

Act No. 559
Public Acts of 2008
Approved by the Governor
January 15, 2009
Filed with the Secretary of State
January 16, 2009
EFFECTIVE DATE: January 16, 2009

**STATE OF MICHIGAN
94TH LEGISLATURE
REGULAR SESSION OF 2008**

Introduced by Senator Thomas

ENROLLED SENATE BILL No. 1374

AN ACT to amend 2001 PA 63, entitled "An act to create a department of history, arts, and libraries; to provide for its administration; and to provide for its powers, duties, functions, and responsibilities," by amending the title and section 2 (MCL 399.702), section 2 as amended by 2008 PA 85, and by adding section 9.

The People of the State of Michigan enact:

TITLE

An act to create a department of history, arts, and libraries; to provide for its administration; to provide for its powers, duties, functions, and responsibilities; and to establish the Michigan council for the arts fund.

Sec. 2. As used in this act:

- (a) "Council" means the Michigan council for arts and cultural affairs established by Executive Order No. 1991-21.
- (b) "Department" means the department of history, arts, and libraries created in section 3.
- (c) "Director" means the director of the department.
- (d) "Fund" means the Michigan council for the arts fund created in section 9.
- (e) "Person" means an individual, partnership, corporation, association, governmental entity, or other legal entity.
- (f) "Type II transfer" means that term as it is defined in section 3 of the executive organization act of 1965, 1965 PA 380, MCL 16.103.

Sec. 9. (1) The Michigan council for the arts fund is created in the department. The fund shall be administered by the department, and money in the fund shall be expended only to fund grants administered by the council.

(2) The department shall credit to the fund all amounts appropriated to the fund under this act and any money received as contributions for purposes under this act, including money credited to the fund pursuant to section 435 of the income tax act of 1967, 1967 PA 281, MCL 206.435, any interest and earnings accruing from the saving and investment of that money, and any other appropriations, money, or other things of value received by the fund.

(3) The state treasurer shall direct the investment of the fund.

(4) Money appropriated or money received as a contribution to the fund shall be available for disbursement upon appropriation.

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

(6) By November 1 of each year, the department shall provide a report to the senate and house of representatives appropriations subcommittees on history, arts, and libraries of all revenues to and expenditures from the fund. The report shall include an estimated fund balance for the fiscal year.

Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 1353 of the 94th Legislature is enacted into law.

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate

Richard J. Brown

Clerk of the House of Representatives

Approved _____

Governor