STATE OF NEW YORK

954

2021-2022 Regular Sessions

IN SENATE

(Prefiled)

January 6, 2021

Introduced by Sen. GAUGHRAN -- 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, in relation to establishing distinctive "Long Island Sound" license plates; and to amend the state finance law, in relation to establishing the "Long Island Sound environmental fund"

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-ff to read as follows:

§ 404-ff. Distinctive "Long Island Sound" license plates. 1. Any person residing in this state shall, upon request, be issued a distinctive "Long Island Sound" license plate of a design approved by the commissioner. Application for said license plate shall be filed in such form and detail as the commissioner shall prescribe.

2. A distinctive 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. Such additional service charge shall be deposited pursuant to section four hundred four-oo of this article to the credit of the department of motor vehicles distinctive plate development fund, established by section ninety-five-g of the state finance law, and shall be used for the production, design, advertising and marketing of distinctive number plates; provided, however, that additional annual service charges collected in excess of six thousand dollars shall be deposited to the credit of the Long Island Sound environmental fund established pursuant to section ninety-seven-zzzz of the state finance law.

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

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§ 2. The state finance law is amended by adding a new section 97-zzzz to read as follows:

§ 97-zzzz. Long Island Sound environmental fund. 1. There is hereby established in the joint custody of the commissioner of taxation and finance, the state comptroller and the commissioner of environmental conservation, a special fund to be known as the "Long Island Sound environmental fund".

2. Such fund shall consist of all moneys collected pursuant to section four hundred four-ff of the vehicle and traffic law, and all other moneys appropriated, credited or transferred thereto from any other fund or source pursuant to law.

3. On or before the first day of February each year, the comptroller shall certify to the governor, temporary president of the senate, speaker of the assembly, chair of the senate finance committee and chair of the assembly ways and means committee, the amount of money deposited in the Long Island Sound environmental fund during the preceding calendar year as a result of the revenue derived pursuant to section four hundred four-ff of the vehicle and traffic law.

4. On or before the first day of February each year, the commissioner of environmental conservation shall provide a written report to the temporary president of the senate, speaker of the assembly, chair of the senate finance committee, chair of the assembly ways and means committee, chair of the senate committee on environmental conservation, chair of the assembly environmental conservation committee, the state comptroller and the public. Such report shall include how the moneys of the fund were utilized during the preceding calendar year, and shall include:

(a) the amount of money disbersed from the fund and the award process used for such disbursements;

(b) recipients of awards from the fund;

(c) the amount awarded to each;

(d) the purposes for which such awards were granted; and

(e) a summary financial plan for such moneys which shall include estimates of all receipts and all disbursements for the current and succeeding fiscal years, along with the actual results from the prior fiscal year.

5. Moneys of the fund shall be expended only to not-for-profit corporations, educational organizations or local governments undertaking projects aimed at the beautification of and environmental improvements to the Long Island Sound, including but not limited to, water quality projects, habitat restoration projects, education, research, improving public access to the Sound, or recreational opportunities.

6. Moneys shall be payable from the fund on the audit and warrant of the comptroller on vouchers approved and certified by the commissioner of environmental conservation.

7. To the extent practicable, the commissioner of environmental conservation shall ensure that all moneys received during a fiscal year are expended prior to the end of such fiscal year.

§ 3. 1. A distinctive plate established pursuant to section 404-ff of the vehicle and traffic law, as added by section one of this act, shall only be designed, produced and issued upon the delivery to the department of motor vehicles of a surety bond in the amount of six thousand dollars, which shall be executed by a surety company authorized by the department of financial services to transact business in this state. Provided, however, that if the commissioner of motor vehicles shall have received prior to the plate design, production and issuance at least two

hundred orders for such distinctive plate together with the additional annual service charge applicable to each such order, which shall be non-refundable, no such surety bond shall be required. All such service charges shall be deposited pursuant to the provisions of section 404-oo of the vehicle and traffic law to the credit of the department of motor vehicles distinctive plate development fund established by section 95-g of the state finance law and shall be used for the design, production, advertising and distribution of distinctive license plates in accordance with such section 95-g.

2. If, upon the expiration of two years following the date upon which distinctive plates in the series are first available for sale, two hundred or more sets of such plates are sold, a bond delivered pursuant to this section shall be discontinued. If fewer than two hundred sets of such plates are sold by such time, the department of motor vehicles shall be entitled to recover against the bond an amount proportionate to such shortfall.

§ 4. This act shall take effect on the one hundred eightieth day after it shall have become a law; provided, however, that section three of this act shall take effect immediately. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.