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

1105

2011-2012 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 5, 2011

Introduced by M. of A. CUSICK, SCHIMMINGER, REILLY, CAHILL, SPANO, SCHROEDER, COLTON, ZEBROWSKI, GUNTHER, LUPARDO -- Multi-Sponsored by -- M. of A. GOTTFRIED, HOOPER, MAGEE, MAISEL, McENENY, MENG, J. MILLER, NOLAN, RAMOS, RUSSELL, SCHIMEL, SWEENEY, TITONE, TITUS, WEISENBERG -- read once and referred to the Committee on Transportation

AN ACT to amend the highway law, in relation to creating a state trooper highway memorial task force

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

Section 1. Legislative intent. It is the intent of the legislature to provide a mechanism to enhance recognition for fallen members of the state police who have given the ultimate sacrifice in the line of duty. It shall be the charge of the task force created by this act to develop a procedure for recognition of these dedicated men and women. Furthermore, this act is intended to define safe and acceptable methods of placing memorials along the highways of this state that appropriately pay tribute to their service and preserve their memory forever.

S 2. The highway law is amended by adding a new section 340-e to read as follows:

S 340-E. STATE TROOPER HIGHWAY MEMORIAL TASK FORCE. 1. THE STATE TROOPER HIGHWAY MEMORIAL TASK FORCE IS HEREBY CREATED TO BE COMPRISED OF THE COMMISSIONER OR HIS OR HER DESIGNEE, THE SUPERINTENDENT OF STATE POLICE OR HIS OR HER DESIGNEE, AND A MEMBER OF THE POLICE BENEVOLENT ASSOCIATION OF THE NEW YORK STATE TROOPERS, INC.

2. WITHIN NINETY DAYS OF THE EFFECTIVE DATE OF THIS SECTION, THE TASK FORCE SHALL DEVELOP AND ESTABLISH GUIDELINES FOR RECOGNITION OF MEMBERS OF THE DIVISION OF STATE POLICE WHO HAVE DIED IN THE LINE OF DUTY. SUCH RECOGNITION MAY BE IN THE FORM OF THE DEDICATION OF A PORTION OF A STATE HIGHWAY AND/OR THE PLACEMENT OF A MEMORIAL PLAQUE OR MARKER ALONG A STATE HIGHWAY. ANY PLACEMENT OF A MEMORIAL PLAQUE OR MARKER ALONG A

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

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STATE HIGHWAY SHALL BE APPROVED BY THE COMMISSIONER TO ENSURE THE SAFE AND EFFECTIVE TRAFFIC FLOW ALONG HIGHWAYS IN THIS STATE.

3. ANY PERSON MAY SUBMIT TO THE STATE TROOPER HIGHWAY MEMORIAL TASK FORCE, IN WRITING, A PETITION SEEKING RECOGNITION OF MEMBERS OF THE DIVISION OF STATE POLICE WHO HAVE GIVEN THEIR LIVES IN THE LINE OF DUTY. SUCH PETITION SHALL BE IN SUCH FORM AND CONTAIN SUCH INFORMATION AS THE TASK FORCE MAY REQUIRE. UPON THE RECEIPT OF A PETITION THE TASK FORCE SHALL CONSIDER THE REQUEST AND ADVISE THE APPLICANT, IN WRITING, OF A DECISION ON ANY ACTION TO BE TAKEN WITHIN SIXTY DAYS OF THE RECEIPT OF SUCH PETITION. UPON THE ACCEPTANCE OF ANY PETITION THE TASK FORCE SHALL DETERMINE THE APPROPRIATE FORM AND LOCATION OF THE MEMORIAL TO BE IMPLEMENTED.

S 3. The commissioner of transportation shall provide for the installation and maintenance of adequate memorial plaques, markers and signs along the state highway system as designated pursuant to section 340-e of the highway law, as added by section two of this act; provided that, to avoid any confusion and to limit any possible disruption of commerce, any designation called for pursuant to such section shall be one of a ceremonial nature and the official name of such highway shall not be changed as a result of this act.

S 4. This act shall take effect immediately.