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

6396

2009-2010 Regular Sessions

I N A S S E M B L Y

March 3, 2009

Introduced by M. of A. ORTIZ, CANESTRARI, NOLAN, PHEFFER, SCHROEDER, BALL, HAWLEY, LUPARDO, LATIMER -- Multi-Sponsored by -- M. of A. CUSICK, DESTITO, McENENY -- read once and referred to the Committee on Veterans' Affairs

AN ACT to amend the executive law, in relation to powers and duties of the division of veterans' affairs; and to repeal subdivision 12 of section 353 of such law relating thereto

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

Section 1. Subdivision 12 of section 353 of the executive law is REPEALED and a new subdivision 12 is added to read as follows:

12. TO ESTABLISH, OPERATE AND MAINTAIN STATE VETERANS' CEMETERIES AND TO MAKE APPLICATION TO THE GOVERNMENT OF THE UNITED STATES OR ANY POLITICAL SUBDIVISION, AGENCY OR INSTRUMENTALITY THEREOF, FOR FUNDS FOR THE PURPOSE OF ESTABLISHING, EXPANDING OR IMPROVING SUCH CEMETERIES. IN ADDITION, THE STATE MAY VOLUNTARILY ENTER INTO AGREEMENTS WITH ANY SUBDIVISION OF THE STATE FOR ASSISTANCE IN OPERATING AND MAINTAINING SUCH CEMETERIES. RESPONSIBILITY FOR THE PROPER AND RESPECTFUL OPERATION OF SUCH CEMETERIES, HOWEVER, SHALL BE VESTED IN THE STATE AND SUFFICIENT FUNDING SHALL BE APPROPRIATED TO MAINTAIN AND OPERATE SUCH CEMETERIES AS FITTING SHRINES TO THE MILITARY SERVICE OF THE VETERANS OF THE STATE. THE STATE SHALL OWN THE LAND ON WHICH SUCH VETERANS' CEMETERIES ARE LOCATED. LOCATIONS SHOULD BE EASILY ACCESSIBLE BY ROADWAY TO CONCENTRATIONS OF VETERAN POPULATIONS. THE DIVISION SHALL HAVE THE AUTHORITY TO ACCEPT SUITABLE CEMETERY LAND, IN ACCORDANCE WITH FEDERAL VETERANS' CEMETERY GRANT GUIDELINES, FROM THE FEDERAL GOVERNMENT, STATE GOVERNMENT, STATE SUBDIVISIONS, PRIVATE SOURCES AND ANY OTHER SOURCE WISHING TO TRANSFER SUCH LAND FOR USE AS A VETERANS' CEMETERY.

S 2. This act shall take effect on the one hundred twentieth day after it shall have become a law.

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

LBD09968-01-9