

852

2009-2010 Regular Sessions

I N   S E N A T E

January 21, 2009

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Introduced by Sen. MARCELLINO -- read twice and ordered printed, and  
when printed to be committed to the Committee on Transportation

AN ACT to amend the vehicle and traffic law and the state finance law,  
in relation to establishing a distinctive "New York recycles" license  
plate

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-  
BLY, DO ENACT AS FOLLOWS:

1     Section 1. The vehicle and traffic law is amended by adding a new  
2     section 404-x to read as follows:  
3     S 404-X. DISTINCTIVE "NEW YORK RECYCLES" LICENSE PLATES. 1. ANY PERSON  
4     RESIDING IN THIS STATE SHALL, UPON REQUEST, BE ISSUED A DISTINCTIVE "NEW  
5     YORK RECYCLES" LICENSE PLATE OF A DESIGN DEVELOPED AND APPROVED BY THE  
6     COMMISSIONER, IN COOPERATION WITH THE NEW YORK STATE ASSOCIATION FOR  
7     REDUCTION, REUSE AND RECYCLING. APPLICATION FOR SUCH LICENSE SHALL BE  
8     FILED WITH THE COMMISSIONER IN SUCH FORM AND DETAIL AS THE COMMISSIONER  
9     SHALL PRESCRIBE.  
10    2. A DISTINCTIVE "NEW YORK RECYCLES" LICENSE PLATE ISSUED PURSUANT TO  
11    THIS SECTION SHALL BE ISSUED IN THE SAME MANNER AS OTHER NUMBER PLATES  
12    UPON THE PAYMENT OF THE REGULAR REGISTRATION FEE PRESCRIBED BY SECTION  
13    FOUR HUNDRED ONE OF THIS ARTICLE, PROVIDED, HOWEVER, THAT AN ADDITIONAL  
14    ANNUAL SERVICE CHARGE OF TWENTY-FIVE DOLLARS SHALL BE CHARGED FOR SUCH  
15    PLATE. EACH TWENTY-FIVE DOLLARS RECEIVED AS AN ANNUAL SERVICE CHARGE  
16    UNDER THIS SECTION SHALL BE DEPOSITED TO THE CREDIT OF THE SOLID WASTE  
17    ACCOUNT OF THE ENVIRONMENTAL PROTECTION FUND ESTABLISHED PURSUANT TO  
18    SECTION NINETY-TWO-S OF THE STATE FINANCE LAW AND SHALL BE USED FOR  
19    MUNICIPAL WASTE REDUCTION OR RECYCLING PROJECTS, PURSUANT TO TITLE SEVEN  
20    OF ARTICLE FIFTY-FOUR OF THE ENVIRONMENTAL CONSERVATION LAW. PROVIDED,  
21    HOWEVER, THAT ONE YEAR AFTER THE EFFECTIVE DATE OF THIS SECTION, FUNDS  
22    IN THE AMOUNT OF FIVE THOUSAND DOLLARS, OR SO MUCH THEREOF AS MAY BE  
23    AVAILABLE, SHALL BE ALLOCATED FROM SUCH FUND TO THE DEPARTMENT TO OFFSET  
24    COSTS ASSOCIATED WITH THE PRODUCTION OF SUCH LICENSE PLATES EXCEPT THAT

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

LBD01364-02-9

1 NO SUCH FUNDS SHALL BE SO ALLOCATED IF THE DEPARTMENT HAS RECEIVED FUNDS  
2 FOR SUCH PURPOSE FROM THE NEW YORK STATE ASSOCIATION FOR REDUCTION,  
3 REUSE AND RECYCLING.

4 S 2. Subdivision 3 of section 92-s of the state finance law, as  
5 amended by chapter 145 of the laws of 2004, is amended to read as  
6 follows:

7 3. Such fund shall consist of the amount of revenue collected within  
8 the state from the amount of revenue, interest and penalties deposited  
9 pursuant to section fourteen hundred twenty-one of the tax law, the  
10 amount of fees and penalties received from easements or leases pursuant  
11 to subdivision fourteen of section seventy-five of the public lands law  
12 and the money received as annual service charges pursuant to section  
13 four hundred four-1 of the vehicle and traffic law, THE MONEY RECEIVED  
14 AS ADDITIONAL ANNUAL SERVICE CHARGES PURSUANT TO SECTION FOUR HUNDRED  
15 FOUR-X OF THE VEHICLE AND TRAFFIC LAW (THE ENTIRETY OF WHICH SHALL BE  
16 DEPOSITED TO THE CREDIT OF THE SOLID WASTE ACCOUNT), all moneys required  
17 to be deposited therein from the contingency reserve fund pursuant to  
18 section two hundred ninety-four of chapter fifty-seven of the laws of  
19 nineteen hundred ninety-three, all moneys required to be deposited  
20 pursuant to section thirteen of chapter six hundred ten of the laws of  
21 nineteen hundred ninety-three, repayments of loans made pursuant to  
22 section 54-0511 of the environmental conservation law, all moneys to be  
23 deposited from the Northville settlement pursuant to section one hundred  
24 twenty-four of chapter three hundred nine of the laws of nineteen  
25 hundred ninety-six, provided however, that such moneys shall only be  
26 used for the cost of the purchase of private lands in the core area of  
27 the central Suffolk pine barrens pursuant to a consent order with the  
28 Northville industries signed on October thirteenth, nineteen hundred  
29 ninety-four and the related resource restoration and replacement plan,  
30 the amount of penalties required to be deposited therein by section  
31 71-2724 of the environmental conservation law, and all other moneys  
32 credited or transferred thereto from any other fund or source pursuant  
33 to law. All such revenue shall be initially deposited into the environ-  
34 mental protection fund, for application as provided in subdivision five  
35 of this section.

36 S 3. Paragraph (b) of subdivision 6 of section 92-s of the state  
37 finance law, as amended by chapter 432 of the laws of 1997, is amended  
38 to read as follows:

39 (b) Moneys from the solid waste account shall be available, pursuant  
40 to appropriation and upon certificate of approval of availability by the  
41 director of the budget, for any non-hazardous municipal landfill closure  
42 project; municipal waste reduction or recycling project, as defined in  
43 article fifty-four of the environmental conservation law; for the  
44 purposes of section two hundred sixty-one and section two hundred  
45 sixty-four of the economic development law; any project for the develop-  
46 ment, updating or revision of local solid waste management plans pursu-  
47 ant to sections 27-0107 and 27-0109 of the environmental conservation  
48 law; and for the development of the pesticide sales and use data base in  
49 conjunction with Cornell University pursuant to title twelve of article  
50 thirty-three of the environmental conservation law; PROVIDED, HOWEVER,  
51 THAT MONEYS CREDITED TO SUCH ACCOUNT FROM THE MONEY RECEIVED AS ADDI-  
52 TIONAL ANNUAL SERVICE CHARGES PURSUANT TO SECTION FOUR HUNDRED FOUR-X OF  
53 THE VEHICLE AND TRAFFIC LAW SHALL BE MADE AVAILABLE EXCLUSIVELY FOR  
54 MUNICIPAL WASTE REDUCTION OR RECYCLING PROJECTS PURSUANT TO TITLE SEVEN  
55 OF ARTICLE FIFTY-FOUR OF THE ENVIRONMENTAL CONSERVATION LAW.

56 S 4. This act shall take effect immediately.