

Legislative Analysis



CANCER AWARENESS FUND-RAISING LICENSE PLATE

Mitchell Bean, Director
Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 4463 as enrolled/vetoed
Sponsor: Rep. David Robertson
House Committee: Transportation
Senate Committee: Transportation
Second Analysis (7-28-04)

BRIEF SUMMARY: The bill would require the Office of the Secretary of State to design and issue a cancer awareness specialty fund-raising license plate and a matching collector plate, with the revenue from the sales of the plates to be distributed equally on a quarterly basis to the Michigan Chapter of the American Cancer Society, the Barbara Ann Karmanos Cancer Institute, and to Hospice of Michigan and palliative care organization.

FISCAL IMPACT: The Department of State estimates that initial start-up costs for a new fund-raising plate are approximately \$15,000. These costs would not be recovered under the current fund-raising plate program.

THE APPARENT PROBLEM:

According to one organization dedicated to promoting the early detection of breast cancer:

Each year 182,000 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 40 years old or older 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.

(From [The Breast Cancer Site](#))

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 of 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. [However, the legislation was vetoed on March 5, 2004.] See Background Information below.

THE CONTENT OF THE BILL:

House Bill 4463 would amend the Michigan Vehicle Code to require the Office of the Secretary of State to design and issue a cancer awareness specialty fund-raising license plate and a matching collector plate, with the revenue from the sales of the plates to be distributed equally on a quarterly basis to the Michigan Chapter of the American Cancer Society, the Barbara Ann Karmanos Cancer Institute, and to Hospice of Michigan, and palliative care organization. The plate would have to include a pink ribbon emblem, as determined by the secretary of state.

Under the bill, a Cancer Awareness Fund would be created within the state treasury, and the secretary of state would transfer the donation money to the state treasurer, who would credit the money to the cancer awareness fund. In addition, House Bill 4463 specifies that the state treasurer could receive money or other assets from any source for deposit into the 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.

MCL 257.811q

BACKGROUND INFORMATION:

Breast cancer 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 www.cancer.org
- The Breast Cancer Site, a web site founded as a means of financing mammograms for the needy, at www.thebreastcancersite.com
- The National Alliance of Breast Cancer Organizations at www.nabco.org
- The Susan G. Komen Breast Cancer Foundation at www.komen.org

Veto message of the governor. The veto message of the governor, issued on 3-5-04, reads, in part, as follows:

I am a strong supporter of efforts by the American Cancer Society, the Karmanos Cancer Institute, and similar organizations to promote public awareness of cancer and to raise funds to fight this disease. As public officials I am sure we can work together, in partnership with those in the private and nonprofit sector, to find other new, creative, and more effective ways to promote cancer awareness.

I veto House Bill 4463 because it would authorize another fundraising license plate in Michigan. The primary purposes of license plates are identification and law enforcement. Police agencies and organizations oppose the proliferation of fundraising and other specialty license plates because the multiplicity of plates impedes these purposes and makes law enforcement more difficult. For these reasons, I cannot support legislation creating yet another type of license plate.

The governor also vetoed Senate Bill 785 on 3-5-04. At one time, House Bill 4463 had been tie-barred to Senate Bill 785. That bill would have amended the Michigan Vehicle Code to allow the secretary of state to develop and issue specialty fund-raising license plates and collector plates if authorized by a public act; required a start-up fee of \$15,000 for a new fund-raising license plate, and set sales goals for fund-raising plates; authorized the secretary of state to develop, market, and promote a collector plate only with funds available from the collection of service fees; reduced the maximum duration of a temporary permit for a fund-raising plate from 60 to 30 days; required royalty fees from the authorized use of a fundraising plate design, logo, or image to be credited to the Transportation Administration Collection Fund, instead of the Michigan Transportation Fund; designated the Department of History, Arts, and Libraries as the entity in charge of administering funds from the sale of lighthouse preservation specialty plates; repealed the October 1, 2005 sunset date for current fund-raising license plate provisions; repealed a provision related to a monthly fee for an Olympic Education Training Center fund-raising plate; established an effective date of October 1, 2003, on a provision related to the vehicle registration tax for a trailer; and deleted a provision increasing fees for a trailer coach attached to a motor vehicle.

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:

There are numerous other worthy causes that could benefit from a specialty fund-raising license plate. The secretary of state already may issue seven specialty license plates. A wider variety of license plates could be inconvenient for police, who might not be able to identify a Michigan motorist quickly. It would be better to wait until 2005, when all of the current specialty license plates will expire, to take a comprehensive look at the issue and decide whether to continue offering so many plates.

Response:

All specialty license plates have a consistent format, which makes it easy for police to identify them as Michigan license plates. The plates have the same layout and a specific area of each plate is designated for a picture representing the fund to which the donation goes. Since the secretary of state would determine the design of the new plate, presumably it would follow this format.

Legislative Analyst: J. Hunault
Fiscal Analyst: William Hamilton

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