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

779

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:

Section 1. The vehicle and traffic law is amended by adding a new section 404-x to read as follows:

S 404-X. DISTINCTIVE "STOP PROSTATE CANCER" LICENSE PLATES. 1. ANY PERSON RESIDING IN THIS STATE SHALL, UPON REQUEST, BE ISSUED A DISTINCTIVE "STOP PROSTATE CANCER" LICENSE PLATE IN SUPPORT OF PROSTATE AND TESTICULAR CANCER RESEARCH BEARING THE PHRASE "STOP PROSTATE CANCER". APPLICATION FOR SAID LICENSE PLATE SHALL BE FILED WITH THE COMMISSIONER IN SUCH FORM AND DETAIL AS THE COMMISSIONER SHALL PRESCRIBE.

2. A DISTINCTIVE PLATE ISSUED PURSUANT TO THIS SECTION SHALL BE ISSUED IN THE SAME MANNER AS OTHER NUMBER PLATES UPON THE PAYMENT OF THE REGULAR REGISTRATION FEE PRESCRIBED BY SECTION FOUR HUNDRED ONE OF THIS ARTICLE; PROVIDED, HOWEVER, THAT AN ADDITIONAL ANNUAL SERVICE CHARGE OF TWENTY-FIVE DOLLARS SHALL BE CHARGED FOR SUCH PLATES. TWENTY DOLLARS FROM EACH TWENTY-FIVE DOLLARS RECEIVED AS THE ANNUAL SERVICE CHARGE UNDER THIS SECTION SHALL BE DEPOSITED TO THE CREDIT OF THE "PROSTATE AND TESTICULAR CANCER RESEARCH AND EDUCATION FUND" ESTABLISHED PURSUANT TO SECTION NINETY-SEVEN-CCC OF THE STATE FINANCE LAW AND SHALL BE USED FOR THE PURPOSES OF SUCH FUND; AND PROVIDED FURTHER, HOWEVER, THAT ONE YEAR AFTER THE EFFECTIVE DATE OF THIS SECTION, FUNDS IN THE AMOUNT OF SEVEN THOUSAND FIVE HUNDRED DOLLARS, OR SO MUCH THEREOF AS MAY BE AVAILABLE, SHALL BE ALLOCATED TO THE DEPARTMENT TO OFFSET COSTS ASSOCIATED WITH THE 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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S 2. Section 97-ccc of the state finance law, as added by chapter 219 of the laws of 1997, subdivision 2 as amended by chapter 528 of the laws of 1999, is amended to read as follows:

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

2. Such fund shall consist of ALL REVENUES RECEIVED PURSUANT TO THE PROVISIONS OF SECTION FOUR HUNDRED FOUR-X OF THE VEHICLE AND TRAFFIC LAW, all revenues received pursuant to an appropriation by the legislature, all moneys collected pursuant to section four hundred four-q of the vehicle and traffic law, AS ADDED BY CHAPTER FIVE HUNDRED TWENTY-EIGHT OF THE LAWS OF NINETEEN HUNDRED NINETY-NINE, 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. Monies of the fund shall be expended only for prostate and testicular cancer research and educational projects. As used in this section, "prostate and testicular cancer research and education projects" means scientific research or educational projects which are approved by the department of health and shall include but not be limited to:

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

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

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

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

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

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

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

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