

S. 798

A. 2388

2009-2010 Regular Sessions

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

January 15, 2009

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IN SENATE -- Introduced by Sens. LAVALLE, ALESİ, FLANAGAN, HUNTLEY, LARKIN, LEIBELL, MAZIARZ, MORAHAN, ROBACH, SEWARD, STACHOWSKI, WINNER -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

IN ASSEMBLY -- Introduced by M. of A. ENGLEBRIGHT, GABRYSZAK -- Multi-Sponsored by -- M. of A. ALFANO, BARRA -- 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 license plates bearing the words "Cure Childhood Cancer" and to amend the state finance law, in relation to establishing the cure childhood cancer trust 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 "CURE CHILDHOOD CANCER" LICENSE PLATES. 1. ANY  
4     PERSON RESIDING IN THIS STATE SHALL UPON REQUEST BE ISSUED A DISTINCTIVE  
5     LICENSE PLATE BEARING THE WORDS "CURE CHILDHOOD CANCER". APPLICATION  
6     FOR SAID LICENSE PLATES SHALL BE FILED WITH THE COMMISSIONER IN SUCH  
7     FORM AND DETAIL AS THE COMMISSIONER SHALL PRESCRIBE.  
8     2. ANY DISTINCTIVE PLATE ISSUED PURSUANT TO THIS SECTION SHALL BE  
9     ISSUED IN THE SAME MANNER AS OTHER NUMBER PLATES UPON THE PAYMENT OF THE  
10    REGULAR REGISTRATION FEE PRESCRIBED BY SECTION FOUR HUNDRED ONE OF THIS  
11    ARTICLE PROVIDED, HOWEVER, THAT AN ADDITIONAL ANNUAL SERVICE CHARGE OF  
12    TWENTY-FIVE DOLLARS SHALL BE CHARGED FOR SUCH PLATE. SUCH ANNUAL  
13    SERVICE CHARGE SHALL BE DEPOSITED PURSUANT TO THE PROVISIONS OF SECTION  
14    FOUR HUNDRED FOUR-OO OF THIS ARTICLE TO THE CREDIT OF THE DEPARTMENT OF  
15    MOTOR VEHICLES DISTINCTIVE PLATE DEVELOPMENT FUND ESTABLISHED BY SECTION  
16    NINETY-FIVE-G OF THE STATE FINANCE LAW, AND SHALL BE USED FOR THE  
17    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 "CURE CHILDHOOD CANCER TRUST FUND"  
4 ESTABLISHED PURSUANT TO SECTION NINETY-NINE-Q OF THE STATE FINANCE LAW  
5 AND SHALL BE USED FOR CHILDHOOD CANCER RESEARCH AND EDUCATION PROJECTS  
6 APPROVED BY THE COMMISSIONER OF HEALTH OR TO PROVIDE GRANTS TO STATE  
7 UNIVERSITY OF NEW YORK HEALTH SCIENCE CENTERS OR UNIVERSITY HOSPITALS  
8 FOR THE PURPOSE OF RESEARCHING AND PROMOTING A CURE FOR CHILDHOOD  
9 CANCER, PURSUANT TO SUCH SECTION NINETY-NINE-Q.

10 S 2. The state finance law is amended by adding a new section 99-q to  
11 read as follows:

12 S 99-Q. CURE CHILDHOOD CANCER TRUST FUND. 1. THERE IS HEREBY ESTAB-  
13 LISHED IN THE JOINT CUSTODY OF THE COMMISSIONER OF TAXATION AND FINANCE  
14 AND THE COMPTROLLER, A SPECIAL FUND TO BE KNOWN AS THE "CURE CHILDHOOD  
15 CANCER TRUST FUND".

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

23 3. MONIES OF THE FUND SHALL BE EXPENDED ONLY FOR CHILDHOOD CANCER  
24 RESEARCH AND EDUCATION PROJECTS APPROVED BY THE COMMISSIONER OF HEALTH,  
25 OR TO PROVIDE GRANTS TO STATE UNIVERSITY OF NEW YORK HEALTH SCIENCE  
26 CENTERS OR UNIVERSITY HOSPITALS FOR THE PURPOSE OF RESEARCHING AND  
27 PROMOTING A CURE FOR CHILDHOOD CANCER.

28 4. MONIES SHALL BE PAYABLE FROM THE FUND ON THE AUDIT AND WARRANT OF  
29 THE COMPTROLLER ON VOUCHERS APPROVED AND CERTIFIED BY THE COMMISSIONER  
30 OF HEALTH.

31 5. TO THE EXTENT PRACTICABLE, THE COMMISSIONER OF HEALTH SHALL ENSURE  
32 THAT ALL MONIES RECEIVED DURING A FISCAL YEAR ARE EXPENDED PRIOR TO THE  
33 END OF THAT FISCAL YEAR.

34 S 3. This act shall take effect on the one hundred eightieth day after  
35 it shall have become a law; provided, however, that effective immediate-  
36 ly, the addition, amendment and/or repeal of any rule or regulation  
37 necessary for the implementation of this act on its effective date is  
38 authorized and directed to be made and completed on or before such  
39 effective date.