

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: Yes

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext.103 or <mailto:refdesk@nstatelib.org>

REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: No

Rwh/cl

P.L. 2019, CHAPTER 281, *approved January 9, 2020*
Senate, No. 1874 (*Second Reprint*)

1 AN ACT concerning special "Breast Cancer Awareness" license
2 plates and supplementing chapter 3 of Title 39 of the Revised
3 Statutes.

4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7

8 1. a. Upon proper application, the Chief Administrator of the
9 New Jersey Motor Vehicle Commission shall issue special license
10 plates supporting Breast Cancer Awareness for any motor vehicle
11 owned or leased and registered in the State. In addition to the
12 registration number and other markings or identification otherwise
13 prescribed by law, the license ¹**[plate] plates**¹ shall display the
14 slogan ¹**[supporting]**¹ "Early Detection Saves Lives." The chief
15 administrator shall select the design, including an emblem and color
16 scheme, in consultation with a breast cancer awareness organization
17 selected by the Governor. Breast Cancer Awareness license plates
18 shall be subject to the provisions of chapter 3 of Title 39 of the
19 Revised Statutes, except as hereinafter otherwise specifically
20 provided.

21 b. Application for issuance of Breast Cancer Awareness license
22 plates shall be made to the chief administrator on forms and in a
23 manner prescribed by the chief administrator. In order to be
24 deemed complete, an application shall be accompanied by a fee of
25 \$50, payable to the commission, which shall be in addition to the
26 fees otherwise prescribed by law for the registration of a motor
27 vehicle. The chief administrator shall collect annually, subsequent
28 to the year of issuance of the Breast Cancer Awareness license
29 ¹**[plate] plates**¹, a \$10 fee for the license ¹**[plate] plates**¹ in
30 addition to the fees otherwise prescribed by law for the registration
31 of a motor vehicle. The additional fees required by this subsection
32 shall be deposited in the "Breast Cancer Awareness License Plate
33 Fund" created pursuant to subsection c. of this section.

34 c. There is created in the Department of the Treasury a special
35 non-lapsing fund to be known as the "Breast Cancer Awareness
36 License Plate Fund." There shall be deposited in the fund the

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate STR committee amendments adopted January 17, 2019.

²Senate floor amendments adopted March 25, 2019.

1 amount collected from all license plate fees collected pursuant to
2 subsection b. of this section, less the amounts necessary to
3 reimburse the commission for administrative costs pursuant to
4 subsection d. of this section. Monies deposited in the fund shall be
5 equally distributed for the purpose of funding breast cancer research
6 and mammograms for uninsured women in New Jersey. ²Of the
7 amount of monies distributed in the fund for the purpose of funding
8 breast cancer research, 30 percent of those monies deposited shall
9 be distributed for the purpose of funding metastatic breast cancer
10 research.² Monies deposited in the fund shall be held in interest-
11 bearing accounts in public depositories as defined pursuant to
12 section 1 of P.L.1970, c.236 (C.17:9-41), and may be invested or
13 reinvested in securities approved by the State Treasurer. Interest or
14 other income earned on monies deposited in the fund, and any
15 monies which may be appropriated or otherwise become available
16 for the purposes of the fund, shall be credited to and deposited in
17 the fund for use as set forth in P.L. , c. (C.) (pending
18 before the Legislature as this bill).

19 d. Prior to the deposit into the fund of the additional fees
20 collected pursuant to subsection b. of this section, amounts thereof
21 as are necessary shall be used to reimburse the commission for all
22 costs reasonably and actually incurred, as stipulated by the chief
23 administrator, for:

24 (1) designing, producing, issuing, renewing, and publicizing the
25 availability of the Breast Cancer Awareness license plates; and

26 (2) any computer programming changes that may be initially
27 necessary to implement the Breast Cancer Awareness license plate
28 program established by P.L. , c. (C.) (pending before the
29 Legislature as this bill) ¹, in an amount not to exceed \$150,000¹.

30 The chief administrator shall annually certify to the State
31 Treasurer the average cost per license plate incurred in the
32 immediately preceding year by the commission in producing,
33 issuing, renewing, and publicizing the availability of the Breast
34 Cancer Awareness license plates. The annual certification of the
35 average cost per license plate shall be approved by the Joint Budget
36 Oversight Committee, or its successor.

37 In the event that the average cost per license plate as certified by
38 the chief administrator and approved by the Joint Budget Oversight
39 Committee, or its successor, is greater than the \$50 application fee
40 established in subsection b. of this section in two consecutive fiscal
41 years, the chief administrator may discontinue the issuance of
42 Breast Cancer Awareness license plates.

43 e. The chief administrator shall notify eligible motorists of the
44 opportunity to obtain Breast Cancer Awareness license plates by
45 publicizing the availability of the license plates on the website of
46 the commission. The breast cancer awareness organization selected
47 by the Governor pursuant to subsection a. of this section, and any
48 other individual or entity designated by that organization, may

1 publicize the availability of Breast Cancer Awareness license plates
2 in any manner the organization deems appropriate.

3 f. The chief administrator and the breast cancer awareness
4 organization selected by the Governor pursuant to subsection a. of
5 this section shall develop and enter into a memorandum of
6 agreement setting forth the procedures to be followed in carrying
7 out their respective responsibilities under P.L. , c. (C.)
8 (pending before the Legislature as this bill).

9 g. The breast cancer awareness organization selected by the
10 Governor pursuant to subsection a. of this section shall appoint a
11 representative who shall act as a liaison between the organization
12 and the commission. The liaison shall represent the breast cancer
13 awareness organization in any and all communications with the
14 commission regarding the Breast Cancer Awareness license plates
15 established by P.L. , c. (C.) (pending before the Legislature
16 as this bill).

17

18 2. a. No State or other public funds shall be used by the
19 commission for the initial cost of:

20 (1) designing, producing, issuing, and publicizing the availability
21 of Breast Cancer Awareness license plates; or

22 (2) any computer programming changes which may be necessary
23 to implement the Breast Cancer Awareness license plate program
24 established by P.L. , c. (C.) (pending before the Legislature as
25 this bill).

26 b. A representative designated by the breast cancer awareness
27 organization selected by the Governor pursuant to subsection a. of
28 section 1 of P.L. , c. (C.) (pending before the Legislature as
29 this bill) shall contribute ¹non-public¹ monies in an amount to be
30 determined by the chief administrator, not to exceed a total of \$25,000,
31 to be used to offset the initial costs incurred by the commission for
32 designing, producing, issuing, and publicizing the availability of
33 Breast Cancer Awareness license plates, and any computer
34 programming which may be necessary to implement the program. To
35 further offset the initial costs incurred by the commission for the
36 Breast Cancer Awareness license plates authorized by P.L. ,
37 c. (C.) (pending before the Legislature as this bill), other
38 concerned organizations and individual donors may contribute monies
39 to the breast cancer awareness organization selected by the Governor
40 pursuant to subsection a. of section 1 of P.L. , c. (C.) (pending
41 before the Legislature as this bill), or the individual or entity
42 designated by that breast cancer awareness organization, for this
43 purpose. Any amount remaining after the payment of the initial costs
44 shall be deposited in the "Breast Cancer Awareness License Plate
45 Fund" established pursuant to subsection c. of section 1 of P.L. ,
46 c. (C.) (pending before the Legislature as this bill).

47 c. The commission shall not begin designing, producing, issuing,
48 or publicizing the availability of Breast Cancer Awareness license

1 plates, or making any necessary programming changes, until the
2 following requirements have been met:

3 (1) The representative designated by the breast cancer awareness
4 organization selected by the Governor pursuant to subsection a. of
5 section 1 of P.L. , c. (C.) (pending before the Legislature as
6 this bill) has provided the commission with the money necessary, as
7 determined by the chief administrator pursuant to subsection b. of this
8 section, to offset the initial costs incurred by the commission in
9 establishing the Breast Cancer Awareness license plate program; and

10 (2) The liaison appointed pursuant to subsection g. of section 1 of
11 P.L. , c. (C.) (pending before the Legislature as this bill) by
12 the breast cancer awareness organization selected by the Governor
13 pursuant to subsection a. of section 1 of P.L. , c. (C.) (pending
14 before the Legislature as this bill) has provided the commission with
15 not less than 500 completed applications for Breast Cancer Awareness
16 license plates. These applications shall constitute the initial order for
17 Breast Cancer Awareness license plates and shall be accompanied by a
18 fee representing the total cost of the initial order. The fee shall be
19 determined by multiplying the number of sets of license plates being
20 ordered by the applicable initial fee for each set of license plates as set
21 forth in subsection b. of section 1 of P.L. , c. (C.) (pending
22 before the Legislature as this bill).

23
24 3. This act shall take effect immediately, and the Governor
25 shall select a breast cancer awareness organization in accordance
26 with subsection a. of section 1 of this act upon enactment, provided,
27 however, that the remainder of the act shall remain inoperative until
28 the first day of the 13th month following the date on which the
29 conditions set forth in paragraphs (1) and (2) of subsection c. of
30 section 2 of this act have been satisfied. The chief administrator
31 may take anticipatory actions in advance of that date as may be
32 necessary for the timely implementation of this act. This act shall
33 expire if the conditions set forth in paragraphs (1) and (2) of
34 subsection c. of section 2 of this act are not satisfied by the last day
35 of the 12th month following enactment.

36
37
38 _____
39
40 Establishes special license plates to bring awareness to breast
41 cancer.

SENATE, No. 1874

STATE OF NEW JERSEY
218th LEGISLATURE

INTRODUCED FEBRUARY 15, 2018

Sponsored by:
Senator M. TERESA RUIZ
District 29 (Essex)

SYNOPSIS

Establishes special license plates to bring awareness to breast cancer.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning special "Breast Cancer Awareness" license
2 plates and supplementing chapter 3 of Title 39 of the Revised
3 Statutes.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. a. Upon proper application, the Chief Administrator of the
9 New Jersey Motor Vehicle Commission shall issue special license
10 plates supporting Breast Cancer Awareness for any motor vehicle
11 owned or leased and registered in the State. In addition to the
12 registration number and other markings or identification otherwise
13 prescribed by law, the license plate shall display the slogan
14 supporting "Early Detection Saves Lives." The chief administrator
15 shall select the design, including an emblem and color scheme, in
16 consultation with a breast cancer awareness organization selected
17 by the Governor. Breast Cancer Awareness license plates shall be
18 subject to the provisions of chapter 3 of Title 39 of the Revised
19 Statutes, except as hereinafter otherwise specifically provided.

20 b. Application for issuance of Breast Cancer Awareness license
21 plates shall be made to the chief administrator on forms and in a
22 manner prescribed by the chief administrator. In order to be
23 deemed complete, an application shall be accompanied by a fee of
24 \$50, payable to the commission, which shall be in addition to the
25 fees otherwise prescribed by law for the registration of a motor
26 vehicle. The chief administrator shall collect annually, subsequent
27 to the year of issuance of the Breast Cancer Awareness license
28 plate, a \$10 fee for the license plate in addition to the fees otherwise
29 prescribed by law for the registration of a motor vehicle. The
30 additional fees required by this subsection shall be deposited in the
31 "Breast Cancer Awareness License Plate Fund" created pursuant to
32 subsection c. of this section.

33 c. There is created in the Department of the Treasury a special
34 non-lapsing fund to be known as the "Breast Cancer Awareness
35 License Plate Fund." There shall be deposited in the fund the
36 amount collected from all license plate fees collected pursuant to
37 subsection b. of this section, less the amounts necessary to
38 reimburse the commission for administrative costs pursuant to
39 subsection d. of this section. Monies deposited in the fund shall be
40 equally distributed for the purpose of funding breast cancer research
41 and mammograms for uninsured women in New Jersey. Monies
42 deposited in the fund shall be held in interest-bearing accounts in
43 public depositories as defined pursuant to section 1 of P.L.1970,
44 c.236 (C.17:9-41), and may be invested or reinvested in securities
45 approved by the State Treasurer. Interest or other income earned on
46 monies deposited in the fund, and any monies which may be
47 appropriated or otherwise become available for the purposes of the
48 fund, shall be credited to and deposited in the fund for use as set

S1874 RUIZ

1 forth in P.L. , c. (C.) (pending before the Legislature as
2 this bill).

3 d. Prior to the deposit into the fund of the additional fees
4 collected pursuant to subsection b. of this section, amounts thereof
5 as are necessary shall be used to reimburse the commission for all
6 costs reasonably and actually incurred, as stipulated by the chief
7 administrator, for:

8 (1) designing, producing, issuing, renewing, and publicizing the
9 availability of the Breast Cancer Awareness license plates; and

10 (2) any computer programming changes that may be initially
11 necessary to implement the Breast Cancer Awareness license plate
12 program established by P.L. , c. (C.) (pending before the
13 Legislature as this bill).

14 The chief administrator shall annually certify to the State
15 Treasurer the average cost per license plate incurred in the
16 immediately preceding year by the commission in producing,
17 issuing, renewing, and publicizing the availability of the Breast
18 Cancer Awareness license plates. The annual certification of the
19 average cost per license plate shall be approved by the Joint Budget
20 Oversight Committee, or its successor.

21 In the event that the average cost per license plate as certified by
22 the chief administrator and approved by the Joint Budget Oversight
23 Committee, or its successor, is greater than the \$50 application fee
24 established in subsection b. of this section in two consecutive fiscal
25 years, the chief administrator may discontinue the issuance of
26 Breast Cancer Awareness license plates.

27 e. The chief administrator shall notify eligible motorists of the
28 opportunity to obtain Breast Cancer Awareness license plates by
29 publicizing the availability of the license plates on the website of
30 the commission. The breast cancer awareness organization selected
31 by the Governor pursuant to subsection a. of this section, and any
32 other individual or entity designated by that organization, may
33 publicize the availability of Breast Cancer Awareness license plates
34 in any manner the organization deems appropriate.

35 f. The chief administrator and the breast cancer awareness
36 organization selected by the Governor pursuant to subsection a. of
37 this section shall develop and enter into a memorandum of
38 agreement setting forth the procedures to be followed in carrying
39 out their respective responsibilities under P.L. , c. (C.)
40 (pending before the Legislature as this bill).

41 g. The breast cancer awareness organization selected by the
42 Governor pursuant to subsection a. of this section shall appoint a
43 representative who shall act as a liaison between the organization
44 and the commission. The liaison shall represent the breast cancer
45 awareness organization in any and all communications with the
46 commission regarding the Breast Cancer Awareness license plates
47 established by P.L. , c. (C.) (pending before the Legislature
48 as this bill).

S1874 RUIZ

1 2. a. No State or other public funds shall be used by the
2 commission for the initial cost of:

3 (1) designing, producing, issuing, and publicizing the
4 availability of Breast Cancer Awareness license plates; or

5 (2) any computer programming changes which may be
6 necessary to implement the Breast Cancer Awareness license plate
7 program established by P.L. , c. (C.) (pending before the
8 Legislature as this bill).

9 b. A representative designated by the breast cancer awareness
10 organization selected by the Governor pursuant to subsection a. of
11 section 1 of P.L. , c. (C.) (pending before the Legislature
12 as this bill) shall contribute monies in an amount to be determined
13 by the chief administrator, not to exceed a total of \$25,000, to be
14 used to offset the initial costs incurred by the commission for
15 designing, producing, issuing, and publicizing the availability of
16 Breast Cancer Awareness license plates, and any computer
17 programming which may be necessary to implement the program.
18 To further offset the initial costs incurred by the commission for the
19 Breast Cancer Awareness license plates authorized by P.L. ,
20 c. (C.) (pending before the Legislature as this bill), other
21 concerned organizations and individual donors may contribute
22 monies to the breast cancer awareness organization selected by the
23 Governor pursuant to subsection a. of section 1 of P.L. ,
24 c. (C.) (pending before the Legislature as this bill), or the
25 individual or entity designated by that breast cancer awareness
26 organization, for this purpose. Any amount remaining after the
27 payment of the initial costs shall be deposited in the "Breast Cancer
28 Awareness License Plate Fund" established pursuant to subsection
29 c. of section 1 of P.L. , c. (C.) (pending before the
30 Legislature as this bill).

31 c. The commission shall not begin designing, producing,
32 issuing, or publicizing the availability of Breast Cancer Awareness
33 license plates, or making any necessary programming changes, until
34 the following requirements have been met:

35 (1) The representative designated by the breast cancer
36 awareness organization selected by the Governor pursuant to
37 subsection a. of section 1 of P.L. , c. (C.) (pending before
38 the Legislature as this bill) has provided the commission with the
39 money necessary, as determined by the chief administrator pursuant
40 to subsection b. of this section, to offset the initial costs incurred by
41 the commission in establishing the Breast Cancer Awareness license
42 plate program; and

43 (2) The liaison appointed pursuant to subsection g. of section 1
44 of P.L. , c. (C.) (pending before the Legislature as this bill)
45 by the breast cancer awareness organization selected by the
46 Governor pursuant to subsection a. of section 1 of P.L. ,
47 c. (C.) (pending before the Legislature as this bill) has
48 provided the commission with not less than 500 completed

1 applications for Breast Cancer Awareness license plates. These
2 applications shall constitute the initial order for Breast Cancer
3 Awareness license plates and shall be accompanied by a fee
4 representing the total cost of the initial order. The fee shall be
5 determined by multiplying the number of sets of license plates
6 being ordered by the applicable initial fee for each set of license
7 plates as set forth in subsection b. of section 1 of P.L. ,
8 c. (C.) (pending before the Legislature as this bill).

9
10 3. This act shall take effect immediately, and the Governor
11 shall select a breast cancer awareness organization in accordance
12 with subsection a. of section 1 of this act upon enactment, provided,
13 however, that the remainder of the act shall remain inoperative until
14 the first day of the 13th month following the date on which the
15 conditions set forth in paragraphs (1) and (2) of subsection c. of
16 section 2 of this act have been satisfied. The chief administrator
17 may take anticipatory actions in advance of that date as may be
18 necessary for the timely implementation of this act. This act shall
19 expire if the conditions set forth in paragraphs (1) and (2) of
20 subsection c. of section 2 of this act are not satisfied by the last day
21 of the 12th month following enactment.

22
23
24 STATEMENT

25
26 This bill requires the Chief Administrator (chief administrator)
27 of the New Jersey Motor Vehicle Commission (commission) to
28 establish special "Breast Cancer Awareness" license plates for
29 motor vehicles registered in New Jersey.

30 In addition to the registration number and other markings or
31 identification otherwise prescribed by law, these license plates
32 would display the words "Early Detection Saves Lives" and may
33 include a breast cancer awareness emblem to be designed by the
34 chief administrator in consultation with a breast cancer awareness
35 organization selected by the Governor.

36 An application fee of \$50 and an annual renewal fee of \$10
37 would be required for the special plates in addition to all fees
38 otherwise required by law for the registration of the motor vehicle.
39 These additional fees, after the deduction of the cost of producing
40 and publicizing the plates, are to be deposited in a special non
41 lapsing account known as the "Breast Cancer Awareness License
42 Plate Fund." The proceeds are to be distributed toward the funding
43 of mammograms for uninsured woman and breast cancer research in
44 New Jersey.

45 State and other public funds are not permitted to be used by the
46 commission for the initial cost of the special license plates. The
47 chief administrator is required to certify the average cost per unit in
48 producing, issuing and publicizing the "Breast Cancer Awareness"

S1874 RUIZ

6

1 license plates each year. If the average cost exceeds \$50 for two
2 consecutive fiscal years, the chief administrator may discontinue
3 the license plate program. The chief administrator would also be
4 responsible for notifying eligible motorists of the availability of the
5 plates.

6 The bill will remain inoperative until the first day of the 13th
7 month following the provision to the commission by the breast
8 cancer awareness organization of 500 completed applications for
9 the Breast Cancer Awareness license plates and an amount of
10 money determined by the chief administrator, not to exceed
11 \$25,000, to offset initial costs incurred by the commission. If the
12 breast cancer awareness organization does not satisfy these
13 requirements by the last day of the 12th month following
14 enactment, the provisions of the bill expire.

ASSEMBLY WOMEN AND CHILDREN COMMITTEE

STATEMENT TO

[Second Reprint]

SENATE, No. 1874

STATE OF NEW JERSEY

DATED: NOVEMBER 18, 2019

The Assembly Women and Children Committee reports favorably Assembly Bill No. 1874 (2R).

This bill requires the Chief Administrator of the New Jersey Motor Vehicle Commission to establish special Breast Cancer Awareness license plates for motor vehicles registered in New Jersey. The license plates are to display the words “Early Detection Saves Lives” and are to be designed by the chief administrator in consultation with a breast cancer awareness organization selected by the Governor.

An application fee of \$50 and an annual renewal fee of \$10 is required for the special plates in addition to all fees otherwise required by law for the registration of a motor vehicle. These additional fees, after the deduction of the cost to implement the plates, are to be deposited into the “Breast Cancer Awareness License Plate Fund” established under the bill. The proceeds are to be distributed toward the funding of mammograms for uninsured women and breast cancer research in New Jersey.

The chief administrator is required to annually certify the average cost of producing, issuing, renewing, and publicizing the license plates. If the average cost per plate exceeds \$50 for two consecutive fiscal years, the chief administrator may discontinue the license plate program. The chief administrator is also responsible for notifying eligible motorists of the availability of the license plates. The bill also requires that the organization appoint a liaison to represent the organization in all communications with the commission regarding the license plates.

State and other public funds may not be used by the commission for the initial cost to implement the license plate program. The bill requires a representative designated by the organization selected by the Governor to contribute non-public monies, not to exceed \$25,000, to offset the initial cost to design, produce, issue, and publicize the license plates and for any computer programming necessary to implement the program. The bill authorizes the organization to receive funds from private sources to be used to offset the initial costs.

The bill prohibits the commission from designing, producing, issuing or publicizing the availability of the Breast Cancer Awareness license plates, or making any necessary programming changes, until: (1) the organization selected by the Governor, or its designee, has provided the commission with the money necessary to offset the initial costs incurred by the commission in establishing the license plate program; and (2) the organization, or its designee, has provided the commission with a minimum of 500 completed applications for the license plates, upon the availability for purchase of those license plates.

The Governor is to select an organization upon enactment of the bill; however, the other provisions of the bill will remain inoperative until the first day of the 13th month following the date on which the appropriate applications and fees required to offset the initial costs incurred by the commission are provided to the commission. The bill expires on the last day of the 12th month after enactment if sufficient applications and fees to offset the initial costs are not received.

As reported by the committee, Senate Bill No. 1874 (2R) is identical to Assembly Bill No. 921, which was also reported by the committee on this date, with amendments.

SENATE TRANSPORTATION COMMITTEE

STATEMENT TO

SENATE, No. 1874

with committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 17, 2019

The Senate Transportation Committee reports favorably and with committee amendments Senate Bill No. 1874.

As amended and reported, this bill requires the Chief Administrator (chief administrator) of the New Jersey Motor Vehicle Commission (commission) to establish special “Breast Cancer Awareness” license plates for motor vehicles registered in New Jersey. The license plates are to display the words “Early Detection Saves Lives” and are to be designed by the chief administrator in consultation with a breast cancer awareness organization selected by the Governor (organization).

An application fee of \$50 and an annual renewal fee of \$10 is required for the special plates in addition to all fees otherwise required by law for the registration of a motor vehicle. These additional fees, after the deduction of the cost to implement the plates, are to be deposited into the “Breast Cancer Awareness License Plate Fund.” The proceeds are to be distributed toward the funding of mammograms for uninsured women and breast cancer research in New Jersey.

The chief administrator is required to annually certify the average cost of producing, issuing, renewing, and publicizing the license plates. If the average cost per plate exceeds \$50 for two consecutive fiscal years, the chief administrator may discontinue the license plate program. The chief administrator is also responsible for notifying eligible motorists of the availability of the license plates. The bill also requires that the organization appoint a liaison to represent the organization in all communications with the commission regarding the license plates.

State and other public funds are not permitted to be used by the commission for the initial cost to implement the license plate program. The bill requires a representative designated by the organization to contribute non-public monies, not to exceed \$25,000, to offset the initial cost to design, produce, issue, and publicize the license plates and for any computer programming necessary to implement the program. The bill authorizes the organization to receive funds from private sources to be used to offset the initial costs.

The bill prohibits the commission from designing, producing, issuing or publicizing the availability of the “Breast Cancer Awareness” license plates, or making any necessary programming changes, until: (1) the organization, or its designee, has provided the commission with the money necessary to offset the initial costs incurred by the commission in establishing the license plate program; and (2) the organization, or its designee, has provided the commission with a minimum of 500 completed applications for the license plates, upon the availability for purchase of those license plates.

The Governor is to select an organization upon enactment of the bill; however, the other provisions of the bill will remain inoperative until the first day of the 13th month following the date on which the appropriate applications and fees required to offset the initial costs incurred by the commission are provided to the commission. The bill expires on the last day of the 12th month after enactment if sufficient applications and fees to offset the initial costs are not received.

The committee amended the bill to provide that the commission is to be reimbursed for all costs reasonably and actually incurred for any computer programming changes necessary to implement the “Breast Cancer Awareness” license plate program in an amount not to exceed \$150,000. The committee amendments clarify that monies provided by a representative designated by the organization to offset the initial costs incurred by the commission to implement the license plate program are to be non-public monies. The committee amendments also make grammatical corrections.

STATEMENT TO
[First Reprint]
SENATE, No. 1874

with Senate Floor Amendments
(Proposed by Senator RUIZ)

ADOPTED: MARCH 25, 2019

These floor amendments provide that, of the additional license plate fees collected and deposited into the “Breast Cancer Awareness License Plate Fund,” 30 percent of those monies deposited for the purpose of funding breast cancer research are to be distributed for the purpose of funding metastatic breast cancer research.

LEGISLATIVE FISCAL ESTIMATE

[Second Reprint]

SENATE, No. 1874 STATE OF NEW JERSEY 218th LEGISLATURE

DATED: NOVEMBER 26, 2019

SUMMARY

Synopsis: Establishes special license plates to bring awareness to breast cancer.

Type of Impact: Annual State revenue and expenditure increases.

Agencies Affected: New Jersey Motor Vehicle Commission.

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Thereafter</u>
State Cost	\$65,700	Indeterminate
State Revenue	\$50,000	At least \$15,700

- The Office of Legislative Services (OLS) finds that the bill will produce annual State revenue and expenditure increases that will likely offset one another. The OLS cannot quantify the annual increases because it is unclear how many applications for the new specialty license plate the New Jersey Motor Vehicle Commission (MVC) will receive. The OLS notes, however, that the implementation of the bill is conditioned upon the receipt by the commission of a minimum of 500 applications for the new specialty license plate.
- The bill establishes the Breast Cancer Awareness license plate program in a manner that will likely allow the MVC to fully recover the expenses incurred in administering the program. The MVC has identified its initial cost of designing and establishing a new license plate series as \$65,700 for computer system changes and the initial print of 550 license plates.
- The MVC will receive an initial payment of up to \$25,000 in non-public monies from an entity designated by a breast cancer awareness organization that is to be chosen by the Governor and a minimum of 500 license plate applications for a total of \$50,000 to offset costs before license plate production begins. In addition, the commission will receive a \$50 application fee and a \$10 annual renewal fee per license plate. The initial fee collections will likely reimburse the commission for the expenses it incurs in administering the license plate program. The MVC will be permitted to retain additional fee amounts until its costs are fully reimbursed.

- After the MVC recovers the license program administration costs, the State may realize any positive revenue generated by the plate fees, estimated between \$15,000 and \$275,000, as the recipient of the dedicated cause funds. This revenue is considered State revenue since the bill is not clear to which entity that the State is required to appropriate the funds for the purposes of fulfilling the bill's mandate to fund mammograms for uninsured women and breast cancer research. These funds could be appropriated to the Department of Health (DOH) or various non-profit organizations for the purposes of fulfilling the bill's mandate. It is unclear whether these funds would supplement or replace existing State funding currently appropriated for this purpose. It is also unclear whether the sales of the Breast Cancer Awareness license plates will have an impact on the sales of existing Conquer Cancer license plates as the license plates embody similar causes.

BILL DESCRIPTION

This bill requires the New Jersey Motor Vehicle Commission to establish special Breast Cancer Awareness license plates for motor vehicles registered in the State.

An application fee of \$50 and an annual renewal fee of \$10 is required for the special plates in addition to all fees otherwise required by law for the registration of a motor vehicle. These additional fees, after the deduction of the cost to implement the plates, are to be deposited into the "Breast Cancer Awareness License Plate Fund" established under the bill. The proceeds are to be distributed toward the funding of mammograms for uninsured women and breast cancer research in New Jersey with 30 percent of those proceeds to be distributed for the purpose of funding metastatic breast cancer research.

The chief administrator of the commission is required to annually certify the average cost of producing, issuing, renewing, and publicizing the license plates. If the average cost per plate exceeds \$50 for two consecutive fiscal years, the chief administrator may discontinue the license plate program.

The bill provides that no State and other public funds will be used by the commission for the Breast Cancer Awareness license plate program, but will be funded by license plate application and renewal fees and \$25,000 from private donations. The bill requires a representative designated by a breast cancer awareness organization selected by the Governor to contribute non-public monies, not to exceed \$25,000, to offset the initial cost to design, produce, issue, and publicize the license plates and for any computer programming necessary to implement the program. The bill authorizes the organization to receive funds from private sources to be used to offset the initial costs.

The bill prohibits the MVC from designing, producing, issuing or publicizing the availability of the Breast Cancer Awareness license plates, or making any necessary programming changes, until: (1) the breast cancer awareness organization selected by the Governor, or its designee, has provided the commission with the money necessary to offset the initial costs incurred by the commission in establishing the license plate program; and (2) the organization, or its designee, has provided the commission with a minimum of 500 completed applications for the license plates, upon the availability for purchase of those license plates.

The Governor is to select an organization upon enactment of the bill; however, the other provisions of the bill will remain inoperative until the first day of the 13th month following the date on which the appropriate applications and fees required to offset the initial costs incurred by the commission are provided to the commission. The bill expires on the last day of the 12th month after enactment if sufficient applications and fees to offset the initial costs are not received.

FISCAL ANALYSIS

EXECUTIVE BRANCH

The Executive has not submitted a formal, written fiscal note for this bill. However, in response to an OLS Discussion Point in the FY 2017-2018 Department of Transportation and New Jersey Motor Vehicle Commission Budget Analysis, the MVC indicated that its upfront cost was \$65,700 to set up a license plate program, which includes computer changes and the initial print run of 550 plates.

In response to an OLS Discussion Point in FY 2019-2020 Department of Transportation and New Jersey Motor Vehicle Commission Budget Analysis, the MVC indicated that the projected revenue collection is \$236,326 for FY 2019 and \$238,689 for FY 2020 for the existing Conquer Cancer license plates established pursuant to P.L.1997, c.92 (C.39:3-27.90).

OFFICE OF LEGISLATIVE SERVICES

The OLS finds that the bill will produce annual State revenue and expenditure increases that will likely offset one another. The OLS cannot quantify the annual increases because it is unclear how many applications for the new specialty license plate the commission will receive.

The bill establishes the Breast Cancer Awareness license plate program in such a manner that the MVC is likely to fully recover the expenses that it incurs in administering the license plate program. If the number of license plate applications is below 500 in the first 12 months following the effective date, the bill may expire without the creation of the license plate program. Conversely, if the number of applications is equal to or greater than 500, the commission is likely to recover its costs within no more than three years of the creation of the license plate program.

Prior to designing and producing the license plates, an individual or entity designated by a breast cancer awareness organization selected by the Governor is required to provide up to \$25,000 and the organization is required to pre-register 500 applicants for the license plates. This requirement ensures that the commission will be able to recover its initial costs in producing the license plates and, if enough funds are not provided, the commission will not be required to produce the license plates. The payment of up to \$25,000 is required to come from private sources so the amount is not expected to be a State or local cost.

Upon production of the license plates, the MVC may still discontinue the program if the production cost in two consecutive fiscal years exceeds \$50 per license plate, which is the initial fee that the commission is required, pursuant to the bill, to collect for each set of license plates. This ensures that the MVC will not experience any net costs in the administration of this license plate program. The current cost per specialty license plate to the MVC is \$6.60 so it is unlikely that the commission will experience any net cost in the administration of the program.

The MVC indicated in response to a FY 2017-2018 OLS Discussion Point that it faced an upfront cost of \$65,700 to initiate a license plate program, which includes computer changes and the initial print of 550 license plates. Pursuant to the bill, the MVC would obtain the first \$50,000 of those costs through the initial \$25,000 fee received from the individual or entity designated by the breast cancer awareness organization and the fees generated through the first 500 license plate sales. The remaining \$15,700 will likely be recovered through the sale of additional Breast Cancer Awareness license plates or by retaining collections from the \$10 annual fee from the original license plate customers. The first 500 license plate sales will generate \$5,000 per year from the \$10 annual renewal fee. So in the event that no other plates were purchased under the program, the MVC could recover the remaining costs after three years of collecting the annual fee.

The bill prevents the MVC from realizing net revenues in administering the program by requiring the commission to deposit all program fees into a special fund to be appropriated for the purposes of funding mammograms for uninsured women and breast cancer research, once the commission has deducted its costs in administering the program. The combination of guaranteed fee collection for the commission and the limit on retaining any fees greater than its cost creates a scenario where there is likely to be no net fiscal impact to the commission in the administration of this license plate program.

The State is likely to realize net revenues through the program if there are a sufficient number of applicants for the Breast Cancer Awareness license plates. The bill is unclear to which entity that the State is required to appropriate the funds for the purposes of fulfilling the bill's mandate to fund mammograms for uninsured women and breast cancer research. These funds could be appropriated to the DOH or various non-profit organizations for purposes of fulfilling the bill's mandate.

It is unclear whether these funds would supplement or replace existing State funding currently appropriated for this purpose. If plate production begins the State would be expected to realize between \$5,000 and \$275,000 per year for the department or entity that will receive the funds, based on FY 2019-2020 Budget data from existing dedicated cause plates. Any new revenues realized from the license plates could be used for breast cancer screenings or breast cancer research. It is also unclear whether the sales of the Breast Cancer Awareness license plates will have an impact on the sales existing Conquer Cancer license plates, which shares a similar mission to the Breast Cancer Awareness license plates. The MVC indicated in response to a FY 2019-2020 OLS Discussion Point that the projected revenues are \$236,326 for FY 2019 and \$238,689 for FY 2020 for the Conquer Cancer license plates. The revenues collected from the Conquer Cancer license plates are appropriated annually to the New Jersey State Commission on Cancer Research. Due to the fact that the license plates would support similar objectives in funding cancer research, there is a possibility the two sets of license plates could compete and impact the sales of the other set of license plates.

Section: Authorities, Utilities, Transportation and Communications

*Analyst: Sheree D. Henderson
Senior Counsel*

*Approved: Frank W. Haines III
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

ASSEMBLY, No. 921

STATE OF NEW JERSEY

218th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2018 SESSION

Sponsored by:

Assemblyman THOMAS P. GIBLIN

District 34 (Essex and Passaic)

Assemblyman JAY WEBBER

District 26 (Essex, Morris and Passaic)

Assemblyman BENJIE E. WIMBERLY

District 35 (Bergen and Passaic)

Assemblyman NICHOLAS CHIARAVALLOTI

District 31 (Hudson)

Co-Sponsored by:

**Assemblyman DeAngelo, Assemblywomen Mosquera, Pinkin, Timberlake
and McKnight**

SYNOPSIS

Establishes special license plates to bring awareness to breast cancer.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 11/19/2019)

1 AN ACT concerning special "Breast Cancer Awareness" license
2 plates and supplementing chapter 3 of Title 39 of the Revised
3 Statutes.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. a. The Chief Administrator of the New Jersey Motor Vehicle
9 Commission, upon proper application therefore, shall issue for any
10 motor vehicle owned or leased and registered in this State, special
11 license plates bearing, in addition to the registration number and
12 other markings or identification otherwise prescribed by law, the
13 slogan "Early Detection Saves Lives." These plates may include a
14 Breast Cancer Awareness emblem, to be designed by the chief
15 administrator in consultation with the Commissioner of Health,
16 indicating support for, and an interest in, funding breast cancer
17 research and monograms for uninsured women in New Jersey.
18 "Breast Cancer Awareness" license plates shall be subject to all
19 applicable requirements of chapter 3 of Title 39 of the Revised
20 Statutes, except as hereinafter otherwise specifically provided.

21 b. The chief administrator shall collect a \$50 application fee
22 for the "Breast Cancer Awareness" license plates in addition to the
23 fees otherwise prescribed by law for the registration of the motor
24 vehicle. The chief administrator shall collect annually subsequent to
25 the year of issuance of the license plate a \$10 fee for the license
26 plate, in addition to the fees otherwise prescribed by law for the
27 registration of the motor vehicle. The additional fees required by
28 this subsection shall be deposited into the "Breast Cancer
29 Awareness License Plate Fund" established pursuant to subsection
30 c. of this section.

31 c. There is created in the Department of the Treasury a special
32 non-lapsing fund to be known as the "Breast Cancer Awareness
33 License Plate Fund." There shall be deposited in the fund the
34 amount collected from all license plate fees pursuant to subsection
35 b. of this section, less the amounts necessary to reimburse the
36 Motor Vehicle Commission for administrative costs pursuant to
37 subsection d. of this section. Moneys deposited in the fund shall be
38 equally distributed for the purpose of funding breast cancer research
39 and mammograms for uninsured women in New Jersey. Moneys
40 deposited in the fund shall be held in interest bearing accounts in
41 public depositories as defined pursuant to section 1 of P.L.1970,
42 c.236 (C.17:9-41) and may be invested or reinvested in such
43 securities as are approved by the State Treasurer. Interest or other
44 income earned on moneys deposited into the fund, and any moneys
45 which may be appropriated or otherwise become available for the
46 purposes of the fund, shall be credited to and deposited in the fund
47 for use as set forth in this act.

1 d. Prior to the deposit of license plate fees collected pursuant to
2 subsection b. of this section into the fund, amounts thereof as are
3 necessary shall be used to reimburse the Motor Vehicle
4 Commission for all costs reasonably and actually incurred, as
5 stipulated by the chief administrator, for: (1) producing, issuing,
6 renewing and publicizing the availability of "Breast Cancer
7 Awareness" license plates; and (2) computer programming changes
8 that may be necessary to implement the "Breast Cancer Awareness"
9 license plate program, in an amount not to exceed \$150,000.

10 The chief administrator shall annually certify to the State
11 Treasurer the average cost per license plate incurred in the
12 immediately preceding year by the Motor Vehicle Commission in
13 producing, issuing, renewing and publicizing the availability of
14 "Breast Cancer Awareness" license plates. The annual certification
15 of the average cost per license plate shall be approved by the Joint
16 Budget Oversight Committee or its successor. If the average cost
17 per license plate as certified by the chief administrator and
18 approved by the Joint Budget Oversight Committee, or its
19 successor, is greater than the \$50 application fee established in
20 subsection b. of this section in two consecutive fiscal years, the
21 chief administrator may discontinue the issuance of "Breast Cancer
22 Awareness" license plates.

23 e. The chief administrator shall notify eligible motorists of the
24 opportunity to obtain "Breast Cancer Awareness" license plates by
25 including a notice with all motor vehicle registration renewals, and
26 by posting appropriate posters or signs in all Motor Vehicle
27 Commission facilities and offices. The notices, posters and signs
28 shall be designed by the Motor Vehicle Commission in consultation
29 with the Commissioner of Health.

30 f. The Chief Administrator of the Motor Vehicle Commission,
31 the Commissioner of Health and the State Treasurer shall develop
32 and enter into an interagency memorandum of agreement setting
33 forth the procedures to be followed by the Motor Vehicle
34 Commission in carrying out its responsibilities under this act.

35
36 2. This act shall take effect on the first day of the sixth month
37 after enactment, but the chief administrator may take such
38 anticipatory acts in advance of that date as may be necessary for the
39 timely implementation of this act upon its effective date.

40
41

42 STATEMENT

43
44 This bill requires the Chief Administrator of the New Jersey
45 Motor Vehicle Commission to issue special "Breast Cancer
46 Awareness" license plates to persons interested in bringing
47 awareness to breast cancer and funding breast cancer research and
48 monograms for uninsured women in New Jersey.

1 In addition to the registration number and other markings or
2 identification otherwise prescribed by law, these license plates
3 would display the words "Early Detection Can Save Lives" and
4 may include a breast cancer awareness emblem to be designed by
5 the chief administrator in consultation with the Commissioner of
6 Health.

7 An application fee of \$50 and an annual renewal fee of \$10
8 would be required for the special plates in addition to all fees
9 otherwise required by law for the registration of the motor vehicle.
10 These additional fees, after the deduction of the cost of producing
11 and publicizing the plates, are to be deposited in a special non
12 lapsing account known as the "Breast Cancer Awareness License
13 Plate Fund." The proceeds are to be distributed toward the funding
14 of mammograms for uninsured woman and breast cancer research in
15 New Jersey.

16 The chief administrator is required to certify the average cost per
17 unit in producing, issuing and publicizing the "Breast Cancer
18 Awareness." license plates each year. If the average cost exceeds
19 \$50 for two consecutive fiscal years, the chief administrator may
20 discontinue the license plate program. The chief administrator
21 would also be responsible for notifying eligible motorists of the
22 availability of the plates.

ASSEMBLY WOMEN AND CHILDREN COMMITTEE

STATEMENT TO

ASSEMBLY, No. 921

with committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 18, 2019

The Assembly Women and Children Committee reports favorably and with committee amendments Assembly Bill No. 921.

As amended by the committee, this bill requires the Chief Administrator of the New Jersey Motor Vehicle Commission to establish special Breast Cancer Awareness license plates for motor vehicles registered in New Jersey. The license plates are to display the words “Early Detection Saves Lives” and are to be designed by the chief administrator in consultation with a breast cancer awareness organization selected by the Governor.

An application fee of \$50 and an annual renewal fee of \$10 is required for the special plates in addition to all fees otherwise required by law for the registration of a motor vehicle. These additional fees, after the deduction of the cost to implement the plates, are to be deposited into the “Breast Cancer Awareness License Plate Fund” established under the bill. The proceeds are to be distributed toward the funding of mammograms for uninsured women and breast cancer research in New Jersey.

The chief administrator is required to annually certify the average cost of producing, issuing, renewing, and publicizing the license plates. If the average cost per plate exceeds \$50 for two consecutive fiscal years, the chief administrator may discontinue the license plate program. The chief administrator is also responsible for notifying eligible motorists of the availability of the license plates. The bill also requires that the organization appoint a liaison to represent the organization in all communications with the commission regarding the license plates.

State and other public funds may not be used by the commission for the initial cost to implement the license plate program. The bill requires a representative designated by the organization selected by the Governor to contribute non-public monies, not to exceed \$25,000, to offset the initial cost to design, produce, issue, and publicize the license plates and for any computer programming necessary to implement the program. The bill authorizes the organization to receive funds from private sources to be used to offset the initial costs.

The bill prohibits the commission from designing, producing, issuing or publicizing the availability of the Breast Cancer Awareness license plates, or making any necessary programming changes, until: (1) the organization selected by the Governor, or its designee, has provided the commission with the money necessary to offset the initial costs incurred by the commission in establishing the license plate program; and (2) the organization, or its designee, has provided the commission with a minimum of 500 completed applications for the license plates, upon the availability for purchase of those license plates.

The Governor is to select an organization upon enactment of the bill; however, the other provisions of the bill will remain inoperative until the first day of the 13th month following the date on which the appropriate applications and fees required to offset the initial costs incurred by the commission are provided to the commission. The bill expires on the last day of the 12th month after enactment if sufficient applications and fees to offset the initial costs are not received.

As amended and reported by the committee, Assembly Bill No. 921 is identical to Senate Bill No. 1874 (2R), which was also reported by the committee on this date.

This bill was pre-filed for introduction in the 2018-2019 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

COMMITTEE AMENDMENTS

The committee amendments revise the requirements to design Breast Cancer Awareness license plates to provide that the Chief Administrator of the Motor Vehicles Commission (MVC) is to design the plates in consultation with an organization selected by the Governor, rather than in consultation with the Commissioner of Health. The organization is to appoint a liaison to work with the MVC on all matters related to the license plates.

The committee amendments revise the requirements for the chief administrator to notify motorists of the availability of Breast Cancer Awareness license plates to provide that, in lieu of including notice with motor vehicle registration renewals and posting posters and signs in MVC offices and facilities, the chief administrator is to publicize the availability of the license plates on its Internet website. Additionally, the breast cancer awareness organization selected by the Governor may publicize notice in any manner it deems appropriate.

The committee amendments provide that, of the additional license plate fees collected and deposited into the "Breast Cancer Awareness License Plate Fund," 30 percent of those monies deposited for the purpose of funding breast cancer research are to be distributed for the purpose of funding metastatic breast cancer research.

The committee amendments add language requiring that no public funds be used to pay the initial costs of implementing the Breast Cancer Awareness license plate program. Instead, a representative of the organization selected by the Governor will be required to contribute up to \$25,000 in non-public monies for this purpose, and additional funds may be solicited from other organizations and donors. The MVC may not begin the process of implementation until the necessary funds have been provided and at least 500 applications for Breast Cancer Awareness license plates have been completed.

The committee amendments revise the effective date of the bill from the first day of the sixth month after enactment to immediately, provided that the bill will remain inoperative until the first day of the 13th month following the date on which the conditions have been met for the MVC to begin the process of implementing the Breast Cancer Awareness license plate program. The bill will expire if those conditions have not been met by the last day of the 12th month after the date of enactment.

The committee amendments make various technical revisions concerning grammar and syntax.

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

ASSEMBLY, No. 921

STATE OF NEW JERSEY 218th LEGISLATURE

DATED: NOVEMBER 26, 2019

SUMMARY

Synopsis: Establishes special license plates to bring awareness to breast cancer.

Type of Impact: Annual State revenue and expenditure increases.

Agencies Affected: New Jersey Motor Vehicle Commission.

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Thereafter</u>
State Cost	\$65,700	Indeterminate
State Revenue	\$50,000	At least \$15,700

- The Office of Legislative Services (OLS) finds that the bill will produce annual State revenue and expenditure increases that will likely offset one another. The OLS cannot quantify the annual increases because it is unclear how many applications for the new specialty license plate the New Jersey Motor Vehicle Commission (MVC) will receive. The OLS notes, however, that the implementation of the bill is conditioned upon the receipt by the commission of a minimum of 500 applications for the new specialty license plate.
- The bill establishes the Breast Cancer Awareness license plate program in a manner that will likely allow the MVC to fully recover the expenses incurred in administering the program. The MVC has identified its initial cost of designing and establishing a new license plate series as \$65,700 for computer system changes and the initial print of 550 license plates.
- The MVC will receive an initial payment of up to \$25,000 in non-public monies from an entity designated by a breast cancer awareness organization that is to be chosen by the Governor and a minimum of 500 license plate applications for a total of \$50,000 to offset costs before license plate production begins. In addition, the commission will receive a \$50 application fee and a \$10 annual renewal fee per license plate. The initial fee collections will likely reimburse the commission for the expenses it incurs in administering the license plate program. The MVC will be permitted to retain additional fee amounts until its costs are fully reimbursed.

- After the MVC recovers the license program administration costs, the State may realize any positive revenue generated by the plate fees, estimated between \$15,000 and \$275,000, as the recipient of the dedicated cause funds. This revenue is considered State revenue since the bill is not clear to which entity that the State is required to appropriate the funds for the purposes of fulfilling the bill's mandate to fund mammograms for uninsured women and breast cancer research. These funds could be appropriated to the Department of Health (DOH) or various non-profit organizations for the purposes of fulfilling the bill's mandate. It is unclear whether these funds would supplement or replace existing State funding currently appropriated for this purpose. It is also unclear whether the sales of the Breast Cancer Awareness license plates will have an impact on the sales of existing Conquer Cancer license plates as the license plates embody similar causes.

BILL DESCRIPTION

This bill requires the New Jersey Motor Vehicle Commission to establish special Breast Cancer Awareness license plates for motor vehicles registered in the State.

An application fee of \$50 and an annual renewal fee of \$10 is required for the special plates in addition to all fees otherwise required by law for the registration of a motor vehicle. These additional fees, after the deduction of the cost to implement the plates, are to be deposited into the "Breast Cancer Awareness License Plate Fund" established under the bill. The proceeds are to be distributed toward the funding of mammograms for uninsured women and breast cancer research in New Jersey with 30 percent of those proceeds to be distributed for the purpose of funding metastatic breast cancer research.

The chief administrator of the commission is required to annually certify the average cost of producing, issuing, renewing, and publicizing the license plates. If the average cost per plate exceeds \$50 for two consecutive fiscal years, the chief administrator may discontinue the license plate program.

The bill provides that no State and other public funds will be used by the commission for the Breast Cancer Awareness license plate program, but will be funded by license plate application and renewal fees and \$25,000 from private donations. The bill requires a representative designated by a breast cancer awareness organization selected by the Governor to contribute non-public monies, not to exceed \$25,000, to offset the initial cost to design, produce, issue, and publicize the license plates and for any computer programming necessary to implement the program. The bill authorizes the organization to receive funds from private sources to be used to offset the initial costs.

The bill prohibits the MVC from designing, producing, issuing or publicizing the availability of the Breast Cancer Awareness license plates, or making any necessary programming changes, until: (1) the breast cancer awareness organization selected by the Governor, or its designee, has provided the commission with the money necessary to offset the initial costs incurred by the commission in establishing the license plate program; and (2) the organization, or its designee, has provided the commission with a minimum of 500 completed applications for the license plates, upon the availability for purchase of those license plates.

The Governor is to select an organization upon enactment of the bill; however, the other provisions of the bill will remain inoperative until the first day of the 13th month following the date on which the appropriate applications and fees required to offset the initial costs incurred by the commission are provided to the commission. The bill expires on the last day of the 12th month after enactment if sufficient applications and fees to offset the initial costs are not received.

FISCAL ANALYSIS

EXECUTIVE BRANCH

The Executive has not submitted a formal, written fiscal note for this bill. However, in response to an OLS Discussion Point in the FY 2017-2018 Department of Transportation and New Jersey Motor Vehicle Commission Budget Analysis, the MVC indicated that its upfront cost was \$65,700 to set up a license plate program, which includes computer changes and the initial print run of 550 plates.

In response to an OLS Discussion Point in FY 2019-2020 Department of Transportation and New Jersey Motor Vehicle Commission Budget Analysis, the MVC indicated that the projected revenue collection is \$236,326 for FY 2019 and \$238,689 for FY 2020 for the existing Conquer Cancer license plates established pursuant to P.L.1997, c.92 (C.39:3-27.90).

OFFICE OF LEGISLATIVE SERVICES

The OLS finds that the bill will produce annual State revenue and expenditure increases that will likely offset one another. The OLS cannot quantify the annual increases because it is unclear how many applications for the new specialty license plate the commission will receive.

The bill establishes the Breast Cancer Awareness license plate program in such a manner that the MVC is likely to fully recover the expenses that it incurs in administering the license plate program. If the number of license plate applications is below 500 in the first 12 months following the effective date, the bill may expire without the creation of the license plate program. Conversely, if the number of applications is equal to or greater than 500, the commission is likely to recover its costs within no more than three years of the creation of the license plate program.

Prior to designing and producing the license plates, an individual or entity designated by a breast cancer awareness organization selected by the Governor is required to provide up to \$25,000 and the organization is required to pre-register 500 applicants for the license plates. This requirement ensures that the commission will be able to recover its initial costs in producing the license plates and, if enough funds are not provided, the commission will not be required to produce the license plates. The payment of up to \$25,000 is required to come from private sources so the amount is not expected to be a State or local cost.

Upon production of the license plates, the MVC may still discontinue the program if the production cost in two consecutive fiscal years exceeds \$50 per license plate, which is the initial fee that the commission is required, pursuant to the bill, to collect for each set of license plates. This ensures that the MVC will not experience any net costs in the administration of this license plate program. The current cost per specialty license plate to the MVC is \$6.60 so it is unlikely that the commission will experience any net cost in the administration of the program.

The MVC indicated in response to a FY 2017-2018 OLS Discussion Point that it faced an upfront cost of \$65,700 to initiate a license plate program, which includes computer changes and the initial print of 550 license plates. Pursuant to the bill, the MVC would obtain the first \$50,000 of those costs through the initial \$25,000 fee received from the individual or entity designated by the breast cancer awareness organization and the fees generated through the first 500 license plate sales. The remaining \$15,700 will likely be recovered through the sale of additional Breast Cancer Awareness license plates or by retaining collections from the \$10 annual fee from the original license plate customers. The first 500 license plate sales will generate \$5,000 per year from the \$10 annual renewal fee. So in the event that no other plates were purchased under the program, the MVC could recover the remaining costs after three years of collecting the annual fee.

The bill prevents the MVC from realizing net revenues in administering the program by requiring the commission to deposit all program fees into a special fund to be appropriated for the purposes of funding mammograms for uninsured women and breast cancer research, once the commission has deducted its costs in administering the program. The combination of guaranteed fee collection for the commission and the limit on retaining any fees greater than its cost creates a scenario where there is likely to be no net fiscal impact to the commission in the administration of this license plate program.

The State is likely to realize net revenues through the program if there are a sufficient number of applicants for the Breast Cancer Awareness license plates. The bill is unclear to which entity that the State is required to appropriate the funds for the purposes of fulfilling the bill's mandate to fund mammograms for uninsured women and breast cancer research. These funds could be appropriated to the DOH or various non-profit organizations for purposes of fulfilling the bill's mandate.

It is unclear whether these funds would supplement or replace existing State funding currently appropriated for this purpose. If plate production begins the State would be expected to realize between \$5,000 and \$275,000 per year for the department or entity that will receive the funds, based on FY 2019-2020 Budget data from existing dedicated cause plates. Any new revenues realized from the license plates could be used for breast cancer screenings or breast cancer research. It is also unclear whether the sales of the Breast Cancer Awareness license plates will have an impact on the sales existing Conquer Cancer license plates, which shares a similar mission to the Breast Cancer Awareness license plates. The MVC indicated in response to a FY 2019-2020 OLS Discussion Point that the projected revenues are \$236,326 for FY 2019 and \$238,689 for FY 2020 for the Conquer Cancer license plates. The revenues collected from the Conquer Cancer license plates are appropriated annually to the New Jersey State Commission on Cancer Research. Due to the fact that the license plates would support similar objectives in funding cancer research, there is a possibility the two sets of license plates could compete and impact the sales of the other set of license plates.

Section: Authorities, Utilities, Transportation and Communications

*Analyst: Sheree D. Henderson
Senior Counsel*

*Approved: Frank W. Haines III
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

Governor Murphy Takes Action on Legislation

01/9/2020

TRENTON – Today, Governor Phil Murphy signed the following bills into law:

S446 (Addiego, Madden/DeAngelo, Houghtaling, Wirths) - Provides preferences for certain businesses applying for workforce development grants.

S1242 (Turner, Greenstein/Benson, DeAngelo, Pinkin) - Requires boil water notices be provided to municipal officials within one hour.

S1712 (Beach, Turner/Lampitt, Chaparro, Houghtaling) - Requires consumer notification of vehicle warranty for aftermarket and recycled parts.

S1874 (Ruiz, Greenstein/Giblin, Webber, Wimberly, Chiaravalloti) - Establishes special license plates to bring awareness to breast cancer.

S2055 (Cunningham, Ruiz/Sumter, Jasey, Jones) - Permits incarcerated persons to receive student financial aid.

S2106 (Bucco, Bucco/Dancer, Pinkin) - Requires Adjutant General of DMVA to issue State flag to resident enrolling in federal service academy.

S2656 (Pou, Cruz-Perez, Ruiz/Lopez, Mejia, Chaparro) - Establishes 35 member New Jersey Puerto Rico Commission in Department of State.

S2905 (Singleton/Mukherji, Armato, Mazzeo) - Prohibits certain possession, sale, trade, distribution, or offering for sale of shark fins.

S3594 (Singer, Singleton/Quijano) - Provides certain employment protections for National Guard members employed in New Jersey.

SJR36 (Weinberg/Mosquera, Lampitt, Webber) - Designates October of each year as "Pregnancy and Infant Loss Remembrance Month" in New Jersey.

SJR59 (Doherty, Madden/Mosquera, Moriarty, Dancer) - Designates May of each year as "Civil War Veterans Recognition Month," in honor of the Grand Army of the Republic and the Sons of Union Veterans of the Civil War.

SJR83 (Van Drew/Armato, Mazzeo, DeAngelo) - Expresses support for United States Air Force to base F-35 fighter jets at 177th Fighter Wing in Atlantic City.

A5070 (Speight, Tucker, Pintor Marin/Ruiz, Rice, Cunningham) - Authorizes certain municipalities to impose parking taxes to fund projects to improve pedestrian access to mass transit.

Governor Murphy conditionally vetoed the following bill:

S2389 (Singleton/Quijano, Downey, Houghtaling, Moriarty) – Requires New Jersey State Board of Pharmacy to establish prescription drug pricing disclosure website and certain pharmaceutical manufacturing companies to provide prescription drug price information.

[Copy of Statement on S2389](#)

Governor Murphy absolute vetoed the following bills:

S2167 (Pennacchio, Pou/Webber, McKeon, Pinkin, Giblin) - Dedicates \$500,000 annually in revenues from vessel registration and renewal fees to NJ Greenwood Lake Fund.

[Copy of Statement on S2167](#)

S3509 (Beach, Turner/Greenwald, Murphy, Vainieri Huttle) - Increases dedication of certain revenues to “New Jersey Wine Promotion Account.”

[Copy of Statement on S3509](#)