

4535

2015-2016 Regular Sessions

I N   S E N A T E

March 26, 2015

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Introduced by Sen. MARCHIONE -- 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  
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.

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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 section 11 of part F of chapter 58 of the laws of 2013, is  
6 amended to read as 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, all moneys required  
14 to be deposited therein from the contingency reserve fund pursuant to  
15 section two hundred ninety-four of chapter fifty-seven of the laws of  
16 nineteen hundred ninety-three, THE MONEY RECEIVED AS ADDITIONAL ANNUAL  
17 SERVICE CHARGES PURSUANT TO SECTION FOUR HUNDRED FOUR-X OF THE VEHICLE  
18 AND TRAFFIC LAW (THE ENTIRETY OF WHICH SHALL BE DEPOSITED TO THE CREDIT  
19 OF THE SOLID WASTE ACCOUNT), all moneys required to be deposited pursu-  
20 ant to section thirteen of chapter six hundred ten of the laws of nine-  
21 teen hundred ninety-three, repayments of loans made pursuant to section  
22 54-0511 of the environmental conservation law, all moneys to be deposit-  
23 ed from the Northville settlement pursuant to section one hundred twen-  
24 ty-four of chapter three hundred nine of the laws of nineteen hundred  
25 ninety-six, provided however, that such moneys shall only be used for  
26 the cost of the purchase of private lands in the core area of the  
27 central Suffolk pine barrens pursuant to a consent order with the North-  
28 ville industries signed on October thirteenth, nineteen hundred ninety-  
29 four and the related resource restoration and replacement plan, the  
30 amount of penalties required to be deposited therein by section 71-2724  
31 of the environmental conservation law, all moneys required to be depos-  
32 ited pursuant to article thirty-three of the environmental conservation  
33 law, all fees collected pursuant to subdivision eight of section 70-0117  
34 of the environmental conservation law, all moneys collected pursuant to  
35 title thirty-three of article fifteen of the environmental conservation  
36 law, beginning with the fiscal year commencing on April first, two thou-  
37 sand thirteen, and all fiscal years thereafter, fifteen million dollars  
38 plus all funds received by the state each fiscal year in excess of the  
39 amount received from April first, two thousand twelve through March  
40 thirty-first, two thousand thirteen, from the payments collected pursu-  
41 ant to subdivision four of section 27-1012 of the environmental conser-  
42 vation law and all funds collected pursuant to section 27-1015 of the  
43 environmental conservation law, provided such funds shall not be less  
44 than four million dollars for the fiscal year commencing April first,  
45 two thousand thirteen, and not less than eight million dollars for all  
46 fiscal years thereafter and all other moneys credited or transferred  
47 thereto from any other fund or source pursuant to law. All such revenue  
48 shall be initially deposited into the environmental protection fund, for  
49 application as provided in subdivision five of this section.

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

53 (b) Moneys from the solid waste account shall be available, pursuant  
54 to appropriation and upon certificate of approval of availability by the  
55 director of the budget, for any non-hazardous municipal landfill closure  
56 project; municipal waste reduction or recycling project, as defined in

1 article fifty-four of the environmental conservation law; for the  
2 purposes of section two hundred sixty-one and section two hundred  
3 sixty-four of the economic development law; any project for the develop-  
4 ment, updating or revision of local solid waste management plans pursu-  
5 ant to sections 27-0107 and 27-0109 of the environmental conservation  
6 law; and for the development of the pesticide sales and use data base in  
7 conjunction with Cornell University pursuant to title twelve of article  
8 thirty-three of the environmental conservation law; PROVIDED, HOWEVER,  
9 THAT MONEYS CREDITED TO SUCH ACCOUNT FROM THE MONEY RECEIVED AS ADDI-  
10 TIONAL ANNUAL SERVICE CHARGES PURSUANT TO SECTION FOUR HUNDRED FOUR-X OF  
11 THE VEHICLE AND TRAFFIC LAW SHALL BE MADE AVAILABLE EXCLUSIVELY FOR  
12 MUNICIPAL WASTE REDUCTION OR RECYCLING PROJECTS PURSUANT TO TITLE SEVEN  
13 OF ARTICLE FIFTY-FOUR OF THE ENVIRONMENTAL CONSERVATION LAW.

14 S 4. This act shall take effect immediately.