

# HOUSE BILL No. 5026

May 28, 2009, Introduced by Reps. Rogers, Marleau, Kowall, Crawford, Haines, Opsommer, Caul and Green and referred to the Committee on Commerce.

A bill to amend 2000 PA 489, entitled  
"Michigan trust fund act,"  
by amending section 7 (MCL 12.257), as amended by 2008 PA 256.

**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

1 settlement finance authority act, 2005 PA 226, MCL 129.261 to  
2 129.279.

3 (b) Amounts appropriated from the general fund in section  
4 89b(1) of the Michigan strategic fund act, 1984 PA 270, MCL  
5 125.2089b.

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

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.

27 (5) Beginning in fiscal year 2008 and through fiscal year

1 2015, each year \$75,000,000.00 of the tobacco settlement revenue  
2 received by this state that is not considered a TSR as that term is  
3 defined under the Michigan tobacco settlement finance authority  
4 act, 2005 PA 226, MCL 129.261 to 129.279, shall be deposited into  
5 the 21st century jobs trust fund.

6 (6) For the fiscal year ending September 30, 2016 only,  
7 \$30,000,000.00 of the tobacco settlement revenue received by this  
8 state that is not considered a TSR as that term is defined under  
9 the Michigan tobacco settlement finance authority act, 2005 PA 226,  
10 MCL 129.261 to 129.279, shall be deposited into the 21st century  
11 jobs trust fund.

12 (7) FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2009 ONLY,  
13 \$9,000,000.00 OF THE TOBACCO SETTLEMENT REVENUE RECEIVED BY THIS  
14 STATE THAT IS NOT CONSIDERED A TSR AS THAT TERM IS DEFINED UNDER  
15 THE MICHIGAN TOBACCO SETTLEMENT FINANCE AUTHORITY ACT, 2005 PA 226,  
16 MCL 129.261 TO 129.279, SHALL BE USED TO DEVELOP A CONVENTION  
17 FACILITY UNDER THE REGIONAL CONVENTION FACILITY AUTHORITY ACT, 2008  
18 PA 554, MCL 141.1351 TO 141.1379.