

SUBSTITUTE FOR
SENATE BILL NO. 1374

A bill to amend 2001 PA 63, entitled
"History, arts, and libraries act,"
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:

1 TITLE

2 An act to create a department of history, arts, and libraries;
3 to provide for its administration; ~~and~~ to provide for its powers,
4 duties, functions, and responsibilities; **AND TO ESTABLISH THE**
5 **MICHIGAN COUNCIL FOR THE ARTS FUND.**

6 Sec. 2. As used in this act:

7 (a) "Council" means the Michigan council for arts and cultural
8 affairs established by Executive Order No. 1991-21.

1 (b) "Department" means the department of history, arts, and
2 libraries created in section 3.

3 (c) "Director" means the director of the department.

4 (D) "FUND" MEANS THE MICHIGAN COUNCIL FOR THE ARTS FUND
5 CREATED IN SECTION 9.

6 (E) ~~(d)~~—"Person" means an individual, partnership,
7 corporation, association, governmental entity, or other legal
8 entity.

9 (F) ~~(e)~~—"Type II transfer" means that term as it is defined in
10 section 3 of the executive organization act of 1965, 1965 PA 380,
11 MCL 16.103.

12 SEC. 9. (1) THE MICHIGAN COUNCIL FOR THE ARTS FUND IS CREATED
13 IN THE DEPARTMENT. THE FUND SHALL BE ADMINISTERED BY THE
14 DEPARTMENT, AND MONEY IN THE FUND SHALL BE EXPENDED ONLY TO FUND
15 GRANTS ADMINISTERED BY THE COUNCIL.

16 (2) THE DEPARTMENT SHALL CREDIT TO THE FUND ALL AMOUNTS
17 APPROPRIATED TO THE FUND UNDER THIS ACT AND ANY MONEY RECEIVED AS
18 CONTRIBUTIONS FOR PURPOSES UNDER THIS ACT, INCLUDING MONEY CREDITED
19 TO THE FUND PURSUANT TO SECTION 435 OF THE INCOME TAX ACT OF 1967,
20 1967 PA 281, MCL 206.435, ANY INTEREST AND EARNINGS ACCRUING FROM
21 THE SAVING AND INVESTMENT OF THAT MONEY, AND ANY OTHER
22 APPROPRIATIONS, MONEY, OR OTHER THINGS OF VALUE RECEIVED BY THE
23 FUND.

24 (3) THE STATE TREASURER SHALL DIRECT THE INVESTMENT OF THE
25 FUND.

26 (4) MONEY APPROPRIATED OR MONEY RECEIVED AS A CONTRIBUTION TO
27 THE FUND SHALL BE AVAILABLE FOR DISBURSEMENT UPON APPROPRIATION.

1 (5) MONEY IN THE FUND AT THE CLOSE OF THE YEAR SHALL REMAIN IN
2 THE FUND AND SHALL NOT LAPSE TO THE GENERAL FUND.

3 (6) BY NOVEMBER 1 OF EACH YEAR, THE DEPARTMENT SHALL PROVIDE A
4 REPORT TO THE SENATE AND HOUSE OF REPRESENTATIVES APPROPRIATIONS
5 SUBCOMMITTEES ON HISTORY, ARTS, AND LIBRARIES OF ALL REVENUES TO
6 AND EXPENDITURES FROM THE FUND. THE REPORT SHALL INCLUDE AN
7 ESTIMATED FUND BALANCE FOR THE FISCAL YEAR.

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