

HOUSE BILL No. 4607

May 14, 2015, Introduced by Reps. Pettalia, Runestad, Cole, Theis, Inman and Potvin and referred to the Committee on Roads and Economic Development.

A bill to amend 2000 PA 489, entitled "Michigan trust fund act," by amending sections 7 and 8 (MCL 12.257 and 12.258), as amended by 2014 PA 504.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 7. (1) The 21st century jobs trust fund is established in
2 the department of treasury. The 21st century jobs trust fund shall
3 consist of donations of money made to the 21st century jobs trust
4 fund from any source and both of the following:

5 (a) To the extent provided in section 8(1) of the Michigan
6 tobacco settlement finance authority act, 2005 PA 226, MCL 129.268,
7 the net proceeds of the sale of tobacco settlement revenues to the
8 tobacco settlement finance authority under the Michigan tobacco
9 settlement finance authority act, 2005 PA 226, MCL 129.261 to
10 129.279.

1 (b) Amounts appropriated from the general fund in section
2 89b(1) of the Michigan strategic fund act, 1984 PA 270, MCL
3 125.2089b.

4 (2) The state treasurer shall direct the investment of the
5 21st century jobs trust fund, which may be invested as part of the
6 common cash of this state under 1967 PA 55, MCL 12.51 to 12.53, but
7 shall be separately accounted for by the state treasurer. The state
8 treasurer may invest the funds or assets of the 21st century jobs
9 trust fund in any investment authorized under 1855 PA 105, MCL
10 21.141 to 21.147, for surplus funds of this state, in obligations
11 issued by any state or political subdivision or instrumentality of
12 the United States, or in any obligation issued, assumed, or
13 guaranteed by a solvent entity created or existing under the laws
14 of the United States or of any state, district, or territory of the
15 United States, which are not in default as to principal or
16 interest. In addition, the state treasurer shall comply with the
17 divestment from terror act, 2008 PA 234, MCL 129.291 to 129.301, in
18 making investments under this section.

19 (3) Except as provided in subsection (4), money in the 21st
20 century jobs trust fund at the close of a fiscal year shall remain
21 in the 21st century jobs trust fund and shall not revert to the
22 general fund.

23 (4) Interest and earnings from investment of the 21st century
24 jobs trust fund shall be deposited in the general fund. For the
25 fiscal year ending September 30, 2009 only, in addition to any
26 interest and earnings deposited in the general fund under this
27 subsection, \$42,000,000.00 of the funds in the 21st century jobs

1 trust fund is transferred to and shall be deposited into the
2 general fund.

3 (5) Beginning in fiscal year 2008 and through fiscal year
4 ~~2019, 2015~~, each fiscal year \$75,000,000.00 of the tobacco
5 settlement revenue received by this state that is not considered a
6 TSR as that term is defined under the Michigan tobacco settlement
7 finance authority act, 2005 PA 226, MCL 129.261 to 129.279, shall
8 be deposited into the 21st century jobs trust fund.

9 (6) For the fiscal year ending September 30, 2010 only,
10 \$9,000,000.00 of the tobacco settlement revenue received by this
11 state that is not considered a TSR as that term is defined under
12 the Michigan tobacco settlement finance authority act, 2005 PA 226,
13 MCL 129.261 to 129.279, shall be used as provided in the state
14 convention facility development act, 1985 PA 106, MCL 207.621 to
15 207.640.

16 (7) For the fiscal year ending September 30, 2010 only,
17 \$37,500,000.00 of the funds in the 21st century jobs trust fund is
18 transferred to and shall be deposited into the general fund.

19 (8) Beginning in fiscal year 2015 and through fiscal year
20 2035, each year \$17,500,000.00 of the tobacco settlement revenue
21 received by this state that is not considered a TSR as that term is
22 defined under the Michigan tobacco settlement finance authority
23 act, 2005 PA 226, MCL 129.261 to 129.279, shall be deposited into
24 the countercyclical budget and economic stabilization fund created
25 in section 351 of the management and budget act, 1984 PA 431, MCL
26 18.1351.

27 (9) **BEGINNING IN FISCAL YEAR 2016 AND EACH FISCAL YEAR**

1 THEREAFTER, EACH FISCAL YEAR \$75,000,000.00 OF THE TOBACCO
2 SETTLEMENT REVENUE RECEIVED BY THIS STATE THAT IS NOT CONSIDERED A
3 TSR AS THAT TERM IS DEFINED UNDER THE MICHIGAN TOBACCO SETTLEMENT
4 FINANCE AUTHORITY ACT, 2005 PA 226, MCL 129.261 TO 129.279, SHALL
5 BE DEPOSITED INTO THE MICHIGAN TRANSPORTATION FUND ESTABLISHED IN
6 SECTION 10 OF 1951 PA 51, MCL 247.660, AND DISTRIBUTED AS PROVIDED
7 IN SECTION 10(1)(K) OF 1951 PA 51, MCL 247.660.

8 Sec. 8. ~~Upon~~ **SUBJECT TO SECTION 7, UPON** request from the fund
9 board as defined in section 88a of the Michigan strategic fund act,
10 1984 PA 270, MCL 125.2088a, the state treasurer shall transfer and
11 disburse appropriated funds from the 21st century jobs trust fund
12 only for the purpose of carrying out and at the specified time and
13 as necessary to implement programs under chapter 8A, chapter 8B,
14 and chapter 8C of the Michigan strategic fund act, 1984 PA 270, MCL
15 125.2088 to 125.2090d.