

# HOUSE BILL No. 5867

March 6, 2008, Introduced by Reps. Horn, Ebli, Lemmons, Condino, Brown, Espinoza, Valentine, Simpson, Corriveau, Angerer, Lindberg and Dean and referred to the Committee on Tourism, Outdoor Recreation and Natural Resources.

A bill to amend 2000 PA 489, entitled "Michigan trust fund act," by amending sections 7 and 8 (MCL 12.257 and 12.258), section 7 as amended by 2007 PA 50 and section 8 as added by 2005 PA 232.

**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 ~~to~~ **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

1 129.279.

2 (B) TO THE EXTENT PROVIDED IN SECTION 8(2) OF THE MICHIGAN  
3 TOBACCO SETTLEMENT FINANCE AUTHORITY ACT, 2005 PA 226, MCL 129.268,  
4 THE NET PROCEEDS RESULTING FROM A REFUNDING OR REFINANCING OF BONDS  
5 OR THE SALE OF RESIDUAL INTERESTS UNDER THE MICHIGAN TOBACCO  
6 SETTLEMENT FINANCE AUTHORITY ACT, 2005 PA 226, MCL 129.261 TO  
7 129.279

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

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

25 (4) Interest and earnings from investment of the 21st century  
26 jobs trust fund shall be deposited in the general fund. ~~For the~~  
27 ~~fiscal year ending September 30, 2007 only, in addition to any~~

1 ~~interest and earnings deposited in the general fund under this~~  
2 ~~subsection, \$50,000,000.00 of the funds in the 21st century jobs~~  
3 ~~trust fund is transferred to and shall be deposited into the~~  
4 ~~general fund.~~

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

11 (6) For the fiscal year ending September 30, 2016 only,  
12 \$30,000,000.00 of the tobacco settlement revenue received by this  
13 state that is not considered a TSR as that term is defined under  
14 the Michigan tobacco settlement finance authority act, 2005 PA 226,  
15 MCL 129.261 to 129.279, shall be deposited into the 21st century  
16 jobs trust fund.

17 Sec. 8. Upon request from the fund board as defined in section  
18 88a of the Michigan strategic fund act, 1984 PA 270, MCL 125.2088a,  
19 the state treasurer shall transfer and disburse appropriated funds  
20 from the 21st century jobs trust fund only for the purpose of  
21 carrying out and at the specified time and as necessary to  
22 implement chapter 8A of the Michigan strategic fund act, 1984 PA  
23 270, MCL 125.2088 to 125.2088p, **AND CHAPTER 8B OF THE MICHIGAN**  
24 **STRATEGIC FUND ACT, 1984 PA 270.**