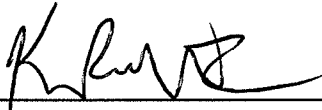


Minutes Sign Off Sheet For:
May 17, 2010 Meeting

Governmental Services, Environmental &
Administrative Committee:



Kevin A. Roberts, Chairman



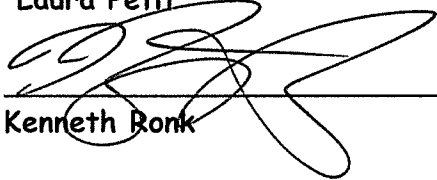
Hector Rodriguez, Deputy Chairman

Carl Belfiglio

Dean Fabiano

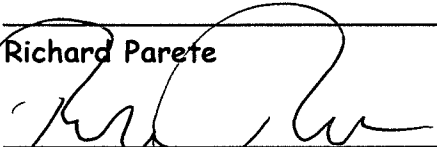


Laura Petit



Kenneth Ronk

Richard Parete



Robert Parete



Brian Shapiro

Today's Date: June 14, 2010

SIGN IN SHEET

Governmental Services, Environmental & Administrative Committee

5/17/2010

Please Print

NAME	DEPARTMENT OR ORGANIZATION
Kevin Roberts	Legislator
LAURA PETIT	Legislator
Carl Bellfiglio	Legislator.
Robert Berete	Legislator
Brian Shapiro	" " AVENGER
Amada LaValle	UC Dept. of Env.
Ken Ronk	Legislator
Hector Rodriguez	Legislator

Ulster County Legislature



Governmental Services, Environmental & Administrative Committee

Library Conference Room, 6th Floor
County Office Building, 244 Fair Street
Kingston, NY 12401

May 17, 2010
6:00 PM

Meeting Agenda

Members:

Kevin A. Roberts, Chairman

Richard Parete

Hector Rodriguez, Deputy Chairman

Robert Parete

Carl Belfiglio

Brian Shapiro

Dean Fabiano

Kenneth Ronk

Laura Petit

Others Attending:

Amanda LaValle, Coordinator, Department of the Environment

Robert Sudlow, Deputy County Executive

1. Call meeting to order
2. Approve minutes from April 19, 2010 meeting
3. Resolutions

Resolution No. 119 - Confirming Appointment Of Member To The Environmental Management Council

Resolution No. 126 - Designating Chairman Frederick J. Wadnola As The Ulster County Legislature's Member To Serve On The County Jury Board

Resolution No. 131 - Setting A Public Hearing On Introductory Local Law No. 2 of 2010 (A Local Law That Will Establish The Office Of Conflict Defender Within The County Of Ulster), To Be Held On Tuesday, June 15, 2010 At 7:00 PM

Resolution No. 132 - Setting A Public Hearing On Introductory Local Law No. 3 of 2010 (A Local Law Amending The Ulster County Charter, Local Law No. 2 Of 2006, And Amending The Administrative Code For the County Of Ulster, Local Law No. 10 Of 2008) To Reduce The Number Of Legislative Districts From 23 To 21, Effective At The General Election Of 2011), To Be Held On Tuesday, June 15, 2010 At 7:05 PM

Resolution Is Being Withdrawn By Sponsor

Resolution No. 133 - Amending The List Of Titles Of County Officials And Employees Required To File Disclosure Statements Pursuant To Local Law Number 11 Of 2008 (A Local Law Known As The Ulster County Ethics And Disclosure)

Resolution No. 143 - Authorizing The Chairman Of The Ulster County Legislature To Execute An Inter-Municipal Agreement With The Ulster County Board Of Cooperative Educational Services To Provide Computer Information Technology Education Services To The County Employee Workforce - Department Of Information Services

4. Late Resolutions

Resolution No. 145 - Authorizing The Purchase Of An E911 Emergency Communications Phone System - Amending The 2010 Ulster County Budget - Department Of Emergency Communications/ Emergency Management*

***This resolution was approved by the Law Enforcement and Public Safety Committee.**

Resolution No. 148 - Adopting Introductory Local Law No. 1 Of 2010 (A Local Law Superseding Section 214(2) Of The County Law To Authorize Abstract Publication Of Local Laws), Hereinafter Known As Local Law No. 1 Of 2010

Resolution No. 149 - Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement With The New York State Office Of Homeland Security For The Law Enforcement Terrorism Prevention Program - Amending The 2010 Ulster County Budget - Sheriff's Office

Resolution No. 150 - Appointing Members To The Periodic Compensation Review Committee

Resolution - In Support Of New York State Assembly Bill No. A9919 And New York State Senate Bill No. S7338 Authorizes County Clerks To Portion Of Fees Collected For Motor Vehicle Related Services Through The New York State DMV Website Or The Utica Processing Center*

***This resolution was approved by the Budget and Finance Committee on 5/11/10.**

5. Departments/Agencies:

- Department of the Environment
 - Annual MS4 Stormwater Report

6. Other Business

7. Motion to adjourn

NAME OF COMMITTEE: Governmental Services, Environmental & Administrative Committee

DATE: May 17, 2010

TIME: 6:00 PM

PLACE: Library Conference Room, 6th Floor
County Office Building

LEGISLATORS PRESENT: Chairman Kevin A. Roberts, Deputy Chairman Hector Rodriguez, Legislators Carl Belfiglio, Dean Fabiano, Kenneth Ronk, Robert Parete and Brian Shapiro

LEGISLATORS ABSENT: Richard Parete

OTHERS PRESENT: Amanda LaValle, Coordinator, Department of the Environment
Vic Melville, Corp Observer, LWV
Karen L. Binder, Clerk of the Legislature, Recording

1. **Chairman Roberts called the meeting to order at 6:00 PM.**
2. **Approved minutes from April 19, 2010 meeting.** Motion by Legislator Rodriguez, seconded by Legislator Belfiglio. All in favor.
3. **Resolutions:**

Resolution No. 119 - Confirming Appointment of Member to the Environmental Management Council.

Legislator Shapiro spoke briefly regarding the individuals being appointed. Legislator Shapiro motioned, seconded by Legislator Petit to move the resolution. Approved unanimously (8 - 0).

Resolution No. 126 - Designating Chairman Frederick J. Wadnola as the Ulster County Legislature's Member to Serve on the County Jury Board

Legislator Rodriguez motioned, seconded by Legislator Belfiglio to move the resolution. Approved unanimously (8 - 0). There was no discussion on the resolution.

Resolution No. 131 - Setting a Public Hearing on Introductory Local Law No. 2 of 2010 (A Local Law That Will Establish the Office of Conflict Defender Within the County of Ulster) to be held on Tuesday, June 15, 2010 at 7:00 PM

Legislator Rodriguez mentioned that the County has been working toward establishing this office for a number of years. The record is noted that this local law would repeal Local Law No. 1 of 2008.

There was brief discussion about the position and if a job description is available. The job description is already in place.

Legislator Rodriguez motioned, seconded by Legislator Shapiro to move the resolution. Approved unanimously (8 - 0).

Resolution No. 132 - Setting a Public Hearing on Introductory Local Law No. 3 of 2010 (A Local Law Amending the Ulster County Charter, Local Law No. 2 of 2006, and Amending the Administrative Code for the County of Ulster, Local Law No. 10 of 2008) to Reduce the Number of Legislative Districts from 23 to 21, Effective at the General Election of 2011, to be Held on Tuesday, June 15, 2010 at 7:05 PM

RESOLUTION REQUIRES NO ACTION AT THIS TIME. WITHDRAWN BY SPONSOR

Resolution No. 133 - Amending The List of Titles of County Officials and Employees Required to File Disclosure Statements Pursuant to Local Law Number 11 of 2008 (A Local Law Known as the Ulster County Ethics and Disclosure)

Legislator Shapiro asked exactly what changes were being made. They are highlighted in bold font in the body of the resolution.

Legislator Parete asked what prompted the resolution? Resolution No. 110 from April 2010, Approving the Proposed Certificate of Incorporation and Consenting to the Formation of a Local Development Corporation which requires members of Ulster County Development Corporation/Public Authority to file disclosures. There also were some duplicate entries which are being corrected and certain titles (i.e. Department of Environment has a Coordinator not a Director).

There was discussion regarding changing the list. Clerk Karen Binder explained that this list had previously been changed by resolution which was deemed acceptable by the Counsel to the Legislature and the County Attorney at that time.

Legislator Rodriguez motioned, seconded by Legislator Petit to move the resolution. Unanimously approved (8 - 0).

Resolution No. 143 - Authorizing The Chairman Of The Ulster County Legislature To Execute An Inter-Municipal Agreement With The Ulster County Board Of Cooperative Educational Services To Provide Computer Information Technology Education Services To The County Employee Workforce - Department Of Information Services

The record is so noted that Legislator Belfiglio will abstain from voting on this resolution for reasons of employment.

Legislator Rodriguez motioned, seconded by Legislator Ronk to move the resolution. Unanimously approved (8 - 0).

4. Late Resolutions

Resolution No. 145 - Authorizing The Purchase of an E911 Emergency Communications Phone System - Amending the 2010 Ulster County Budget - Department of Emergency Communications/Emergency Management

The record is so noted that this resolution although late, did receive the approval of the Law Enforcement & Public Safety Committee.

Chairman Roberts asked Legislator Belfiglio as a member of the Law Enforcement & Public Safety Committee to offer any comment on this resolution.

Legislator Belfiglio explained that this purchase is at no cost to the County and is covered by reserves which are earmarked for the express use of Emergency Communications/Emergency Management for major capital purchases of E911-related equipment.

The current 911 phone system in use at EC/EM is over fifteen years old and is no longer supported by the manufacturer, thus requiring the acquisition of parts from third party suppliers. Leasing versus purchasing has been considered. The purchase will yield a total savings of \$62,249.95 in finance charges.

Legislator Rodriguez motioned, seconded by Legislator Belfiglio to move the resolution. Approved unanimously (8 -0).

Resolution No. 148 - Adopting Introductory Local Law No. 1 of 2010 (A Local Law Superseding Section 214(2) of the County Law to Authorize Abstract Publication of Local Laws)

Chairman Roberts noted that adoption of this local law will save publication fees for the County of Ulster. The record is so noted that there was no public comment on this local law at the public hearing.

Legislator Rodriguez motioned, seconded by Legislator Petit. Approved unanimously (8 -0).

Resolution No. 149 - Authorizing the Chairman of the Ulster County Legislature to Execute an Agreement with the New York State Office of Homeland Security for the Law Enforcement Terrorism Prevention Program - Amending the 2010 Ulster County Budget - Sheriff's Office

Legislator Rodriguez motioned, seconded by Legislator Petit to move the resolution. The funding is federal pass through. There was discussion regarding the goals to be accomplished in connection with this program. Motion unanimously approved (8 - 0).

Resolution No. 150 - Appointing Members to the Periodic Compensation Review Committee

Legislator Rodriguez stated that there was a great deal of discussion in the Democratic caucus. There is concern about appointing former Legislators to this committee and new names would be offered. The discussion continued and Legislator Shapiro brought up the spirit of the Ethics Law and its impact on these appointments. The committee discussed whether or not to pass the resolution as a late and then amend the resolution on the floor. The record is so noted that there would perhaps be changes to the names in the draft resolution which was submitted.

Legislator Rodriguez, Deputy Chair offered the motion to temporarily postpone consideration of this resolution until later in the meeting. Legislators Ronk and Petit moved the motion. Motion unanimously approved (8 - 0).

Resolution No. 151 - In Support of New York State Assembly Bill No. A9919 and New York State Senate Bill No. S7338 Authorizes County Clerks to Retain a Portion of Fees Collected for Motor Vehicle Related Services Through the New York State DMV Website or the Utica Processing Center

The record is so noted that this resolution was approved by the Budget and Finance Committee on May 11, 2010.

Legislator Rodriguez motioned, seconded by Legislator Ronk to move the resolution. Approved unanimously (8 - 0).

5. Departments/Agencies:

Department of the Environment

Amanda LaValle, Coordinator of the Department presented the Annual MS4 Stormwater Report.

Under the federal law commonly known as the Stormwater Phase II, Ulster County is regulated as a Municipal Separate Storm Sewer System (MS4). The Departments of the Environment, Public Works, Information Services and Planning worked together to achieve this year's stormwater (SW) Program objectives. Ulster County Soil and Water Conservation (UCSWCD), Ulster County Cornell

Cooperative Extension of Ulster County (CCE-UC), and Ulster County Resource Recovery Agency (UCRRA) significantly contributed to meeting the County's stormwater goals particularly in the Areas of Public Education and Outreach (MCM1) and Public Involvement/Participation (MCM2).

The County's MS4 Annual Report is prepared to comply with MS4 regulations and is submitted to the NYS Department of Environmental Conservation.

The full annual report is available for review at <http://www.ulstercountyny.gov/stormwater.html>, and any comments may be submitted via e-mail to stormwater@co.ulster.ny.us or in writing to the UC Department of the Environment, PO Box 1800, Kingston, New York 12402.

The program's mandates are divided into six minimum control measures (MCM). The summary report provides an overview of the control measures: MCM1: Public Education and Out-Reach, MCM2: Public Involvement/Participation, MCM3: Illicit Discharge Detection and Elimination, MCM4: Construction Site Runoff Control, MCM5: Post-construction Stormwater Management Practice and MCM6: Pollution Prevention/Good Housekeeping.

The two page summary provided to everyone present is attached.

*The committee revisited **Resolution No. 150**, postponed from earlier.

Chairman Roberts and Deputy Chairman Rodriguez spoke to Legislative Chairman Frederick J. Wadnola and Minority Leader Jeanette Provenzano regarding the appointments on Resolution No. 150 - Appointing Members to the Periodic Compensation Review Committee. Agreement was reached that the resolution would be amended accordingly.

Legislator Shapiro motioned, seconded by Legislator Petit to amend the resolution to add Don Bell from Ruby, NY, as a member of the committee. Motion approved unanimously (8 - 0). Legislator Ronk motioned, seconded by Legislator Petit to move the resolution. Unanimously approved (8 - 0).

Legislator Ronk motioned, seconded by Legislator Belfiglio to adjourn. All in favor.

Meeting adjourned at 6:40 PM

Respectfully submitted,

Karen L. Binder, Clerk
Ulster County Legislature

Ulster County Department of the Environment

Summary of 2010 Stormwater Annual Report

(Reporting Year: March 10, 2009- March 9, 2010)

Under the federal law commonly known as Stormwater Phase II, Ulster County is regulated as a Municipal Separate Storm Sewer System (MS4). The Departments of the Environment, Public Works, Information Services, and Planning worked together to achieve this year's stormwater (SW) program objectives. Ulster County Soil and Water Conservation (UCSWCD), Ulster County Cornell Cooperative Extension-Ulster County (CCE-UC), and Ulster County Resource Recovery Agency (UCRRA) significantly contributed to meeting the County's stormwater goals particularly in the areas of Public Education and Outreach (MCM1) and Public Involvement/Participation (MCM2). The County's MS4 Annual Report is prepared to comply with MS4 regulations and is submitted to the NYS Department of Environmental Conservation.

The full annual report is available for review at <http://www.ulstercountyny.gov/stormwater.html>, and any comments may be submitted via email to stormwater@co.ulster.ny.us or in writing to the **UC Department of the Environment, PO Box 1800, Kingston NY 12402**.

The program's mandates are divided into six minimum control measures (MCM): public education and outreach, public involvement/participation, illicit discharge detection and elimination (IDDE), construction site runoff control, post-construction stormwater management, and pollution prevention/good housekeeping. The County's progress is detailed below.

MCM 1: Public Education and Outreach

The County's education efforts focus on internal staff development, educating the public on pollution prevention, providing educational opportunities for municipal stormwater and code enforcement officers, as well as local contractors.

Stormwater information brochures are available to the public in the tourism kiosk in the County Office Building's lobby. Approximately 1000 pieces of stormwater related literature were distributed this year. In addition, UCSWCD and Hudson Valley Regional Council sponsored a NYSDEC certified contractor training *Better Construction Site Management*, at which there were 75 participants.

The County also continued its efforts in providing technical, mapping, and GIS support of our Municipal MS4 communities (thirteen municipalities within Ulster County are also regulated under the MS4 Stormwater program). This permit year, the County offered three Stormwater Workshops targeted to Stormwater and Code Enforcement Officers; they were, *MS4 Annual Report Updates*, *DEC MS4 Audit Process*, and *Code Enforcement Officer Stormwater Site Inspections*. These workshops had a total of 86 attendees. The County also offers a lending library of materials in support of municipal employee training. Two MS4 municipalities borrowed these items to conduct training for their DPW staff on *Municipal Stormwater Pollution Prevention*.

MCM 2: Public Involvement/Participation

As a traditional non-landuse MS4 under the regulations, the County is not required to provide participation opportunities to the general public. However, our county agencies have continued to involve the public and reduce potential pollutants through various efforts. These efforts not only strengthen the County's Stormwater program but help the local MS4 municipalities which do have an explicit requirement to involve and educate the general public.

In 2009, CCE-UC continued with the second year of a three year, USDA funded grant which has been used to train their Master Gardeners to build raingardens and do community outreach. This year's raingarden was installed at the Saugerties Senior Center. This raingarden functions to divert stormwater from the senior center building roof and is a lovely addition to the Cantine Field Complex. Gardeners also led a workshop for 55 county residents on the construction, maintenance, and stormwater management benefits of raingardens

At Ulster County Resource Recovery Agency's April and October '09 collection events, 759 Ulster County households disposed of over 5,500 gallons of liquid household hazardous waste (HHW), 37 cubic yards of solid HHW, and over 75,000 pounds (almost 40 tons) of electronic waste. This event provides for the safe removal and disposal of potential pollutants.

MCM 3: Illicit Discharge Detection and Elimination

In 2009, more than 27% of the 345 County road outfalls and 100% of the 29 County building outfalls were inspected for dry weather discharges. The purpose of these inspections is to detect and eliminate any illicit connections or discharges to our County storm drainage system. This year, three potential illicit discharges were detected. One was eliminated and two are still pending further investigation by Ulster County Department of Health.

Continuing in our commitment to provide technical, mapping, and GIS support to our MS4 communities, the County not only completed its own preliminary storm sewershed mapping, but Ulster County Information Services- GIS Division was able to provide this required mapping for all thirteen of the UC MS4 municipalities in both digital and paper mapbook formats.

MCM 4: Construction Site Runoff Control

The County's Stormwater Management Specialist reviewed all 11 Stormwater Pollution Prevention Plans (SWPPPs) which discharge stormwater into the county drainage system. The 10 active construction sites that discharge to the county storm drain system were inspected for compliance with their SWPPPs.

MCM 5: Post-construction Stormwater Management Practices

Ulster County's post construction stormwater management practices within the MS4 include a dry pond at Golden Hill, a retention pond at the Ulster County Law Enforcement Center, and multiple dry wells. These practices were inventoried and inspected during this reporting period.

MCM 6: Pollution Prevention/Good Housekeeping

DPW's good housekeeping practices include frequent inspection of chemical and road salt storage and handling facilities. The County continues to operate four Bio-Circle parts washers at garages in the MS4 area to reduce pollution from fleet maintenance. This 'environmentally friendly' equipment uses microbial bioremediation instead of chemicals, keeping these pollutants out of the storm sewer system.

At the Shamrock Lane DPW yard, the Vortechs™ unit, which removes sediment, trash, oil, and grease from stormwater before it leaves the Quarry facility, and the vehicle wash bays, which filter oil and sediment from wastewater, were inspected and cleaned to ensure proper functioning.

In the field, drainage inspections at all 21 county owned properties and catch basin maintenance along county roads contributed to pollution prevention. In the reporting period, 554 catch basins were inspected; more than 80% were cleaned. All 425 miles of county owned road were swept of which almost 50 miles are within the MS4 regulated area.

2009 DMV REGISTRATION TRANSACTIONS			
		GROSS REV	CO REV
TOTAL REGISTRATIONS IN ULSTER COUNTY	158,221	(EST)	(EST)
# OF REGISTRATIONS PROCESSED IN OFFICE	55,105	\$ 4,261,370.00	\$ 541,193.00
# OF REGISTRATIONS PROCESSED ON VAN	8,380	\$ 533,677.00	67,776.00
ESTIMATED # OF REGISTRATIONS PROCESSED ON INTERNET	19,500	\$1,950,000.00	\$ 247,650.00

2009 DMV DRIVERS LICENSE TRANSACTIONS			
		GROSS REV	CO REV
TOTAL DRIVERS LICENSES IN ULSTER COUNTY	134,720		
# OF LICENSES PROCESSED IN OFFICE	19,206	\$860,539	\$ 109,288.00
# OF LICENSES PROCESSED ON VAN	3,326	\$170,896	\$ 21,703.00
ESTIMATED # OF LICENSES PROCESSED ON INTERNET	2,300	\$148,350	\$18,840.00



Tuesday, May 11, 2010

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Bill No.: A09919

[Summary](#) [Actions](#) [Votes](#) [Memo](#) [Text](#)

A09919 Summary:

BILL NO A09919

SAME AS Same as S 7338

SPONSOR Russell

COSPNSR Gordon, Schroeder, DelMonte, Fields, Gunther, Jaffee, Castro, Magee

MLTSPNSR Amedore, Bacalles, Barclay, Calhoun, Crouch, Errigo, Finch, Giglio, Hawley, Hayes, Hooper, Kolb, Koon, Lopez P, Lupardo, Molinaro, Montesano, Oaks, Reilich, Sayward, Schimminger

Amd S205, V & T L

Authorizes county clerks to retain a portion of fees collected for motor vehicle related services through a department of motor vehicles website or the Utica processing center.

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A09919 Text:

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

9919

I N A S S E M B L Y

February 11, 2010

Introduced by M. of A. RUSSELL -- read once and referred to the Committee on Governmental Employees

AN ACT to amend the vehicle and traffic law, in relation to allowing county clerks to retain fees collected for motor vehicle related services through a department of motor vehicles' website or processing center

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

- 1 Section 1. Subdivision 3 of section 205 of the vehicle and traffic
- 2 law, as amended by section 3 of part G of chapter 59 of the laws of
- 3 2008, is amended to read as follows:
- 4 3. (A) Each such county clerk shall retain from fees collected for any
- 5 motor vehicle related service described in subdivision one of this
- 6 section processed by such county clerk an amount based on a percentage
- 7 of gross receipts collected. For purposes of this section, the term

8 "gross receipts" shall include all fines, fees and penalties collected
 9 pursuant to this chapter by a county clerk acting as agent of the
 10 commissioner OR DEPARTMENT OF MOTOR VEHICLES' WEBSITE OR DEPARTMENT OF
 11 MOTOR VEHICLES' UTICA PROCESSING CENTER, but shall not include any state
 12 or local sales or compensating use taxes imposed under or pursuant to
 13 the authority of articles twenty-eight and twenty-nine of the tax law
 14 and collected by such clerk OR DEPARTMENT OF MOTOR VEHICLES' WEBSITE OR
 15 DEPARTMENT OF MOTOR VEHICLES' UTICA PROCESSING CENTER on behalf of the
 16 commissioner of taxation and finance. The retention percentage shall be
 17 12.7 percent and shall take effect April first, nineteen hundred nine-
 18 ty-nine; provided, however, the retention percentage shall be thirty
 19 percent of the thirty dollar fee established in paragraph (e) of subdivi-
 20 sion two of section four hundred ninety-one and paragraph [f-one]
 21 (F-1) of subdivision two of section five hundred three of this chapter.
 22 (B) THE COMMISSIONER SHALL REMIT ON A QUARTERLY BASIS TO EACH SUCH
 23 COUNTY CLERK FROM FEES COLLECTED FOR ANY MOTOR VEHICLE RELATED SERVICE
 24 DESCRIBED IN SUBDIVISION ONE OF THIS SECTION THAT ARE PROCESSED THROUGH
 25 THE DEPARTMENT OF MOTOR VEHICLES' WEBSITE OR DEPARTMENT OF MOTOR VEHI-
 26 CLES' UTICA PROCESSING CENTER THE RETENTION PERCENTAGE OF GROSS RECEIPTS

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

A. 9919

LBD15491-03-0

1 COLLECTED, AS SUCH RETENTION PERCENTAGE IS DESCRIBED IN PARAGRAPH (A) OF
 2 THIS SUBDIVISION WHICH SUCH COUNTY CLERK WOULD HAVE BEEN ENTITLED TO
 3 RETAIN PURSUANT TO THIS SUBDIVISION IF SUCH FEES HAD BEEN PROCESSED IN
 4 THE COUNTY OF RECORD OF THE REGISTRANT.

5 S 2. This act shall take effect April 1, 2011; provided, however, that
 6 effective immediately, the addition, amendment and/or repeal of any rule
 7 or regulation necessary for the implementation of this act on its effec-
 8 tive date are authorized and directed to be made and completed on or
 9 before such effective date.

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Tuesday, May 11, 2010

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Bill No.: S07338

[Summary](#) [Actions](#) [Votes](#) [Memo](#) [Text](#)

S07338 Summary:

BILL NO S07338
 SAME AS Same as A 9919
 SPONSOR MAZIARZ
 COSPNSR SEWARD, WINNER
 MLTSPNSR

Amd S205, V & T L

Authorizes county clerks to retain a portion of fees collected for motor vehicle related services through a department of motor vehicles' website or the Utica processing center.

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S07338 Text:

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

7338

I N S E N A T E

March 30, 2010

Introduced by Sen. MAZIARZ -- 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 allowing county clerks to retain fees collected for motor vehicle related services through a department of motor vehicles' website or processing center

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

- 1 Section 1. Subdivision 3 of section 205 of the vehicle and traffic
- 2 law, as amended by section 3 of part G of chapter 59 of the laws of
- 3 2008, is amended to read as follows:
- 4 3. (A) Each such county clerk shall retain from fees collected for any
- 5 motor vehicle related service described in subdivision one of this
- 6 section processed by such county clerk an amount based on a percentage
- 7 of gross receipts collected. For purposes of this section, the term
- 8 "gross receipts" shall include all fines, fees and penalties collected
- 9 pursuant to this chapter by a county clerk acting as agent of the

10 commissioner OR DEPARTMENT OF MOTOR VEHICLES' WEBSITE OR DEPARTMENT OF
 11 MOTOR VEHICLES' UTICA PROCESSING CENTER, but shall not include any state
 12 or local sales or compensating use taxes imposed under or pursuant to
 13 the authority of articles twenty-eight and twenty-nine of the tax law
 14 and collected by such clerk OR DEPARTMENT OF MOTOR VEHICLES' WEBSITE OR
 15 DEPARTMENT OF MOTOR VEHICLES' UTICA PROCESSING CENTER on behalf of the
 16 commissioner of taxation and finance. The retention percentage shall be
 17 12.7 percent and shall take effect April first, nineteen hundred nine-
 18 ty-nine; provided, however, the retention percentage shall be thirty
 19 percent of the thirty dollar fee established in paragraph (e) of subdivi-
 20 sion two of section four hundred ninety-one and paragraph [f-one]
 21 (F-1) of subdivision two of section five hundred three of this chapter.
 22 (B) THE COMMISSIONER SHALL REMIT ON A QUARTERLY BASIS TO EACH SUCH
 23 COUNTY CLERK FROM FEES COLLECTED FOR ANY MOTOR VEHICLE RELATED SERVICE
 24 DESCRIBED IN SUBDIVISION ONE OF THIS SECTION THAT ARE PROCESSED THROUGH
 25 THE DEPARTMENT OF MOTOR VEHICLES' WEBSITE OR DEPARTMENT OF MOTOR VEHI-
 26 CLES' UTICA PROCESSING CENTER THE RETENTION PERCENTAGE OF GROSS RECEIPTS

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

LBD15491-03-0

S. 7338

2

1 COLLECTED, AS SUCH RETENTION PERCENTAGE IS DESCRIBED IN PARAGRAPH (A) OF
 2 THIS SUBDIVISION WHICH SUCH COUNTY CLERK WOULD HAVE BEEN ENTITLED TO
 3 RETAIN PURSUANT TO THIS SUBDIVISION IF SUCH FEES HAD BEEN PROCESSED IN
 4 THE COUNTY OF RECORD OF THE REGISTRANT.

5 S 2. This act shall take effect April 1, 2011; provided, however, that
 6 effective immediately, the addition, amendment and/or repeal of any rule
 7 or regulation necessary for the implementation of this act on its effec-
 8 tive date are authorized and directed to be made and completed on or
 9 before such effective date.

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