

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1002 Session of
2001

INTRODUCED BY TILGHMAN, JUBELIRER, BOSCOLA, LAVALLE, O'PAKE,
ORIE, D. WHITE, COSTA, THOMPSON, SCHWARTZ, MUSTO, ERICKSON,
CORMAN, MOWERY, KUKOVICH, LEMMOND, TOMLINSON AND EARLL,
JUNE 21, 2001

REFERRED TO PUBLIC HEALTH AND WELFARE, JUNE 21, 2001

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, providing for a surcharge to benefit spinal cord
3 injury research; and establishing the Spinal Cord Injury
4 Research Fund and the Spinal Cord Injury Research Board.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Title 75 of the Pennsylvania Consolidated
8 Statutes is amended by adding a section to read:

9 § 6507. Spinal cord injury surcharge.

10 (a) Levy and imposition.--In addition to any fines, fees or
11 penalties levied or imposed as provided by law, under this title
12 or any other statute, a surcharge shall be levied for
13 disposition in accordance with subsection (b) as follows:

14 (1) Upon conviction for any violation of the provisions
15 of this title or other statute of the Commonwealth, or
16 regulations promulgated under this title, which is a traffic
17 violation, exclusive of parking offenses, a surcharge of \$1.

18 (2) The provisions of this subsection shall not apply to

any violation committed by the operator of a motorcycle, motor-driven cycle, pedalcycle, motorized pedalcycle or recreational vehicle not intended for highway use.

(b) Disposition.--Notwithstanding the provisions of 42 Pa.C.S. §§ 3571 (relating to Commonwealth portion of fines, etc.) and 3573 (relating to municipal corporation portion of fines, etc.), all surcharges levied and collected under subsection (a) by any division of the unified judicial system existing under section 1 of Article V of the Constitution of Pennsylvania and 42 Pa.C.S. § 301 (relating to unified judicial system) shall be remitted to the Commonwealth for deposit in the fund.

(c) Spinal Cord Injury Research Fund.--The Spinal Cord Injury Research Fund is hereby established as a special nonlapsing fund in the State Treasury. All money deposited in the fund is hereby appropriated on a continuing basis to the Spinal Cord Injury Research Board. Moneys in the fund shall be used solely for spinal cord research.

(d) Establishment of board.--There is hereby established a Spinal Cord Injury Research Board consisting of 11 members.

(e) Term.--The term of office of each board member is four years. A member of the board is eligible for reappointment. If there is a vacancy for any cause, the Governor shall make the appropriate appointment to become effective immediately for the unexpired term.

(f) Appointments.--

(1) Of the 11 board members, three shall be appointed by the Governor, two shall be appointed by the President pro tempore of the Senate, two shall be appointed by the Minority Leader of the Senate, two shall be appointed by the Majority

Leader of the House of Representatives and two shall be appointed by the Minority Leader of the House of Representatives.

(2) The Governor's appointments shall include:

(i) One person who suffers from a spinal cord injury not related to a foreign war.

(ii) One person who suffers from a spinal cord injury who is a veteran of a foreign war.

(iii) One person who is knowledgeable in the field of spinal cord injury and spinal cord research.

(3) All legislative appointments to the board shall be members of the medical field in, but not limited to, neuroscience, neurology, neurosurgery, neuropharmacological and spinal cord rehabilitative medicine.

(g) Compensation.--The members of the board shall not receive compensation for their services, but shall be reimbursed for the actual and necessary expenses incurred in the performance of their duties as members of the board.

(h) Powers and duties of board.--The board shall have the following powers and duties:

(1) Elect one of its members as chairperson and another as vice chairperson, for terms and with such duties and powers necessary for the performance of the functions of such offices as the board determines.

(2) Meet at least once every six months at a place, day and hour determined by the chairperson. The board also shall meet at other times and places specified by the call of the chairperson or of a majority of the members of the board.

(3) Establish criteria for approving the disbursement of moneys from the fund.

1 (4) Ensure that all research that receives grants from
2 the fund shall be conducted within this Commonwealth.

3 (5) Solicit, receive and review applications from public
4 and private agencies, organizations and research institutions
5 for grants from the fund.

6 (6) After the review of a grant application, grant
7 approval of the application and disburse moneys from the fund
8 if the application has met the criterion established by the
9 board and if such money is available.

10 (7) Solicit contributions to the fund from public and
11 private sources.

12 (8) Provide the Governor's Office and the General
13 Assembly not later than January 1 with an annual report
14 containing the disbursement of funds and the research that is
15 being performed.

16 (i) Definitions.--As used in this section, the following
17 words and phrases shall have the meanings given to them in this
18 subsection:

19 "Board." The Spinal Cord Injury Research Board.

20 "Fund." The Spinal Cord Injury Research Fund.

21 Section 2. This act shall take effect in 120 days.