

1485--A

Cal. No. 962

2015-2016 Regular Sessions

I N S E N A T E

January 12, 2015

Introduced by Sens. LAVALLE, GOLDEN, LARKIN, MARCHIONE, RANZENHOFER -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- recommitted to the Committee on Transportation in accordance with Senate Rule 6, sec. 8 -- committee discharged and said bill committed to the Committee on Rules -- reported favorably from said committee, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

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-cc to read as follows:  
3 S 404-CC. DISTINCTIVE "CURE CHILDHOOD CANCER" PLATES. 1. ANY PERSON  
4 RESIDING IN THIS STATE SHALL UPON REQUEST BE ISSUED A DISTINCTIVE PLATE  
5 IN SUPPORT OF CHILDHOOD CANCER RESEARCH BEARING THE WORDS "CURE CHILD-  
6 HOOD CANCER". APPLICATION FOR SUCH PLATES SHALL BE FILED WITH THE  
7 COMMISSIONER IN SUCH FORM AND DETAIL AS THE COMMISSIONER SHALL  
8 PRESCRIBE.  
9 2. ANY DISTINCTIVE PLATE ISSUED PURSUANT TO THIS SECTION SHALL BE  
10 ISSUED IN THE SAME MANNER AS OTHER NUMBER PLATES UPON THE PAYMENT OF THE  
11 REGULAR 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 PLATE. SUCH SERVICE  
14 CHARGE SHALL BE DEPOSITED PURSUANT TO THE PROVISIONS OF SECTION FOUR  
15 HUNDRED FOUR-00 OF THIS ARTICLE TO THE CREDIT OF THE DEPARTMENT OF MOTOR  
16 VEHICLES DISTINCTIVE PLATE DEVELOPMENT FUND ESTABLISHED BY SECTION NINE-

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

LBD00872-03-6

1 TY-FIVE-G OF THE STATE FINANCE LAW AND SHALL BE USED FOR THE DESIGN,  
2 PRODUCTION, ADVERTISING AND DISTRIBUTION OF DISTINCTIVE LICENSE PLATES  
3 IN ACCORDANCE WITH SUCH SECTION NINETY-FIVE-G. PROVIDED, HOWEVER, THAT  
4 ANNUAL SURCHARGES COLLECTED IN EXCESS OF SIX THOUSAND DOLLARS SHALL BE  
5 DEPOSITED TO THE CREDIT OF THE "CURE CHILDHOOD CANCER RESEARCH FUND"  
6 ESTABLISHED PURSUANT TO SECTION NINETY-NINE-Z OF THE STATE FINANCE LAW  
7 AND SHALL BE USED FOR RESEARCH PROGRAMS UNDERTAKEN PURSUANT TO SECTION  
8 NINETY-NINE-Z OF THE STATE FINANCE LAW.

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

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

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

22 2-A. ON OR BEFORE THE FIRST DAY OF FEBRUARY EACH YEAR, THE COMPTROLLER  
23 SHALL CERTIFY TO THE GOVERNOR, TEMPORARY PRESIDENT OF THE SENATE, SPEAK-  
24 ER OF THE ASSEMBLY, CHAIR OF THE SENATE FINANCE COMMITTEE AND CHAIR OF  
25 THE ASSEMBLY WAYS AND MEANS COMMITTEE, THE AMOUNT OF MONEY DEPOSITED IN  
26 THE CURE CHILDHOOD CANCER RESEARCH FUND DURING THE PRECEDING CALENDAR  
27 YEAR AS THE RESULT OF REVENUE DERIVED PURSUANT TO SECTION FOUR HUNDRED  
28 FOUR-CC OF THE VEHICLE AND TRAFFIC LAW AND FROM GRANTS, GIFTS AND  
29 BEQUESTS.

30 2-B. ON OR BEFORE THE FIRST DAY OF FEBRUARY EACH YEAR, THE COMMISSION-  
31 ER OF HEALTH SHALL PROVIDE A WRITTEN REPORT TO THE TEMPORARY PRESIDENT  
32 OF THE SENATE, SPEAKER OF THE ASSEMBLY, CHAIR OF THE SENATE FINANCE  
33 COMMITTEE, CHAIR OF THE ASSEMBLY WAYS AND MEANS COMMITTEE, CHAIR OF THE  
34 SENATE COMMITTEE ON HEALTH, CHAIR OF THE ASSEMBLY HEALTH COMMITTEE, THE  
35 STATE COMPTROLLER AND THE PUBLIC. SUCH REPORT SHALL INCLUDE HOW THE  
36 MONIES OF THE FUND WERE UTILIZED DURING THE PRECEDING CALENDAR YEAR, AND  
37 SHALL INCLUDE:

38 (I) THE AMOUNT OF MONEY DISBURSED FROM THE FUND AND THE AWARD PROCESS  
39 USED FOR SUCH DISBURSEMENTS;

40 (II) RECIPIENTS OF AWARDS FROM THE FUND;

41 (III) THE AMOUNT AWARDED TO EACH;

42 (IV) THE PURPOSES FOR WHICH SUCH AWARDS WERE GRANTED; AND

43 (V) A SUMMARY FINANCIAL PLAN FOR SUCH MONIES WHICH SHALL INCLUDE ESTI-  
44 MATES OF ALL RECEIPTS AND ALL DISBURSEMENTS FOR THE CURRENT AND SUCCEED-  
45 ING FISCAL YEARS, ALONG WITH THE ACTUAL RESULTS FROM THE PRIOR FISCAL  
46 YEAR.

47 3. MONIES OF THE FUND SHALL BE EXPENDED ONLY FOR CHILDHOOD CANCER  
48 RESEARCH PROJECTS APPROVED BY THE DEPARTMENT OF HEALTH IN NEW YORK  
49 STATE. AS USED IN THIS SECTION, THE TERM "CHILDHOOD CANCER RESEARCH  
50 PROJECT" MEANS SCIENTIFIC RESEARCH INTO THE CAUSES, PREVENTION, SCREEN-  
51 ING, TREATMENT AND CURE OF CHILDHOOD CANCERS.

52 4. MONIES SHALL BE PAYABLE FROM THE FUND ON THE AUDIT AND WARRANT OF  
53 THE COMPTROLLER ON VOUCHERS APPROVED AND CERTIFIED BY THE COMMISSIONER  
54 OF HEALTH.

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

4 S 3. This act shall take effect on the one hundred eightieth day after  
5 it shall have become a law; provided, however, that effective immediate-  
6 ly, the addition, amendment and/or repeal of any rule or regulation  
7 necessary for the implementation of this act on its effective date are  
8 authorized and directed to be made and completed on or before such  
9 effective date.