

2649

2011-2012 Regular Sessions

I N S E N A T E

January 27, 2011

Introduced by Sens. GRISANTI, 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 ASSEMBLY, 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

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

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1 COSTS ASSOCIATED WITH THE PRODUCTION OF SUCH LICENSE PLATES EXCEPT THAT
2 NO SUCH FUNDS SHALL BE SO ALLOCATED IF THE DEPARTMENT HAS RECEIVED FUNDS
3 FOR SUCH PURPOSE FROM THE NEW YORK STATE ASSOCIATION FOR REDUCTION,
4 REUSE AND RECYCLING.

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

8 3. Such fund shall consist of the amount of revenue collected within
9 the state from the amount of revenue, interest and penalties deposited
10 pursuant to section fourteen hundred twenty-one of the tax law, the
11 amount of fees and penalties received from easements or leases pursuant
12 to subdivision fourteen of section seventy-five of the public lands law
13 and the money received as annual service charges pursuant to section
14 four hundred four-l of the vehicle and traffic law, THE MONEY RECEIVED
15 AS ADDITIONAL ANNUAL SERVICE CHARGES PURSUANT TO SECTION FOUR HUNDRED
16 FOUR-X OF THE VEHICLE AND TRAFFIC LAW (THE ENTIRETY OF WHICH SHALL BE
17 DEPOSITED TO THE CREDIT OF THE SOLID WASTE ACCOUNT), all moneys required
18 to be deposited therein from the contingency reserve fund pursuant to
19 section two hundred ninety-four of chapter fifty-seven of the laws of
20 nineteen hundred ninety-three, all moneys required to be deposited
21 pursuant to section thirteen of chapter six hundred ten of the laws of
22 nineteen hundred ninety-three, repayments of loans made pursuant to
23 section 54-0511 of the environmental conservation law, all moneys to be
24 deposited from the Northville settlement pursuant to section one hundred
25 twenty-four of chapter three hundred nine of the laws of nineteen
26 hundred ninety-six, provided however, that such moneys shall only be
27 used for the cost of the purchase of private lands in the core area of
28 the central Suffolk pine barrens pursuant to a consent order with the
29 Northville industries signed on October thirteenth, nineteen hundred
30 ninety-four and the related resource restoration and replacement plan,
31 the amount of penalties required to be deposited therein by section
32 71-2724 of the environmental conservation law, all moneys required to be
33 deposited pursuant to article thirty-three of the environmental conser-
34 vation law, all fees collected pursuant to subdivision eight of section
35 70-0117 of the environmental conservation law, as added by a chapter of
36 the laws of two thousand nine, all moneys collected pursuant to title
37 thirty-three of article fifteen of the environmental conservation law,
38 as added by a chapter of the laws of two thousand nine and all other
39 moneys credited or transferred thereto from any other fund or source
40 pursuant to law. All such revenue shall be initially deposited into the
41 environmental protection fund, for application as provided in subdivi-
42 sion five of this section.

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

46 (b) Moneys from the solid waste account shall be available, pursuant
47 to appropriation and upon certificate of approval of availability by the
48 director of the budget, for any non-hazardous municipal landfill closure
49 project; municipal waste reduction or recycling project, as defined in
50 article fifty-four of the environmental conservation law; for the
51 purposes of section two hundred sixty-one and section two hundred
52 sixty-four of the economic development law; any project for the develop-
53 ment, updating or revision of local solid waste management plans pursu-
54 ant to sections 27-0107 and 27-0109 of the environmental conservation
55 law; and for the development of the pesticide sales and use data base in
56 conjunction with Cornell University pursuant to title twelve of article

1 thirty-three of the environmental conservation law; PROVIDED, HOWEVER,
2 THAT MONEYS CREDITED TO SUCH ACCOUNT FROM THE MONEY RECEIVED AS ADDI-
3 TIONAL ANNUAL SERVICE CHARGES PURSUANT TO SECTION FOUR HUNDRED FOUR-X OF
4 THE VEHICLE AND TRAFFIC LAW SHALL BE MADE AVAILABLE EXCLUSIVELY FOR
5 MUNICIPAL WASTE REDUCTION OR RECYCLING PROJECTS PURSUANT TO TITLE SEVEN
6 OF ARTICLE FIFTY-FOUR OF THE ENVIRONMENTAL CONSERVATION LAW.

7 S 4. This act shall take effect immediately.