

LEGISLATIVE FISCAL ESTIMATE:

Yes 5/24/2021

VETO MESSAGE:

No

GOVERNOR'S PRESS RELEASE ON SIGNING:

Yes

FOLLOWING WERE PRINTED:

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REPORTS:

No

HEARINGS:

No

NEWSPAPER ARTICLES:

No

RWH/JA

§§1,2
C.39:3-27.160 and
39:3-27.161
§3
Note

P.L. 2021, CHAPTER 254, *approved October 27, 2021*
Senate, No. 92 (*First Reprint*)

1 AN ACT authorizing the issuance of Protect Pollinator license plates
2 and supplementing chapter 3 of Title 39 of the Revised Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. a. Upon proper application, the Chief Administrator of the
8 New Jersey Motor Vehicle Commission shall issue Protect Pollinators
9 license plates for any motor vehicle owned or leased and registered in
10 the State. In addition to the registration number and other markings or
11 identification otherwise prescribed by law, the license plate shall
12 display ¹:

13 (1)¹ appropriate words or a slogan ¹;¹ and ¹[an emblem
14 representing one or more animal pollinators native to New Jersey.
15 The]

16 (2) emblems of the State bird, the Eastern goldfinch; the State bug,
17 the honeybee; and the State butterfly, the Black Swallowtail butterfly.

18 The Garden Club of New Jersey, Inc. shall design the license
19 plates in consultation with the¹ chief administrator ¹[shall select the
20 design, including an emblem and color scheme] , which shall include
21 the selection of a color scheme, the appropriate words or a slogan as
22 required pursuant to paragraph (1) of this subsection, and the emblems
23 required in paragraph (2) of this subsection¹. Protect Pollinators
24 license plates shall be subject to the provisions of chapter 3 of Title 39
25 of the Revised Statutes, except as hereinafter otherwise specifically
26 provided.

27 b. Application for issuance of a Protect Pollinators license plate
28 shall be made to the chief administrator on forms and in a manner
29 prescribed by the chief administrator. In order to be deemed complete,
30 an application shall be accompanied by a fee of \$50, payable to the
31 New Jersey Motor Vehicle Commission, which shall be in addition to
32 the fees otherwise prescribed by law for the registration of a motor
33 vehicle. The chief administrator shall collect annually, subsequent to
34 the year of issuance of the Protect Pollinators license plate, a \$10 fee
35 for the license plate in addition to the fees otherwise prescribed by law
36 for the registration of a motor vehicle. ¹The fees required by this

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly floor amendments adopted November 16, 2020.

1 subsection shall be deposited in the "Protect Pollinators License Plate
2 Fund," created pursuant to subsection c. of this section.¹

3 c. There is created in the Department of the Treasury a special
4 non-lapsing fund to be known as the "Protect Pollinators License Plate
5 Fund." There shall be deposited in the fund the amount collected from
6 all license plate fees collected pursuant to subsection b. of this section,
7 less the amounts necessary to reimburse the commission for
8 administrative costs associated with the program. Monies deposited in
9 the fund shall be appropriated annually to ¹:

10 (1)¹ the Conserve Wildlife Foundation of New Jersey and **['to']**¹
11 the "Integrated Roadside Vegetation Management Program"
12 established pursuant to section 3 of P.L.2017, c.44 (C.27:7-42.4) in
13 order to support efforts to protect pollinator animals in the State ¹; and

14 (2) the "New Jersey Farm to School Program" established pursuant
15 to section 2 of P.L.2011, c.10 (C.4:10-25.2) in order to support the
16 connection between food and pollinators and educate school children
17 about this connection¹. Monies deposited in the fund shall be held in
18 interest-bearing accounts in public depositories as defined pursuant to
19 section 1 of P.L.1970, c.236 (C.17:9-41), and may be invested or
20 reinvested in such securities as are approved by the State Treasurer.
21 Interest or other income earned on monies deposited in the fund, and
22 any monies which may be appropriated or otherwise become available
23 for the purposes of the fund, shall be credited to and deposited in the
24 fund for use as set forth in this act.

25 d. Prior to the deposit of the additional fees collected pursuant to
26 subsection b. of this section into the "Protect Pollinators License Plate
27 Fund," amounts thereof as are necessary shall be used to reimburse the
28 commission for all costs reasonably and actually incurred, as stipulated
29 by the chief administrator, for:

30 (1) producing, issuing, renewing, and publicizing the availability
31 of the Protect Pollinators license plates; and

32 (2) any computer programming changes that may be initially
33 necessary to implement the Protect Pollinators license plate program
34 established by this act, in an amount not to exceed \$150,000.

35 e. The chief administrator shall annually certify to the State
36 Treasurer the average cost per license plate incurred in the
37 immediately preceding year by the commission in producing, issuing,
38 renewing, and publicizing the availability of the Protect Pollinators
39 license plates. The annual certification of the average cost per license
40 plate shall be approved by the Joint Budget Oversight Committee, or
41 its successor. In the event that the average cost per license plate as
42 certified by the chief administrator and approved by the Joint Budget
43 Oversight Committee, or its successor, is greater than the \$50
44 application fee established in subsection b. of this section in two
45 consecutive fiscal years, the chief administrator may discontinue the
46 issuance of Protect Pollinators license plates.

1 f. The chief administrator shall notify eligible motorists of the
2 opportunity to obtain Protect Pollinators license plates by publicizing
3 the availability of the license plates on the website of the commission.

4 ¹The Garden Club of New Jersey, Inc. may publicize the availability
5 of Protect Pollinators license plates in any manner the Garden Club of
6 New Jersey deems appropriate.

7 g. The chief administrator and the Garden Club of New Jersey,
8 Inc. shall develop and enter into a memorandum of agreement setting
9 forth the procedures to be followed in carrying out their respective
10 responsibilities under this act.

11 h. The Garden Club of New Jersey, Inc. shall appoint a
12 representative who shall act as a liaison between the organization and
13 the commission. The liaison shall represent the Garden Club of New
14 Jersey, Inc. in any and all communications with the commission
15 regarding the Protect the Pollinators license plates established pursuant
16 to this act.¹

17
18 ¹2. a. No State or other public funds shall be used by the
19 commission for the initial cost of:

20 (1) producing, issuing, and publicizing the availability of
21 Protect Pollinators license plates; or

22 (2) any computer programming changes which may be
23 necessary to implement the Protect Pollinators license plate
24 program established pursuant to this act.

25 b. The Garden Club of New Jersey, Inc. or other individual or
26 entity designated by the Garden Club of New Jersey, Inc., shall
27 contribute monies in an amount to be determined by the chief
28 administrator, not to exceed a total of \$25,000, to be used to offset
29 the initial costs incurred by the commission for producing, issuing,
30 and publicizing the availability of Protect Pollinators license plates,
31 and any computer programming which may be necessary to
32 implement the program. To further help offset the initial costs
33 incurred by the commission for the special license plates authorized
34 by this act, other concerned organizations and individual donors
35 may contribute monies to the Garden Club of New Jersey, Inc., or
36 an individual or entity designated by the Garden Club of New
37 Jersey, Inc., for this purpose. Any amount remaining after the
38 payment of the initial costs shall be deposited in the "Protect
39 Pollinators License Plate Fund," established pursuant to subsection
40 c. of section 1 of this act.

41 c. The commission shall not begin designing, producing,
42 issuing, or publicizing the availability of Protect Pollinators license
43 plates, or making any necessary programming changes, until the
44 following requirements have been met:

45 (1) The Garden Club of New Jersey, Inc. or the individual or
46 entity designated by the Garden Club of New Jersey, Inc., has
47 provided the commission with the money necessary, as determined
48 by the chief administrator pursuant to subsection b. of this section,

1 to offset the initial costs incurred by the commission in establishing
2 the Protect Pollinators license plate program; and
3 (2) The liaison appointed by the Garden Club of New Jersey,
4 Inc. pursuant to subsection h. of section 1 of this act has provided
5 the commission with not less than 500 completed applications for
6 Protect Pollinators license plates. These applications shall constitute
7 the initial order for Protect Pollinators license plates and shall be
8 accompanied by a fee representing the total cost of the initial order.
9 Such fee shall be determined by multiplying the number of sets of
10 license plates being ordered by the applicable initial fee for each set
11 of license plates as set forth in subsection b. of section 1 of this
12 act.¹

13
14 ¹[2.] 3.¹ This act shall take effect immediately ¹, but shall
15 remain inoperable until the first day of the seventh month following
16 the date on which the conditions set forth in paragraphs (1) and (2)
17 of subsection c. of section 2 of this act have been satisfied. The
18 chief administrator may take such anticipatory acts in advance of
19 that date as may be necessary for the timely implementation of this
20 act. This act shall expire if the conditions set forth in paragraphs (1)
21 and (2) of subsection c. of section 2 of this act are not satisfied by
22 the last day of the 12th month following enactment¹.

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26
27 Authorizes issuance of Protect Pollinators license plates.

SENATE, No. 92

STATE OF NEW JERSEY 219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Senator CHRISTOPHER "KIP" BATEMAN

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

Senator LINDA R. GREENSTEIN

District 14 (Mercer and Middlesex)

SYNOPSIS

Authorizes issuance of Protect Pollinators license plates.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT authorizing the issuance of Protect Pollinator license plates
2 and supplementing chapter 3 of Title 39 of the Revised Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. a. Upon proper application, the Chief Administrator of the
8 New Jersey Motor Vehicle Commission shall issue Protect
9 Pollinators license plates for any motor vehicle owned or leased and
10 registered in the State. In addition to the registration number and
11 other markings or identification otherwise prescribed by law, the
12 license plate shall display appropriate words or a slogan and an
13 emblem representing one or more animal pollinators native to New
14 Jersey. The chief administrator shall select the design, including an
15 emblem and color scheme. Protect Pollinators license plates shall
16 be subject to the provisions of chapter 3 of Title 39 of the Revised
17 Statutes, except as hereinafter otherwise specifically provided.

18 b. Application for issuance of a Protect Pollinators license plate
19 shall be made to the chief administrator on forms and in a manner
20 prescribed by the chief administrator. In order to be deemed
21 complete, an application shall be accompanied by a fee of \$50,
22 payable to the New Jersey Motor Vehicle Commission, which shall
23 be in addition to the fees otherwise prescribed by law for the
24 registration of a motor vehicle. The chief administrator shall collect
25 annually, subsequent to the year of issuance of the Protect
26 Pollinators license plate, a \$10 fee for the license plate in addition
27 to the fees otherwise prescribed by law for the registration of a
28 motor vehicle.

29 c. There is created in the Department of the Treasury a special
30 non-lapsing fund to be known as the "Protect Pollinators License
31 Plate Fund." There shall be deposited in the fund the amount
32 collected from all license plate fees collected pursuant to subsection
33 b. of this section, less the amounts necessary to reimburse the
34 commission for administrative costs associated with the program.
35 Monies deposited in the fund shall be appropriated annually to the
36 Conserve Wildlife Foundation of New Jersey and to the "Integrated
37 Roadside Vegetation Management Program" established pursuant to
38 section 3 of P.L.2017, c.44 (C.27:7-42.4) in order to support efforts
39 to protect pollinator animals in the State. Monies deposited in the
40 fund shall be held in interest-bearing accounts in public depositories
41 as defined pursuant to section 1 of P.L.1970, c.236 (C.17:9-41), and
42 may be invested or reinvested in such securities as are approved by
43 the State Treasurer. Interest or other income earned on monies
44 deposited in the fund, and any monies which may be appropriated
45 or otherwise become available for the purposes of the fund, shall be
46 credited to and deposited in the fund for use as set forth in this act.

47 d. Prior to the deposit of the additional fees collected pursuant
48 to subsection b. of this section into the "Protect Pollinators License

1 Plate Fund," amounts thereof as are necessary shall be used to
2 reimburse the commission for all costs reasonably and actually
3 incurred, as stipulated by the chief administrator, for:

4 (1) producing, issuing, renewing, and publicizing the
5 availability of the Protect Pollinators license plates; and

6 (2) any computer programming changes that may be initially
7 necessary to implement the Protect Pollinators license plate
8 program established by this act, in an amount not to exceed
9 \$150,000.

10 e. The chief administrator shall annually certify to the State
11 Treasurer the average cost per license plate incurred in the
12 immediately preceding year by the commission in producing,
13 issuing, renewing, and publicizing the availability of the Protect
14 Pollinators license plates. The annual certification of the average
15 cost per license plate shall be approved by the Joint Budget
16 Oversight Committee, or its successor. In the event that the average
17 cost per license plate as certified by the chief administrator and
18 approved by the Joint Budget Oversight Committee, or its
19 successor, is greater than the \$50 application fee established in
20 subsection b. of this section in two consecutive fiscal years, the
21 chief administrator may discontinue the issuance of Protect
22 Pollinators license plates.

23 f. The chief administrator shall notify eligible motorists of the
24 opportunity to obtain Protect Pollinators license plates by
25 publicizing the availability of the license plates on the website of
26 the commission.

27

28 2. This act shall take effect immediately.

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STATEMENT

32

33 This bill would require the New Jersey Motor Vehicle
34 Commission to create "Protect Pollinator" license plates, to be
35 issued upon application for any motor vehicle registered in the
36 State. The license plate would feature a design and slogan that
37 expresses support for New Jersey's native pollinator animals.
38 Applicants for the license plate would be required to pay an initial
39 fee of \$50 and a subsequent \$10 fee to renew the license plates.

40 The bill would also establish a special fund called the "Protect
41 Pollinators License Plate Fund" in the Department of the Treasury.
42 Any monies from application fees that are not used to administer
43 the license plate program would be deposited in this fund and
44 annually appropriated to the Conserve Wildlife Foundation of New
45 Jersey and to the "Integrated Roadside Vegetation Management
46 Program" established pursuant to section 3 of P.L.2017, c.44
47 (C.27:7-42.4), in order to support efforts to protect pollinator

S92 BATEMAN, GREENSTEIN

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1 animals in the State.

2 The program could be discontinued by the Chief Administrator
3 of the Motor Vehicle Commission in the event that the average cost
4 per plate of the program exceeds \$50 in two consecutive fiscal
5 years.

ASSEMBLY AGRICULTURE COMMITTEE

STATEMENT TO

SENATE, No. 92

STATE OF NEW JERSEY

DATED: OCTOBER 22, 2020

The Assembly Agriculture Committee reports favorably Senate Bill No. 92.

This bill would require the New Jersey Motor Vehicle Commission to create "Protect Pollinator" license plates, to be issued upon application for any motor vehicle registered in the State. The license plate would feature a design and slogan that expresses support for New Jersey's native pollinator animals. Applicants for the license plate would be required to pay an initial fee of \$50 and a subsequent \$10 fee to renew the license plates.

The bill would also establish a special fund called the "Protect Pollinators License Plate Fund" in the Department of the Treasury. Any monies from application fees that are not used to administer the license plate program would be deposited in this fund and annually appropriated to the Conserve Wildlife Foundation of New Jersey and to the "Integrated Roadside Vegetation Management Program" established pursuant to section 3 of P.L.2017, c.44 (C.27:7-42.4), in order to support efforts to protect pollinator animals in the State.

The program could be discontinued by the Chief Administrator of the Motor Vehicle Commission in the event that the average cost per plate of the program exceeds \$50 in two consecutive fiscal years.

As reported by the committee, this bill is identical to Assembly Bill No. 4717 as also reported by the committee.

SENATE ENVIRONMENT AND ENERGY COMMITTEE

STATEMENT TO

SENATE, No. 92

STATE OF NEW JERSEY

DATED: JULY 29, 2020

The Senate Environment and Energy Committee favorably reports Senate Bill No. 92.

This bill would require the New Jersey Motor Vehicle Commission to create "Protect Pollinator" license plates, to be issued upon application for any motor vehicle registered in the State. The license plate would feature a design and slogan that expresses support for New Jersey's native pollinator animals. Applicants for the license plate would be required to pay an initial fee of \$50 and a subsequent \$10 fee to renew the license plates.

The bill would also establish a special fund called the "Protect Pollinators License Plate Fund" in the Department of the Treasury. Any monies from application fees that are not used to administer the license plate program would be deposited in this fund and annually appropriated to the Conserve Wildlife Foundation of New Jersey and to the "Integrated Roadside Vegetation Management Program" established pursuant to section 3 of P.L.2017, c.44 (C.27:7-42.4), in order to support efforts to protect pollinator animals in the State.

The program could be discontinued by the Chief Administrator of the Motor Vehicle Commission in the event that the average cost per plate of the program exceeds \$50 in two consecutive fiscal years.

This bill was pre-filed for introduction in the 2020-2021 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

STATEMENT TO

SENATE, No. 92

with Assembly Floor Amendments
(Proposed by Assemblyman HOUGHTALING)

ADOPTED: NOVEMBER 16, 2020

These floor amendments make changes to the bill to:

1) require the Garden Club of New Jersey, Inc. to design the license plates in consultation with the Chief Administrator of the Motor Vehicle Commission and to include certain emblems on the license plate;

2) provide that the additional fees collected for the license plate would be deposited in the “Protect Pollinators License Plate Fund” established in the bill;

3) authorize the Garden Club of New Jersey, Inc. to publicize the availability of Protect Pollinators license plates as it deems appropriate;

4) direct the Chief Administrator of the Motor Vehicle Commission and the Garden Club of New Jersey, Inc. to develop and enter into a memorandum of agreement setting forth the procedures to carry out their respective responsibilities under the bill;

5) require the Garden Club of New Jersey, Inc. to appoint a liaison to provide the Motor Vehicle Commission with no less than 500 completed applications for the license plates together with the required fees;

6) prohibit the use of any State funds for the initial costs of the license plates;

7) require the initial costs of the license plates to be offset by donations collected by the Garden Club of New Jersey or its designee in an amount specified by the commission but not to exceed \$25,000;

8) provide the license plates cannot be developed or issued until the required amount of donations and 500 completed applications for license plates are received; and

9) provide that if the required amount of donations and 500 completed applications are not received by one year following the date of enactment, the law would expire.

LEGISLATIVE FISCAL ESTIMATE
SENATE, No. 92
STATE OF NEW JERSEY
219th LEGISLATURE

DATED: SEPTEMBER 2, 2020

SUMMARY

Synopsis: Authorizes issuance of Protect Pollinators license plates.

Type of Impact: Annual State revenue and cost increases.

Agencies Affected: New Jersey Motor Vehicle Commission; Department of Transportation.

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Thereafter</u>
State Cost Increase	\$65,700	Indeterminate
State Revenue Increase	Indeterminate	Indeterminate

- The Office of Legislative Services (OLS) finds that the bill will produce annual State revenue and expenditure increases that will largely offset one another. The OLS cannot quantify the annual increases because it is unclear how many applications for the new specialty license plate the New Jersey Motor Vehicle Commission (MVC) will receive.
- The bill establishes the Protect Pollinators license plate program in a manner that does not guarantee that the MVC will fully recover the expenses incurred in administering the program. The MVC has identified its initial cost of designing and establishing a new license plate series as \$65,700 for computer system changes and the initial print of 550 license plates. The OLS notes, however, that the implementation of the bill is not conditioned upon the receipt by the MVC of a minimum of 550 applications for the new specialty license plate.
- The MVC will receive a \$50 application fee and a \$10 annual renewal fee per license plate. The application and annual fee collections will likely be used to reimburse the MVC for the expenses it incurs in administering the license plate program as the MVC is permitted to retain additional fee amounts until its costs are fully reimbursed. The bill permits the MVC to end the program if cost of the license plates, which includes the administration of the license plate program, exceeds the application fee in two consecutive fiscal years.

- After the MVC recovers the license program administration costs, the Conserve Wildlife Foundation of New Jersey (CWF), a non-profit organization, and the Integrated Roadside Vegetation Management Program, (IRVM program) administered by the Department of Transportation, may realize any positive revenue generated by the plate fees, estimated between \$5,000 and \$275,000, as the recipients of the dedicated cause funds.

BILL DESCRIPTION

The bill requires the MVC to create Protect Pollinators license plates, to be issued upon application for any motor vehicle registered in the State. Under the bill, applicants for the license plate are required to pay an initial fee of \$50 and a subsequent \$10 fee to renew the license plates.

The bill also establishes the Protect Pollinators License Plate Fund in the Department of the Treasury. Any monies from application fees that are not used to administer the license plate program are to be deposited in this fund and annually appropriated to the Conserve Wildlife Foundation of New Jersey and to the Integrated Roadside Vegetation Management Program.

The license plate program may be discontinued by the Chief Administrator of the MVC in the event that the average cost per plate of the program exceeds \$50 in two consecutive fiscal years.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS finds that the bill will produce indeterminate annual State revenue and expenditure increases. However, the OLS cannot quantify the annual effects these increases will have on each other because it is unclear how many applications for the new specialty license plate the MVC will receive.

In response to an OLS Discussion Point in the FY 2017-2018, the MVC indicated that its upfront cost was \$65,700 to set up a license plate program, which includes computer changes and the initial print run of 550 plates.

The bill establishes the Protect Pollinators license plate program in such a manner that does not guarantee that the MVC will fully recover the expenses that it incurs in administration of the license plate program. The MVC indicated in response to an FY 2017-2018 OLS Discussion Point that it faced an upfront cost of \$65,700 to initiate a license plate program, which includes computer changes and the initial print of 550 license plates. If the number of license plate applications is below 550 in the first 12 months following the effective date, the MVC may not fully recover its expenditures.

However, if the number of applications is equal to or greater than 550, the MVC is likely to recover its costs within approximately seven years of the creation of the license plate program. Pursuant to the bill, the MVC could obtain the first \$27,500 of its costs through the initial application fee of \$50 received from the individual license plate sales. The remaining \$38,200 will likely be recovered through the sale of additional Protect Pollinator license plates or by

retaining the \$10 annual fee from the original license plate customers. The first 550 license plate sales will generate \$5,500 per year from the \$10 annual renewal fee. Under this scenario, in the event that no other plates were purchased under the program, the MVC would recover the remaining costs after seven years of collecting the annual fee.

Section: Authorities, Utilities, Transportation and Communication

*Analyst: Sheree D. Henderson
Senior Counsel*

*Approved: Frank W. Haines III
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

SENATE, No. 92

STATE OF NEW JERSEY 219th LEGISLATURE

DATED: MAY 24, 2021

SUMMARY

Synopsis: Authorizes issuance of Protect Pollinators license plates.

Type of Impact: Annual State revenue and expenditure increases.

Agencies Affected: New Jersey Motor Vehicle Commission

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Thereafter</u>
State Cost Increase	\$65,700	Indeterminate
State Revenue Increase	\$50,000	At least \$15,700

- The Office of Legislative Services (OLS) finds that the bill will produce annual State revenue and expenditure increases that will largely offset one another. The OLS cannot quantify the annual increases because it is unclear how many applications for the new specialty license plate the New Jersey Motor Vehicle Commission (MVC) will receive. The OLS notes, however, that the implementation of the bill is conditioned upon the receipt by the MVC of a minimum of 500 applications for the new specialty license plate.
- The bill establishes the Protect Pollinator license plate program in such a manner that the MVC may fully recover the expenses incurred in administering the program. The MVC has identified its initial cost of designing and establishing a new license plate series as \$65,700, which is largely attributable to computer system changes, and the initial print run of 500 plates.
- The MVC will receive a \$50 license plate application fee in addition to a \$10 annual renewal fee. Initial fee collections will reimburse the MVC for the expenses it incurs in administering the program. In addition, the MVC will have to receive an initial payment of up to \$25,000 and a minimum of 500 license plate applications for a total of \$50,000 to offset initial costs before license plate production begins. The MVC will then be permitted to retain additional fee amounts until its costs are fully reimbursed.

- After the MVC's cost recovery, indeterminate excess application and renewal fee collections will be appropriated to the Conserve Wildlife Foundation of New Jersey, the "Integrated Roadside Vegetation Management Program," and the "New Jersey Farm to School Program".

BILL DESCRIPTION

This bill authorizes the Chief Administrator of the MVC to issue special Protect Pollinators license plates.

In addition to all fees otherwise required by law for the registration of a motor vehicle, there is an application fee of \$50 and an annual renewal fee of \$10 for the Protect Pollinators license plates. After the deduction of the MVC costs to implement the program, additional fees are to be deposited into a special non-lapsing fund known as the "Protect Pollinators License Plate Fund." The proceeds of the fund are to be annually appropriated to the Conserve Wildlife Foundation of New Jersey, the "Integrated Roadside Vegetation Management Program," and the "New Jersey Farm to School Program".

The chief administrator is required to annually certify the average cost of producing, issuing, renewing, and publicizing the availability of the specialty license plates. If the average cost per plate exceeds \$50 in two consecutive fiscal years, the chief administrator may discontinue the license plate program.

The bill provides that State or other public funds are not to be used by the commission for the initial cost to implement the Protect Pollinators license plate program. The bill requires the Garden Club of New Jersey, Inc. or an individual or entity designated by the Garden Club of New Jersey, Inc. to contribute non-public monies, not to exceed \$25,000, to offset the initial costs to design, produce, issue, and publicize the license plates and for computer programming changes which may be necessary to implement the program. The bill authorizes the Garden Club of New Jersey, Inc. to receive funds from private sources to be used to offset the initial costs.

The commission is not required to design, produce, issue, or publicize the availability of the license plates or make any necessary programming changes, until: (1) the Garden Club of New Jersey, Inc. or the individual or entity designated by the Garden Club of New Jersey, Inc. has provided the commission with the money necessary to offset the initial costs incurred by the commission in establishing the license plate program; and (2) the Garden Club of New Jersey, Inc. liaison has provided the commission with a minimum of 500 completed applications for the license plates.

FISCAL ANALYSIS

EXECUTIVE BRANCH

The Executive has not submitted a formal, written fiscal note for this bill. However, in response to an OLS Discussion Point in the FY 2017-2018 Department of Transportation and Motor Vehicle Commission Budget Analysis the MVC indicated that its upfront cost was \$65,700 to set up a license plate program, which includes computer changes and the initial print run of 550 plates.

OFFICE OF LEGISLATIVE SERVICES

The OLS finds that the bill will produce annual State revenue and expenditure increases that will largely offset one another. The OLS cannot quantify the annual increases because it is unclear how many applications for the new specialty license plate the MVC will receive.

The bill establishes the Protect Pollinators license plate program in such a manner that the MVC may fully recover the expenses it incurs in administering the program. If the number of license plate applications is below 500 in the first 12 months following the effective date, the bill will expire without the creation of the license plate program. Conversely, if the number of applications is equal to or greater than 500, the MVC will be able to recover its costs within no more than three years of the creation of the program.

Before the MVC begins designing and producing the license plates, the Garden Club of New Jersey, Inc. is required to provide up to \$25,000 and pre-register 500 applicants for the license plates. This requirement ensures that the MVC will be able to recover its initial costs in producing the license plates, and if enough funds are not provided, the MVC will not be required to produce the license plates. The payment of up to \$25,000 is required to come from private sources so the amount will not be a State or local cost.

Upon production of the license plates, the MVC may still discontinue the program if the production cost exceeds \$50 per license plate, which is the initial fee that the MVC will collect for each plate. This ensures that the MVC will not experience any net costs in the administration of this license plate program. The current cost per plate to the MVC is \$6.60 so it is unlikely that the MVC will experience any net cost in the administration of the program.

The MVC indicated in response to an FY 2017-2018 OLS Discussion Point that it faced an upfront cost of \$65,700 to set up a license plate program, which includes computer changes and the initial print run of 550 license plates. The requirements of the bill would provide the MVC with the first \$50,000 of those costs through the initial \$25,000 payment and the first 500 license plate sales. The remaining \$15,700 would either be recovered through the sale of additional Protect Pollinators license plates or by retaining collections from the \$10 annual fee. The first 500 plate sales will generate \$5,000 per year from the \$10 annual renewal fee. So in the event that no other plates were purchased under the program, the MVC would largely recover the remaining costs after three years of collecting the annual fee.

The bill prevents the MVC from realizing net revenues in administering the program because the bill requires the MVC to deposit all program fees into a special fund to be appropriated to the Conserve Wildlife Foundation of New Jersey, the "Integrated Roadside Vegetation Management Program," and the "New Jersey Farm to School Program", once the MVC has subtracted its costs in administering the program. The combination of guaranteed fee collection for the MVC and the limit on retaining any fees greater than its cost creates a scenario where there is likely to be no net fiscal impact to the MVC in the administration of this license plate program.

Section: Authorities, Utilities, Transportation and Communications

*Analyst: Amanda DeMarco
Assistant Research Analyst*

*Approved: Thomas Koenig
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

ASSEMBLY, No. 4717

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED SEPTEMBER 21, 2020

Sponsored by:

Assemblyman ERIC HOUGHTALING

District 11 (Monmouth)

Assemblyman RONALD S. DANCER

District 12 (Burlington, Middlesex, Monmouth and Ocean)

Assemblywoman LISA SWAIN

District 38 (Bergen and Passaic)

Assemblyman JAMES J. KENNEDY

District 22 (Middlesex, Somerset and Union)

Co-Sponsored by:

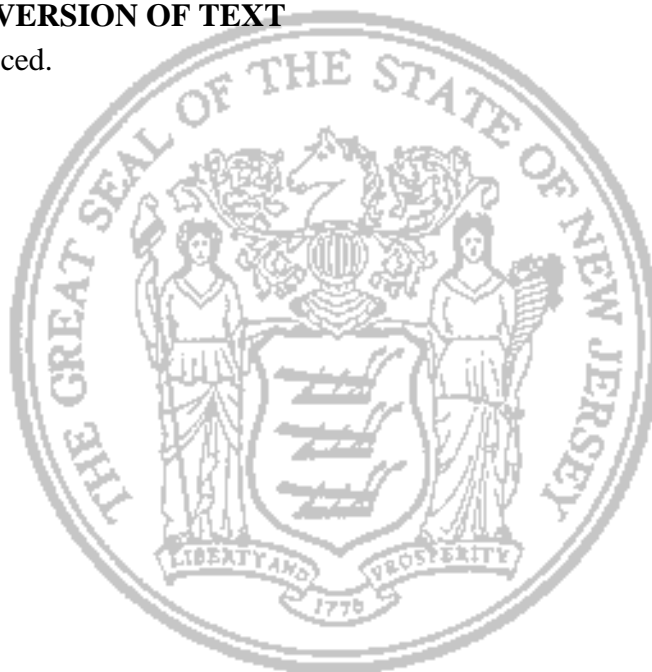
Assemblyman Zwicker

SYNOPSIS

Authorizes issuance of Protect Pollinators license plates.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 10/29/2020)

1 AN ACT authorizing the issuance of Protect Pollinator license plates
2 and supplementing chapter 3 of Title 39 of the Revised Statutes.

3

4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6

7 1. a. Upon proper application, the Chief Administrator of the
8 New Jersey Motor Vehicle Commission shall issue Protect
9 Pollinators license plates for any motor vehicle owned or leased and
10 registered in the State. In addition to the registration number and
11 other markings or identification otherwise prescribed by law, the
12 license plate shall display appropriate words or a slogan and an
13 emblem representing one or more animal pollinators native to New
14 Jersey. The chief administrator shall select the design, including an
15 emblem and color scheme. Protect Pollinators license plates shall
16 be subject to the provisions of chapter 3 of Title 39 of the Revised
17 Statutes, except as hereinafter otherwise specifically provided.

18 b. Application for issuance of a Protect Pollinators license plate
19 shall be made to the chief administrator on forms and in a manner
20 prescribed by the chief administrator. In order to be deemed
21 complete, an application shall be accompanied by a fee of \$50,
22 payable to the New Jersey Motor Vehicle Commission, which shall
23 be in addition to the fees otherwise prescribed by law for the
24 registration of a motor vehicle. The chief administrator shall collect
25 annually, subsequent to the year of issuance of the Protect
26 Pollinators license plate, a \$10 fee for the license plate in addition
27 to the fees otherwise prescribed by law for the registration of a
28 motor vehicle.

29 c. There is created in the Department of the Treasury a special
30 non-lapsing fund to be known as the "Protect Pollinators License
31 Plate Fund." There shall be deposited in the fund the amount
32 collected from all license plate fees collected pursuant to subsection
33 b. of this section, less the amounts necessary to reimburse the
34 commission for administrative costs associated with the program.
35 Monies deposited in the fund shall be appropriated annually to the
36 Conserve Wildlife Foundation of New Jersey and to the "Integrated
37 Roadside Vegetation Management Program" established pursuant to
38 section 3 of P.L.2017, c.44 (C.27:7-42.4) in order to support efforts
39 to protect pollinator animals in the State. Monies deposited in the
40 fund shall be held in interest-bearing accounts in public depositories
41 as defined pursuant to section 1 of P.L.1970, c.236 (C.17:9-41), and
42 may be invested or reinvested in such securities as are approved by
43 the State Treasurer. Interest or other income earned on monies
44 deposited in the fund, and any monies which may be appropriated
45 or otherwise become available for the purposes of the fund, shall be
46 credited to and deposited in the fund for use as set forth in this act.

1 d. Prior to the deposit of the additional fees collected pursuant
2 to subsection b. of this section into the "Protect Pollinators License
3 Plate Fund," amounts thereof as are necessary shall be used to
4 reimburse the commission for all costs reasonably and actually
5 incurred, as stipulated by the chief administrator, for:

6 (1) producing, issuing, renewing, and publicizing the
7 availability of the Protect Pollinators license plates; and

8 (2) any computer programming changes that may be initially
9 necessary to implement the Protect Pollinators license plate
10 program established by this act, in an amount not to exceed
11 \$150,000.

12 e. The chief administrator shall annually certify to the State
13 Treasurer the average cost per license plate incurred in the
14 immediately preceding year by the commission in producing,
15 issuing, renewing, and publicizing the availability of the Protect
16 Pollinators license plates. The annual certification of the average
17 cost per license plate shall be approved by the Joint Budget
18 Oversight Committee, or its successor. In the event that the average
19 cost per license plate as certified by the chief administrator and
20 approved by the Joint Budget Oversight Committee, or its
21 successor, is greater than the \$50 application fee established in
22 subsection b. of this section in two consecutive fiscal years, the
23 chief administrator may discontinue the issuance of Protect
24 Pollinators license plates.

25 f. The chief administrator shall notify eligible motorists of the
26 opportunity to obtain Protect Pollinators license plates by
27 publicizing the availability of the license plates on the website of
28 the commission.

29

30 2. This act shall take effect immediately.

31

32

33

STATEMENT

34

35 This bill would require the New Jersey Motor Vehicle
36 Commission to create "Protect Pollinator" license plates, to be
37 issued upon application for any motor vehicle registered in the
38 State. The license plate would feature a design and slogan that
39 expresses support for New Jersey's native pollinator animals.
40 Applicants for the license plate would be required to pay an initial
41 fee of \$50 and a subsequent \$10 fee to renew the license plates.

42 The bill would also establish a special fund called the "Protect
43 Pollinators License Plate Fund" in the Department of the Treasury.
44 Any monies from application fees that are not used to administer
45 the license plate program would be deposited in this fund and
46 annually appropriated to the Conserve Wildlife Foundation of New

A4717 HOUGHTALING, DANCER

4

1 Jersey and to the "Integrated Roadside Vegetation Management
2 Program" established pursuant to section 3 of P.L.2017, c.44
3 (C.27:7-42.4), in order to support efforts to protect pollinator
4 animals in the State.

5 The program could be discontinued by the Chief Administrator
6 of the Motor Vehicle Commission in the event that the average cost
7 per plate of the program exceeds \$50 in two consecutive fiscal
8 years.

STATEMENT TO
ASSEMBLY, No. 4717

with Assembly Floor Amendments
(Proposed by Assemblyman HOUGHTALING)

ADOPTED: NOVEMBER 16, 2020

These floor amendments make changes to the bill to:

- 1) require the Garden Club of New Jersey, Inc. to design the license plates in consultation with the Chief Administrator of the Motor Vehicle Commission and to include certain emblems on the license plate;
- 2) provide that the additional fees collected for the license plate would be deposited in the “Protect Pollinators License Plate Fund” established in the bill;
- 3) authorize the Garden Club of New Jersey, Inc. to publicize the availability of Protect Pollinators license plates as it deems appropriate;
- 4) direct the Chief Administrator of the Motor Vehicle Commission and the Garden Club of New Jersey, Inc. to develop and enter into a memorandum of agreement setting forth the procedures to carry out their respective responsibilities under the bill;
- 5) require the Garden Club of New Jersey, Inc. to appoint a liaison to provide the Motor Vehicle Commission with no less than 500 completed applications for the license plates together with the required fees;
- 6) prohibit the use of any State funds for the initial costs of the license plates;
- 7) require the initial costs of the license plates to be offset by donations collected by the Garden Club of New Jersey or its designee in an amount specified by the commission but not to exceed \$25,000;
- 8) provide the license plates cannot be developed or issued until the required amount of donations and 500 completed applications for license plates are received; and
- 9) provide that if the required amount of donations and 500 completed applications are not received by one year following the date of enactment, the law would expire.

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

ASSEMBLY, No. 4717

STATE OF NEW JERSEY 219th LEGISLATURE

DATED: MAY 24, 2021

SUMMARY

Synopsis: Authorizes issuance of Protect Pollinators license plates.

Type of Impact: Annual State revenue and expenditure increases.

Agencies Affected: New Jersey Motor Vehicle Commission

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Thereafter</u>
State Cost Increase	\$65,700	Indeterminate
State Revenue Increase	\$50,000	At least \$15,700

- The Office of Legislative Services (OLS) finds that the bill will produce annual State revenue and expenditure increases that will largely offset one another. The OLS cannot quantify the annual increases because it is unclear how many applications for the new specialty license plate the New Jersey Motor Vehicle Commission (MVC) will receive. The OLS notes, however, that the implementation of the bill is conditioned upon the receipt by the MVC of a minimum of 500 applications for the new specialty license plate.
- The bill establishes the Protect Pollinator license plate program in such a manner that the MVC may fully recover the expenses incurred in administering the program. The MVC has identified its initial cost of designing and establishing a new license plate series as \$65,700, which is largely attributable to computer system changes, and the initial print run of 500 plates.
- The MVC will receive a \$50 license plate application fee in addition to a \$10 annual renewal fee. Initial fee collections will reimburse the MVC for the expenses it incurs in administering the program. In addition, the MVC will have to receive an initial payment of up to \$25,000 and a minimum of 500 license plate applications for a total of \$50,000 to offset initial costs before license plate production begins. The MVC will then be permitted to retain additional fee amounts until its costs are fully reimbursed.

- After the MVC's cost recovery, indeterminate excess application and renewal fee collections will be appropriated to the Conserve Wildlife Foundation of New Jersey, the "Integrated Roadside Vegetation Management Program," and the "New Jersey Farm to School Program".

BILL DESCRIPTION

This bill authorizes the Chief Administrator of the MVC to issue special Protect Pollinators license plates.

In addition to all fees otherwise required by law for the registration of a motor vehicle, there is an application fee of \$50 and an annual renewal fee of \$10 for the Protect Pollinators license plates. After the deduction of the MVC costs to implement the program, additional fees are to be deposited into a special non-lapsing fund known as the "Protect Pollinators License Plate Fund." The proceeds of the fund are to be annually appropriated to the Conserve Wildlife Foundation of New Jersey, the "Integrated Roadside Vegetation Management Program," and the "New Jersey Farm to School Program".

The chief administrator is required to annually certify the average cost of producing, issuing, renewing, and publicizing the availability of the specialty license plates. If the average cost per plate exceeds \$50 in two consecutive fiscal years, the chief administrator may discontinue the license plate program.

The bill provides that State or other public funds are not to be used by the commission for the initial cost to implement the Protect Pollinators license plate program. The bill requires the Garden Club of New Jersey, Inc. or an individual or entity designated by the Garden Club of New Jersey, Inc. to contribute non-public monies, not to exceed \$25,000, to offset the initial costs to design, produce, issue, and publicize the license plates and for computer programming changes which may be necessary to implement the program. The bill authorizes the Garden Club of New Jersey, Inc. to receive funds from private sources to be used to offset the initial costs.

The commission is not required to design, produce, issue, or publicize the availability of the license plates or make any necessary programming changes, until: (1) the Garden Club of New Jersey, Inc. or the individual or entity designated by the Garden Club of New Jersey, Inc. has provided the commission with the money necessary to offset the initial costs incurred by the commission in establishing the license plate program; and (2) the Garden Club of New Jersey, Inc. liaison has provided the commission with a minimum of 500 completed applications for the license plates.

FISCAL ANALYSIS

EXECUTIVE BRANCH

The Executive has not submitted a formal, written fiscal note for this bill. However, in response to an OLS Discussion Point in the FY 2017-2018 Department of Transportation and Motor Vehicle Commission Budget Analysis the MVC indicated that its upfront cost was \$65,700 to set up a license plate program, which includes computer changes and the initial print run of 550 plates.

OFFICE OF LEGISLATIVE SERVICES

The OLS finds that the bill will produce annual State revenue and expenditure increases that will largely offset one another. The OLS cannot quantify the annual increases because it is unclear how many applications for the new specialty license plate the MVC will receive.

The bill establishes the Protect Pollinators license plate program in such a manner that the MVC may fully recover the expenses it incurs in administering the program. If the number of license plate applications is below 500 in the first 12 months following the effective date, the bill will expire without the creation of the license plate program. Conversely, if the number of applications is equal to or greater than 500, the MVC will be able to recover its costs within no more than three years of the creation of the program.

Before the MVC begins designing and producing the license plates, the Garden Club of New Jersey, Inc. is required to provide up to \$25,000 and pre-register 500 applicants for the license plates. This requirement ensures that the MVC will be able to recover its initial costs in producing the license plates, and if enough funds are not provided, the MVC will not be required to produce the license plates. The payment of up to \$25,000 is required to come from private sources so the amount will not be a State or local cost.

Upon production of the license plates, the MVC may still discontinue the program if the production cost exceeds \$50 per license plate, which is the initial fee that the MVC will collect for each plate. This ensures that the MVC will not experience any net costs in the administration of this license plate program. The current cost per plate to the MVC is \$6.60 so it is unlikely that the MVC will experience any net cost in the administration of the program.

The MVC indicated in response to an FY 2017-2018 OLS Discussion Point that it faced an upfront cost of \$65,700 to set up a license plate program, which includes computer changes and the initial print run of 550 license plates. The requirements of the bill would provide the MVC with the first \$50,000 of those costs through the initial \$25,000 payment and the first 500 license plate sales. The remaining \$15,700 would either be recovered through the sale of additional Protect Pollinators license plates or by retaining collections from the \$10 annual fee. The first 500 plate sales will generate \$5,000 per year from the \$10 annual renewal fee. So in the event that no other plates were purchased under the program, the MVC would largely recover the remaining costs after three years of collecting the annual fee.

The bill prevents the MVC from realizing net revenues in administering the program because the bill requires the MVC to deposit all program fees into a special fund to be appropriated to the Conserve Wildlife Foundation of New Jersey, the "Integrated Roadside Vegetation Management Program," and the "New Jersey Farm to School Program", once the MVC has subtracted its costs in administering the program. The combination of guaranteed fee collection for the MVC and the limit on retaining any fees greater than its cost creates a scenario where there is likely to be no net fiscal impact to the MVC in the administration of this license plate program.

Section: Authorities, Utilities, Transportation and Communications

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Governor Murphy Takes Action on Legislation

10/27/2021

TRENTON – Today, Governor Murphy signed the following bills into law:

S-92/A-4717 (Bateman, Greenstein/Houghtaling, Dancer, Swain, Kennedy) – Authorizes issuance of Protect Pollinators license plates

S-818/A-2284 (Lagana, Pou/Mazzeo, Armato, Webber) – Permits transmittal of certain proposed county ordinances by electronic mail

S-3881/A-5834 (Sarlo/Coughlin, Jasey) – Extends deadline for completion and filing of annual audit report of school district for 2020-2021 school year; establishes deadline for submission of Audit Summary for 2020-2021 school year