

S. 1391

A. 3958

2009-2010 Regular Sessions

S E N A T E - A S S E M B L Y

January 29, 2009

IN SENATE -- Introduced by Sens. LAVALLE, SMITH, ALESI, FLANAGAN, O. JOHNSON, LARKIN, MAZIARZ, ONORATO, PARKER, SAMPSON, SEWARD, STACHOWSKI, VOLKER, WINNER -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

IN ASSEMBLY -- Introduced by M. of A. SCARBOROUGH -- Multi-Sponsored by -- M. of A. ALFANO, PHEFFER, THIELE -- read once and referred to the Committee on Education

AN ACT to amend the vehicle and traffic law and the state finance law, in relation to creating the "September eleventh, two thousand one remembrance" distinctive license plate program

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 "SEPTEMBER ELEVENTH, TWO THOUSAND ONE REMEM-
 4 BRANCE" LICENSE PLATES. 1. ANY PERSON RESIDING IN THIS STATE SHALL, UPON
 5 REQUEST, BE ISSUED A DISTINCTIVE "SEPTEMBER ELEVENTH, TWO THOUSAND ONE
 6 REMEMBRANCE" LICENSE PLATE. APPLICATION FOR SUCH LICENSE PLATE SHALL BE
 7 FILED WITH THE COMMISSIONER IN SUCH FORM AND DETAIL AS THE COMMISSIONER
 8 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. SUCH ANNUAL
 14 SERVICE CHARGE SHALL BE DEPOSITED PURSUANT TO THE PROVISIONS OF SECTION
 15 FOUR HUNDRED FOUR-00 OF THIS ARTICLE, TO THE CREDIT OF THE DEPARTMENT OF
 16 MOTOR VEHICLES DISTINCTIVE PLATE DEVELOPMENT FUND ESTABLISHED BY SECTION
 17 NINETY-FIVE-G OF THE STATE FINANCE LAW, AND SHALL BE USED FOR THE
 18 PRODUCTION, DESIGN, ADVERTISING AND MARKETING OF DISTINCTIVE LICENSE

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

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1 PLATES PURSUANT TO SUCH SECTION NINETY-FIVE-G; PROVIDED, HOWEVER, THAT
2 ANNUAL SERVICE CHARGES COLLECTED IN EXCESS OF SIX THOUSAND DOLLARS SHALL
3 BE DEPOSITED TO THE CREDIT OF "THE SEPTEMBER ELEVENTH, TWO THOUSAND ONE
4 SCHOLARSHIP FUND" ESTABLISHED PURSUANT TO SECTION NINETY-SIX-A OF THE
5 STATE FINANCE LAW AND SHALL BE USED FOR HIGHER EDUCATION OF VICTIMS WHO
6 LOST AN IMMEDIATE FAMILY MEMBER AS A RESULT OF THE SEPTEMBER ELEVENTH,
7 TWO THOUSAND ONE TERRORIST ATTACKS IN NEW YORK, PURSUANT TO SECTION
8 NINETY-SIX-A OF THE STATE FINANCE LAW.

9 S 2. The state finance law is amended by adding a new section 96-a to
10 read as follows:

11 S 96-A. THE SEPTEMBER ELEVENTH, TWO THOUSAND ONE SCHOLARSHIP FUND. 1.
12 THERE IS HEREBY ESTABLISHED, IN THE JOINT CUSTODY OF THE COMMISSIONER OF
13 TAXATION AND FINANCE AND THE COMPTROLLER, A SPECIAL FUND TO BE KNOWN AS
14 THE SEPTEMBER ELEVENTH, TWO THOUSAND ONE SCHOLARSHIP FUND.

15 2. SUCH FUND SHALL CONSIST OF ALL REVENUES RECEIVED PURSUANT TO THE
16 PROVISIONS OF SECTION FOUR HUNDRED FOUR-X OF THE VEHICLE AND TRAFFIC LAW
17 AND ALL OTHER MONEYS APPROPRIATED, CREDITED, OR TRANSFERRED THERETO FROM
18 ANY OTHER FUND OR SOURCE PURSUANT TO LAW. NOTHING CONTAINED IN THIS
19 SECTION SHALL PREVENT THE STATE FROM RECEIVING GRANTS, GIFTS, OR
20 BEQUESTS FOR THE PURPOSES OF THE FUND, AS DEFINED IN THIS SECTION, AND
21 DEPOSITING THEM INTO THE FUND ACCORDING TO LAW.

22 3. MONIES OF THE FUND SHALL BE EXPENDED ONLY FOR HIGHER EDUCATION OF
23 VICTIMS WHO LOST AN IMMEDIATE FAMILY MEMBER AS A RESULT OF THE SEPTEMBER
24 ELEVENTH, TWO THOUSAND ONE TERRORIST ATTACKS IN NEW YORK.

25 4. MONIES SHALL BE PAYABLE FROM THE FUND ON THE AUDIT AND WARRANT OF
26 THE COMPTROLLER ON VOUCHERS APPROVED AND CERTIFIED BY THE COMMISSIONER
27 OF EDUCATION.

28 5. TO THE EXTENT POSSIBLE, THE COMMISSIONER OF EDUCATION SHALL ENSURE
29 THAT ALL MONIES RECEIVED DURING A FISCAL YEAR ARE EXPENDED PRIOR TO THE
30 END OF THAT FISCAL YEAR.

31 S 3. This act shall take effect on the one hundred eightieth day after
32 it shall have become a law.