

2009-2010 Regular Sessions

I N S E N A T E

January 15, 2009

Introduced by Sen. ALESI -- 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 and the state finance law, in relation to creating the "stop prostate cancer" distinctive license plate program and applying the revenues raised from the new program to the purposes of the prostate and testicular cancer research and education fund

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

1 Section 1. The vehicle and traffic law is amended by adding a new  
2 section 404-x to read as follows:  
3 S 404-X. DISTINCTIVE "STOP PROSTATE CANCER" LICENSE PLATES. 1. ANY  
4 PERSON RESIDING IN THIS STATE SHALL, UPON REQUEST, BE ISSUED A DISTINC-  
5 TIVE "STOP PROSTATE CANCER" LICENSE PLATE IN SUPPORT OF PROSTATE AND  
6 TESTICULAR CANCER RESEARCH BEARING THE PHRASE "STOP PROSTATE CANCER".  
7 APPLICATION FOR SAID LICENSE PLATE SHALL BE FILED WITH THE COMMISSIONER  
8 IN SUCH FORM AND DETAIL AS THE COMMISSIONER SHALL PRESCRIBE.  
9 2. A DISTINCTIVE PLATE ISSUED PURSUANT TO THIS SECTION SHALL BE ISSUED  
10 IN THE SAME MANNER AS OTHER NUMBER PLATES UPON THE PAYMENT OF THE REGU-  
11 LAR REGISTRATION FEE PRESCRIBED BY SECTION FOUR HUNDRED ONE OF THIS  
12 ARTICLE; PROVIDED, HOWEVER, THAT AN ADDITIONAL ANNUAL SERVICE CHARGE OF  
13 TWENTY-FIVE DOLLARS SHALL BE CHARGED FOR SUCH PLATES. TWENTY DOLLARS  
14 FROM EACH TWENTY-FIVE DOLLARS RECEIVED AS THE ANNUAL SERVICE CHARGE  
15 UNDER THIS SECTION SHALL BE DEPOSITED TO THE CREDIT OF THE "PROSTATE AND  
16 TESTICULAR CANCER RESEARCH AND EDUCATION FUND" ESTABLISHED PURSUANT TO  
17 SECTION NINETY-SEVEN-CCC OF THE STATE FINANCE LAW AND SHALL BE USED FOR  
18 THE PURPOSES OF SUCH FUND; AND PROVIDED FURTHER, HOWEVER, THAT ONE YEAR  
19 AFTER THE EFFECTIVE DATE OF THIS SECTION, FUNDS IN THE AMOUNT OF SEVEN  
20 THOUSAND FIVE HUNDRED DOLLARS, OR SO MUCH THEREOF AS MAY BE AVAILABLE,  
21 SHALL BE ALLOCATED TO THE DEPARTMENT TO OFFSET COSTS ASSOCIATED WITH THE  
22 PRODUCTION OF SUCH LICENSE PLATES.

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

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1 S 2. Section 97-ccc of the state finance law, as added by chapter 219  
2 of the laws of 1997, subdivision 2 as amended by chapter 528 of the laws  
3 of 1999, is amended to read as follows:

4 S 97-ccc. Prostate and testicular cancer research and education fund.  
5 1. There is hereby established in the joint custody of the commissioner  
6 of taxation and finance and the comptroller, a special fund to be known  
7 as the "prostate and testicular cancer research and education fund".

8 2. Such fund shall consist of ALL REVENUES RECEIVED PURSUANT TO THE  
9 PROVISIONS OF SECTION FOUR HUNDRED FOUR-X OF THE VEHICLE AND TRAFFIC  
10 LAW, all revenues received pursuant to an appropriation by the legisla-  
11 ture, all moneys collected pursuant to section four hundred four-q of  
12 the vehicle and traffic law, AS ADDED BY CHAPTER FIVE HUNDRED  
13 TWENTY-EIGHT OF THE LAWS OF NINETEEN HUNDRED NINETY-NINE, and all other  
14 moneys appropriated, credited, or transferred thereto from any other  
15 fund or source pursuant to law. Nothing contained herein shall prevent  
16 the state from receiving grants, gifts, or bequests for the purposes of  
17 the fund as defined in this section and depositing them into the fund  
18 according to law.

19 3. Monies of the fund shall be expended only for prostate and testicu-  
20 lar cancer research and educational projects. As used in this section,  
21 "prostate and testicular cancer research and education projects" means  
22 scientific research or educational projects which are approved by the  
23 department of health and shall include but not be limited to:

24 (a) SCIENTIFIC RESEARCH OR EDUCATIONAL PROJECTS INTO THE CAUSES,  
25 TREATMENT, AND PREVENTION OF PROSTATE AND TESTICULAR CANCER UPON THE  
26 RECOMMENDATION OF THE HEALTH RESEARCH SCIENCE BOARD PURSUANT TO SECTION  
27 TWENTY-FOUR HUNDRED ELEVEN OF THE PUBLIC HEALTH LAW;

28 (B) establishment of a public education and outreach campaign to  
29 publicize prostate and testicular cancer detection and education  
30 services, including the extent of coverage for such services by health  
31 insurance, the medical assistance program, and other public and private  
32 programs;

33 [(b)] (C) compilation of data concerning the prostate and testicular  
34 cancer detection and education program and dissemination of the data to  
35 the public;

36 [(c)] (D) development of professional education programs, including  
37 the benefits of early detection of prostate and testicular cancer and  
38 the recommended frequency of the test and examination therefor; and

39 [(d)] (E) to further the goals and duties of the prostate and testicu-  
40 lar cancer detection and education advisory council established in  
41 section twenty-four hundred fifteen of the public health law.

42 4. Monies shall be payable from the fund on the audit and warrant of  
43 the comptroller on vouchers approved and certified by the commissioner  
44 of health.

45 5. To the extent practicable, the commissioner of health shall ensure  
46 that all monies received during a fiscal year are expended prior to the  
47 end of that fiscal year.

48 S 3. This act shall take effect on the one hundred eightieth day after  
49 it shall have become a law, provided, however, that effective immediate-  
50 ly, the addition, amendment, or repeal of any rules or regulations  
51 necessary for the implementation of the foregoing sections of this act  
52 on its effective date is authorized and directed to be made and  
53 completed on or before such effective date.