



# SENATE BILL No. 1182

September 24, 1996, Introduced by Senators A. SMITH, EMMONS, PETERS, CONROY, BYRUM, SCHWARZ, MC MANUS, GOUGEON, GEAKE, HOFFMAN, GAST, STEIL, BOUCHARD, BENNETT, DE BEAUSSAERT, YOUNG, MILLER, BERRYMAN, NORTH, HART and DINGELL and referred to the Committee on Finance.

A bill to establish the breast cancer and prostate cancer fund in the department of community health; to provide for the distribution of money from the fund; to prescribe the duties and powers of certain agencies and officials; and to provide for appropriations.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 1. This act shall be known and may be cited as the  
2 "breast cancer and prostate cancer fund act".

3       Sec. 2. As used in this act:

4       (a) "Department" means the department of community health.

5       (b) "Fund" means the breast cancer and prostate cancer fund  
6 created in section 3.

7       Sec. 3. (1) The breast cancer and prostate cancer fund is  
8 created in the department of community health.

1       (2) The state treasurer shall credit to the fund all amounts  
2 appropriated for this purpose under section 438 of the income tax  
3 act of 1967, Act No. 281 of the Public Acts of 1967, being  
4 section 206.438 of the Michigan Compiled Laws.

5       (3) The fund shall consist of all money credited to the fund  
6 pursuant to section 438 of Act No. 281 of the Public Acts of  
7 1967, and any interest and earnings accruing from the saving and  
8 investment of that money.

9       (4) The fund may receive appropriations, money, or other  
10 things of value.

11       (5) Each year 50% of the money in the fund available for  
12 distribution shall be distributed to the breast cancer research  
13 fund and 50% of the money in the fund available for distribution  
14 shall be distributed to the prostate cancer screening fund.

15       (6) The state treasurer shall direct the investment of the  
16 fund.

17       (7) Money in the fund at the close of the year shall remain  
18 in the fund and shall not lapse to the general fund.

19       Sec. 4. The interest and earnings of the fund shall be  
20 expended and distributed solely as provided in this act.

21       Sec. 5. Until the assets in the fund exceed \$20,000,000.00,  
22 not more than 50% of the money contributed to the fund each year,  
23 plus the earnings credited to the fund during the immediately  
24 preceding fiscal year, are available for distribution under this  
25 act. For each tax year after the tax year in which the state  
26 treasurer certifies that the assets in the fund exceed

1 \$20,000,000.00, only the earnings credited to the fund are  
2 available for distribution under this act.

3       Sec. 6. Money granted or funds received as a gift or dona-  
4 tion to the fund are available for distribution upon  
5 appropriation. Money authorized for expenditure is not an asset  
6 for the purposes of section 5.

7       Sec. 7. The money in the fund that is available for distri-  
8 bution shall be appropriated each year.

9       Sec. 8. This act shall not take effect unless all of the  
10 following bills of the 88th Legislature are enacted into law:

11       (a) Senate Bill No. 740.

12       (b) Senate Bill No. 741.

13       (c) Senate Bill No. \_\_\_\_ or House Bill No. \_\_\_\_ (request no.  
14 08341'96).