S T A T E O F N E W Y O R K

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2011-2012 Regular Sessions

I N A S S E M B L Y

May 11, 2011

Introduced by M. of A. GUNTHER -- read once and referred 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 ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The vehicle and traffic law is amended by adding a new section 404-x to read as follows:

S 404-X. DISTINCTIVE "NEW YORK RECYCLES" LICENSE PLATES. 1. ANY PERSON RESIDING IN THIS STATE SHALL, UPON REQUEST, BE ISSUED A DISTINCTIVE "NEW YORK RECYCLES" LICENSE PLATE OF A DESIGN DEVELOPED AND APPROVED BY THE COMMISSIONER, IN COOPERATION WITH THE NEW YORK STATE ASSOCIATION FOR REDUCTION, REUSE AND RECYCLING. APPLICATION FOR SUCH LICENSE SHALL BE FILED WITH THE COMMISSIONER IN SUCH FORM AND DETAIL AS THE COMMISSIONER SHALL PRESCRIBE.

2. A DISTINCTIVE "NEW YORK RECYCLES" LICENSE PLATE ISSUED PURSUANT TO THIS SECTION SHALL BE ISSUED IN THE SAME MANNER AS OTHER NUMBER PLATES UPON THE PAYMENT OF THE REGULAR REGISTRATION FEE PRESCRIBED BY SECTION FOUR HUNDRED ONE OF THIS ARTICLE, PROVIDED, HOWEVER, THAT AN ADDITIONAL ANNUAL SERVICE CHARGE OF TWENTY-FIVE DOLLARS SHALL BE CHARGED FOR SUCH PLATE. EACH TWENTY-FIVE DOLLARS RECEIVED AS AN ANNUAL SERVICE CHARGE UNDER THIS SECTION SHALL BE DEPOSITED TO THE CREDIT OF THE SOLID WASTE ACCOUNT OF THE ENVIRONMENTAL PROTECTION FUND ESTABLISHED PURSUANT TO SECTION NINETY-TWO-S OF THE STATE FINANCE LAW AND SHALL BE USED FOR MUNICIPAL WASTE REDUCTION OR RECYCLING PROJECTS, PURSUANT TO TITLE SEVEN OF ARTICLE FIFTY-FOUR OF THE ENVIRONMENTAL CONSERVATION LAW. PROVIDED, HOWEVER, THAT ONE YEAR AFTER THE EFFECTIVE DATE OF THIS SECTION, FUNDS IN THE AMOUNT OF FIVE THOUSAND DOLLARS, OR SO MUCH THEREOF AS MAY BE AVAILABLE, SHALL BE ALLOCATED FROM SUCH FUND TO THE DEPARTMENT TO OFFSET 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.

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

S 2. Subdivision 3 of section 92-s of the state finance law, as amended by section 2 of part T of chapter 59 of the laws of 2009, is amended to read as follows:

3. Such fund shall consist of the amount of revenue collected within the state from the amount of revenue, interest and penalties deposited pursuant to section fourteen hundred twenty-one of the tax law, the amount of fees and penalties received from easements or leases pursuant to subdivision fourteen of section seventy-five of the public lands law and the money received as annual service charges pursuant to section four hundred four-l of the vehicle and traffic law, THE MONEY RECEIVED AS ADDITIONAL ANNUAL SERVICE CHARGES PURSUANT TO SECTION FOUR HUNDRED FOUR-X OF THE VEHICLE AND TRAFFIC LAW (THE ENTIRETY OF WHICH SHALL BE DEPOSITED TO THE CREDIT OF THE SOLID WASTE ACCOUNT), all moneys required to be deposited therein from the contingency reserve fund pursuant to section two hundred ninety-four of chapter fifty-seven of the laws of nineteen hundred ninety-three, all moneys required to be deposited pursuant to section thirteen of chapter six hundred ten of the laws of nineteen hundred ninety-three, repayments of loans made pursuant to section 54-0511 of the environmental conservation law, all moneys to be deposited from the Northville settlement pursuant to section one hundred twenty-four of chapter three hundred nine of the laws of nineteen hundred ninety-six, provided however, that such moneys shall only be used for the cost of the purchase of private lands in the core area of the central Suffolk pine barrens pursuant to a consent order with the Northville industries signed on October thirteenth, nineteen hundred ninety-four and the related resource restoration and replacement plan, the amount of penalties required to be deposited therein by section 71-2724 of the environmental conservation law, all moneys required to be deposited pursuant to article thirty-three of the environmental conservation law, all fees collected pursuant to subdivision eight of section 70-0117 of the environmental conservation law, as added by a chapter of the laws of two thousand nine, all moneys collected pursuant to title thirty-three of article fifteen of the environmental conservation law, as added by a chapter of the laws of two thousand nine and all other moneys credited or transferred thereto from any other fund or source pursuant to law. All such revenue shall be initially deposited into the environmental protection fund, for application as provided in subdivision five of this section.

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

(b) Moneys from the solid waste account shall be available, pursuant to appropriation and upon certificate of approval of availability by the director of the budget, for any non-hazardous municipal landfill closure project; municipal waste reduction or recycling project, as defined in article fifty-four of the environmental conservation law; for the purposes of section two hundred sixty-one and section two hundred sixty-four of the economic development law; any project for the development, updating or revision of local solid waste management plans pursuant to sections 27-0107 and 27-0109 of the environmental conservation law; and for the development of the pesticide sales and use data base in conjunction with Cornell University pursuant to title twelve of article thirty-three of the environmental conservation law; PROVIDED, HOWEVER,

THAT MONEYS CREDITED TO SUCH ACCOUNT FROM THE MONEY RECEIVED AS ADDITIONAL ANNUAL SERVICE CHARGES PURSUANT TO SECTION FOUR HUNDRED FOUR-X OF THE VEHICLE AND TRAFFIC LAW SHALL BE MADE AVAILABLE EXCLUSIVELY FOR MUNICIPAL WASTE REDUCTION OR RECYCLING PROJECTS PURSUANT TO TITLE SEVEN OF ARTICLE FIFTY-FOUR OF THE ENVIRONMENTAL CONSERVATION LAW.

S 4. This act shall take effect immediately.