle License Plate - such  
9 plates shall be designed for use on a motorcycle in consultation  
10 with A Brotherhood Aiming Toward Education of Oklahoma, Inc.  
11 (ABATE), and issued to any honorably discharged former member of the  
12 United States Armed Forces wishing to demonstrate support for the  
13 45th Infantry Division Museum. Persons applying for such license  
14 plate must show proof of past military service. As provided in this  
15 section, a portion of the fee collected shall be deposited in the  
16 45th Infantry Division Museum Fund created in Section 235.1 of Title  
17 44 of the Oklahoma Statutes;

18 43. Buffalo Soldier License Plate - such plates shall be issued  
19 to any person wishing to honor and celebrate the history and  
20 contribution of the Buffalo Soldiers. The license plates shall be  
21 designed in consultation with the Lawton-Fort Sill Chapter of the  
22 Buffalo Soldiers 9th and 10th (Horse) Cavalry Association. As  
23 provided in this section, an amount of the fee collected shall be  
24

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

3 44. Prevent Blindness Oklahoma License Plate - such plates  
4 shall be issued to any person wishing to provide financial support  
5 for vision screening of school age children in this state. The  
6 license plates shall be designed in consultation with Prevent  
7 Blindness Oklahoma. As provided in this section, an amount of the  
8 fee collected shall be deposited in the Prevent Blindness Oklahoma  
9 License Plate Revolving Fund created in Section ~~5 of this act~~  
10 1104.17 of this title;

11 45. Oklahoma State Capitol Restoration License Plate - such  
12 plates shall be designed and issued to any person wishing to  
13 demonstrate support for restoration of the Oklahoma State Capitol  
14 building. The license plates shall be designed in consultation with  
15 the Friends of the Capitol corporation, created pursuant to Section  
16 15.4 of Title 73 of the Oklahoma Statutes and the State Capitol  
17 Preservation Commission created pursuant to Section 4102 of Title 74  
18 of the Oklahoma Statutes. As provided in this section, an amount of  
19 the fee collected shall be deposited in the Oklahoma Friends of the  
20 Capitol License Plate Revolving Fund established in Section ~~6 of~~  
21 ~~this act~~ 1104.18 of this title; and

22 ~~46. Eastern Red Cedar Tree License Plates - such plates shall~~  
23 ~~be designed, subject to criteria to be presented to the Tax~~  
24 ~~Commission and issued to any person wishing to demonstrate support~~

1 ~~for the removal of Eastern Red Cedar trees from lands in the state~~  
2 ~~and to develop marketable uses for the harvested trees. The license~~  
3 ~~plate shall be designed in consultation with the Eastern Red Cedar~~  
4 ~~Registry Board. Twenty three Dollars (\$23.00) of the fee collected~~  
5 ~~shall be deposited in the Eastern Red Cedar Revolving Fund created~~  
6 ~~in Section 18-407 of Title 2 of the Oklahoma Statutes. The money~~  
7 ~~shall be designated for and may only be expended for the purposes as~~  
8 ~~set forth in the Eastern Red Cedar Registry Board Act.~~

9 46. Eastern Red Cedar Tree License Plates - such plates shall  
10 be designed, subject to criteria to be presented to the Tax  
11 Commission and issued to any person wishing to demonstrate support  
12 for the removal of Eastern Red Cedar trees from lands in the state  
13 and to develop marketable uses for the harvested trees. The license  
14 plate shall be designed in consultation with the Eastern Red Cedar  
15 Registry Board. Twenty-three Dollars (\$23.00) of the fee collected  
16 shall be deposited in the Eastern Red Cedar Revolving Fund created  
17 in Section 18-407 of Title 2 of the Oklahoma Statutes. The money  
18 shall be designated for and may only be expended for the purposes as  
19 set forth in the Eastern Red Cedar Registry Board Act.

20 C. The fee for such plates shall be Thirty-five Dollars  
21 (\$35.00) and shall be in addition to all other registration fees  
22 provided by the Oklahoma Vehicle License and Registration Act. The  
23 fee shall be apportioned as follows:  
24

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

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

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

11           SECTION 4. It being immediately necessary for the preservation  
12 of the public peace, health and safety, an emergency is hereby  
13 declared to exist, by reason whereof this act shall take effect and  
14 be in full force from and after its passage and approval.

15 COMMITTEE REPORT BY: COMMITTEE ON ENERGY, dated 4-7-11 - DO PASS, As  
16 Amended.

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