



**House
Legislative
Analysis
Section**

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**BREAST CANCER AWARENESS
FUNDRAISING LICENSE PLATE**

**House Bill 5122 (Substitute H-2)
First Analysis (12-3-02)**

**Sponsor: Rep. Laura Toy
Committee: Transportation**

THE APPARENT PROBLEM:

Each year 192,000 women are diagnosed with breast cancer and 43,300 die. One in eight women either has or will develop breast cancer in her lifetime. In addition, 1,600 men will be diagnosed with breast cancer and 400 will die this year.

If detected early, the five-year survival rate exceeds 95 percent. Mammograms are among the best early detection methods, yet 13 million women in the United States are 40 years old or older and have never had a mammogram. The National Cancer Institute and the U. S. Department of Health and Human Services recommend that women in their forties and older have mammograms every one to two years.

There is no certain way to prevent breast cancer, however many researchers now agree that certain behaviors can lower breast cancer risk over a woman's lifetime. Some modifiable breast cancer risk factors relate to health effects or lifestyle, including the need to control weight; exercise; reduce the intake of alcohol; eat a low-fat diet of fruits, vegetables, and whole grains; and eliminate smoking. Recently, studies have demonstrated that hormone replacement therapy of combined estrogen and progestin can increase breast cancer risk in postmenopausal women, especially when used for several years. Further, investigations of health risks and benefits of oral contraceptives are ongoing, and some studies indicate that the breast cancer risk increases slightly after many years of use. Studies also explore factors such as environmental pollution, pesticides, and exposure to genetically altered food.

Education campaigns and media reports about new research on causes, diagnosis, and treatment have made many women aware of the disease and the need for annual screening to ensure early detection. However, many women cannot afford the examinations, and their cancers go undetected. In order to promote breast cancer awareness and raise

funds for research, legislation has been proposed to create a new specialty fundraising license plate.

THE CONTENT OF THE BILL:

House Bill 5122 would amend the Michigan Vehicle Code to allow (but not require) the secretary of state to develop and issue a "Breast Cancer Awareness" fund-raising license plate having the pink ribbon emblem of the Susan G. Komen Breast Cancer Foundation inscribed on it. Further, the bill would create a Breast Cancer Awareness Fund within the Department of Treasury, to be disbursed by the state treasurer. A person would pay a donation (in an unspecified amount) for a Breast Cancer Awareness fundraising license plate, and the donation would be deposited into the fund.

House Bill 5122 specifies that the state treasurer could receive money or other assets from any source for deposit into the Breast Cancer Awareness Fund, and would direct investment of those funds, as well as credit to the fund the interest and earnings from fund investments. Money in the fund at the close of the fiscal year would not lapse to the general fund.

The bill also specifies that the state treasurer would be required to disburse money in the fund on a quarterly basis to the American Cancer Society Great Lakes Division to support research, programs, and services related to breast cancer. The entity that received money would be required to provide an annual accounting of the use of the money to the state treasurer.

The bill specifies that the act would take effect May 1, 2003. Further, House Bill 5122 is tie-barred to Senate Bill 614 (which would create a public education fund-raising license plate), and also to House Bill 4352 (which would create a Ducks Unlimited fund-raising license plate), so that the bill could not become law unless both of those bills also were enacted.

MCL 257.217p and 257.217q

House Bill 5122 (12-3-02)

BACKGROUND INFORMATION:

Further information about breast cancer and breast cancer awareness programs is available on a host of web sites. Among them are the following:

- The American Cancer Society at <http://www.cancer.org>
- The Breast Cancer Site at www.thebreastcancersite.org
- The National Alliance of Breast Cancer Organizations at www.nabco.org
- The Susan G. Komen Breast Cancer Foundation at www.komen.org

FISCAL IMPLICATIONS:

The House Fiscal Agency notes that because the bill is tie-barred to House Bill 4352, which would increase the number of specialty fundraiser plates issued by the state from 7 to 10 and allow the collection of a \$10 service fee for each, House Bill 5122 would have no fiscal impact on state or local government. (11-25-02)

ARGUMENTS:**For:**

According to the National Breast Cancer Foundation, the five-year survival rate for breast cancer exceeds 95 percent if the cancer is detected early. The foundation also notes that millions of women have never had the screening procedures that aid in early detection. This bill would allow those who purchase license plates to make a donation to the American Cancer Society Great Lakes Division at the time of their license plate purchase. Their donations would be used to increase programs, services, and research so that more free and low-cost early detection programs could be made available.

Against:

The Department of State reports that it costs approximately \$10 to process each specialty or fund-raising plate request. Processing costs include production, handling, and distribution expenses. Generally, in addition to their donation, the purchaser of a specialty license plate also is charged a service fee on top of the cost of the registration plate itself. If the service fee that is charged for the plates is less than \$10, then each plate sale reduces state and local revenue. For example, if a \$5 service fee were

stipulated (that is to say, \$5 under cost), it is estimated that it would reduce Michigan Transportation Fund revenue by \$1,000, Comprehensive Transportation Fund (public transit) revenue by \$100, the State Trunkline Fund by \$350, and the amount available for local road agencies by \$550.

Response:

Although the bill originally set a \$5 service fee, which would have covered only half the cost of processing the specialty plate, the bill has now been amended to allow a \$10 service fee. However, the \$10 service fee is stipulated by reference. In particular, this bill is tie-barred to House Bill 4352 which would, among other things, increase from 7 to 10 the number of state-issued specialty fund-raising license plates for which the \$10 fee may be charged.

POSITIONS:

The Office of the Secretary of State supports the substitute bill. (11-25-02)

The American Cancer Society supports the bills. (11-25-02)

Analyst: J. Hunault

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.