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

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2009-2010 Regular Sessions

I N A S S E M B L Y

February 5, 2009

Introduced by M. of A. P. LOPEZ, ALFANO, BACALLES, BALL, CALHOUN, CROUCH, ERRIGO, FINCH, HAWLEY, McKEVITT, MOLINARO, SALADINO, SCOZZAFAVA, SPANO, TOWNSEND -- Multi-Sponsored by -- M. of A. BARCLAY, BARRA, BURLING, CONTE, DUPREY, GIGLIO, KOLB, SAYWARD, THIELE, WALKER, WEISENBERG -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the military law, in relation to creating a day care assistance program for members of the organized militia serving federal active duty; and making an appropriation therefor

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

Section 1. The military law is amended by adding a new section 224 to read as follows:

S 224. DAY CARE ASSISTANCE PROGRAM. 1. THE DIVISION OF MILITARY AND NAVAL AFFAIRS, IN CONJUNCTION WITH THE OFFICE OF CHILDREN AND FAMILY SERVICES SHALL DEVELOP AND IMPLEMENT A DAY CARE ASSISTANCE PROGRAM TO BENEFIT MEMBERS OF THE ORGANIZED MILITIA OF THIS STATE WHO HAVE BEEN CALLED TO ACTIVE MILITARY SERVICE OF THE UNITED STATES.

2. THE PROGRAM SHALL PROVIDE FINANCIAL ASSISTANCE, WITHIN AMOUNTS APPROPRIATED THEREFOR, FOR REIMBURSABLE DAY CARE COSTS FOR DEPENDENT CHILDREN OF MEMBERS OF THE ORGANIZED MILITIA WHO HAVE BEEN CALLED TO ACTIVE MILITARY SERVICE FOR A PERIOD OF SIX TO TWENTY-FOUR MONTHS AND WHO ARE SERVING IN MILITARY OPERATIONS OUTSIDE THE CONTINENTAL UNITED STATES OR WHO ARE CALLED UP FOR ACTIVE MILITARY SERVICE FOR A PERIOD IN EXCESS OF TWELVE MONTHS WITHIN THE CONTINENTAL UNITED STATES.

3. FINANCIAL AID MAY BE PROVIDED TO THE PARENT OR LEGAL GUARDIAN OF A DEPENDENT CHILD OF AN ACTIVE DUTY MEMBER UNDER THIS SECTION PURSUANT TO REGULATIONS ESTABLISHED BY THE DIVISION IN CONJUNCTION WITH THE OFFICE OF CHILDREN AND FAMILY SERVICES.

4. THE DIVISION OF MILITARY AND NAVAL AFFAIRS, IN CONJUNCTION WITH THE OFFICE OF CHILDREN AND FAMILY SERVICES, SHALL CREATE AND DISSEMINATE

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

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INFORMATIONAL MATERIALS REGARDING THE AVAILABILITY OF AID PROVIDED UNDER THIS PROGRAM TO MEMBERS OF THE ORGANIZED MILITIA, WHICH SHALL INCLUDE INFORMATION ON WHERE AND HOW TO APPLY FOR SUCH AID.

S 2. The sum of five hundred thousand dollars ($500,000), or so much thereof as may be necessary, is hereby appropriated to the division of military and naval affairs out of any moneys in the state treasury in the general fund to the credit of the state purposes account, not otherwise appropriated, and made immediately available, for the purpose of carrying out the provisions of this act. Such moneys shall be payable on the audit and warrant of the comptroller on vouchers certified or approved by the adjutant general in the manner prescribed by law.

S 3. This act shall take effect on the ninetieth day after it shall have become a law; provided, however, that effective immediately, the division of military and naval affairs, in conjunction with the office of children and family services, shall promulgate any rules or regulations necessary for the implementation of this act on or before such effective date.