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

716

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. CAHILL, GALEF, GOTTFRIED, FINCH -- Multi-Sponsored by -- M. of A. JOHN, LAVINE, McENENY, MOLINARO, J. RIVERA, SWEENEY, TOWNS, WEISENBERG -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to authorizing the issuance of distinctive "Explore NY 400" license plates; and to amend the state finance law, in relation to establishing the "Explore NY 400 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-x to read as follows:

S 404-X. DISTINCTIVE "EXPLORE NY 400" LICENSE PLATE. 1. ANY PERSON RESIDING IN THIS STATE SHALL, UPON REQUEST, BE ISSUED A DISTINCTIVE "EXPLORE NY 400" LICENSE PLATE OF A DESIGN APPROVED BY THE COMMISSIONER. APPLICATION FOR SAID LICENSE PLATE SHALL BE FILED WITH THE COMMISSIONER IN SUCH FORM AND DETAIL AS THE COMMISSIONER SHALL PRESCRIBE.

2. A DISTINCTIVE "EXPLORE NY 400" LICENSE PLATE ISSUED PURSUANT TO THIS SECTION SHALL BE ISSUED IN THE SAME MANNER AS OTHER NUMBER PLATES UPON PAYMENT OF THE REGULAR REGISTRATION FEE PRESCRIBED BY SECTION FOUR HUNDRED ONE OF THIS ARTICLE AND AN ADDITIONAL ANNUAL SERVICE CHARGE OF TWENTY-FIVE DOLLARS. SUCH ANNUAL SERVICE CHARGE SHALL BE DEPOSITED PURSUANT TO THE PROVISIONS OF 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 LICENSE PLATES PURSUANT TO SUCH SECTION NINETY-FIVE-G; PROVIDED, HOWEVER, THAT ANNUAL SERVICE CHARGES COLLECTED IN EXCESS OF SIX THOUSAND DOLLARS SHALL BE DEPOSITED TO THE CREDIT OF THE "EXPLORE NY 400 FUND" ESTABLISHED PURSUANT TO SECTION EIGHTY-SIX OF

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

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THE STATE FINANCE LAW AND SHALL BE USED TO DEVELOP, PLAN, PROMOTE AND COORDINATE ACTIVITIES TO COMMEMORATE THE HUDSON-FULTON-CHAMPLAIN QUADRICENTENNIAL, PURSUANT TO SUCH SECTION EIGHTY-SIX.

S 2. The state finance law is amended by adding a new section 86 to read as follows:

S 86. EXPLORE NY 400 FUND. 1. THERE IS HEREBY ESTABLISHED IN THE JOINT CUSTODY OF THE STATE COMPTROLLER AND THE COMMISSIONER OF TAXATION AND FINANCE A SPECIAL FUND TO BE KNOWN AS THE "EXPLORE NY 400 FUND".

2. THE EXPLORE NY 400 FUND SHALL CONSIST OF ALL MONEYS COLLECTED PURSUANT TO SECTION FOUR HUNDRED FOUR-X OF THE VEHICLE AND TRAFFIC LAW, AND ALL OTHER MONEYS APPROPRIATED, CREDITED OR TRANSFERRED THERETO FROM ANY OTHER FUND OR SOURCE PURSUANT TO LAW. NOTHING CONTAINED HEREIN SHALL PREVENT THE STATE FROM RECEIVING GRANTS, GIFTS OR BEQUESTS FOR THE PURPOSES OF THE FUND AS DEFINED IN THIS SECTION AND DEPOSITING THEM INTO THE FUND ACCORDING TO LAW.

3. THE MONEYS OF THE EXPLORE NY 400 FUND SHALL BE EXPENDED ONLY TO DEVELOP, PLAN, PROMOTE AND COORDINATE ACTIVITIES, AS SET FORTH IN SUBDIVISION ONE OF SECTION THREE OF CHAPTER FIVE HUNDRED NINETY OF THE LAWS OF TWO THOUSAND ONE, TO COMMEMORATE THE HUDSON-FULTON-CHAMPLAIN QUADRICENTENNIAL COMMISSION, EXCLUSIVE OF ADMINISTRATIVE EXPENSES. MONEYS SHALL BE PAYABLE FROM THE FUND ON THE AUDIT AND WARRANT OF THE STATE COMPTROLLER ON VOUCHERS APPROVED BY THE CHAIR OF THE HUDSON-FULTON-CHAMPLAIN QUADRICENTENNIAL COMMISSION. ANY INTEREST RECEIVED BY THE STATE COMPTROLLER ON MONEYS ON DEPOSIT IN THE FUND SHALL BE RETAINED IN AND BECOME PART OF SUCH FUND. NO MONEY FROM THE FUND MAY BE WITHDRAWN, TRANSFERRED OR USED BY ANY PERSON FOR ANY PURPOSE OTHER THAN AS PERMITTED BY THIS SECTION.

S 3. This act shall take effect on the one hundred eightieth day after it shall have become a law; provided, however, that any rules and regulations required to implement the provisions of this act shall be promulgated on or before such effective date.