

HOUSE BILL No. 5280

October 11, 2005, Introduced by Reps. Amos, Shaffer, Booher, Caul, Jones, Stakoe, Vander Veen, Taub, Kolb, Byrnes, McDowell, Lipsey, Tobocman, Kathleen Law, Wojno, Mortimer, Leland, Elsenheimer, Wenke, Casperson, Marleau, Meyer, Brandenburg, Pastor, Farhat and Bieda and referred to the Committee on Appropriations.

A bill to amend 1929 PA 48, entitled

"An act levying a specific tax to be known as the severance tax upon all producers engaged in the business of severing oil and gas from the soil; prescribing the method of collecting the tax; requiring all producers of such products or purchasers thereof to make reports; to provide penalties; to provide exemptions and refunds; to prescribe the disposition of the funds so collected; and to exempt those paying such specific tax from certain other taxes,"

by amending section 14 (MCL 205.314), as amended by 1994 PA 307.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 14. (1) All taxes shall accompany the report provided for
2 in section 2. ~~Except as provided in subsection (2), all~~ **ALL**
3 taxes, penalties, or costs paid to the state treasurer under this
4 act shall be paid into the state treasury and shall be credited as
5 follows:

6 (a) ~~Two percent of the revenue received during each fiscal~~

~~year, but not less than \$1,000,000.00 shall be credited to the orphan well fund created in the orphan well fund act. However, whenever the unexpended balance of the orphan well fund exceeds \$3,000,000.00, further revenues shall not be credited to the orphan well fund under this subdivision until the unexpended balance of the orphan well fund becomes less than \$3,000,000.00.~~

\$50,000,000.00 TO THE GENERAL FUND.

(b) The remaining revenue received during each fiscal year that is not allocated ~~pursuant to~~ **UNDER** subdivision (a) shall be credited to the ~~general fund of the state and shall be available for any purpose for which the general fund is made available by law~~ **CULTURAL DESTINATIONS FUND CREATED UNDER SUBSECTION (2).**

~~(2) The revenue collected under subsection (1) in excess of \$16,000,000.00, shall be deposited in the general fund and shall be allocated for the payment of credits for heating fuel costs provided under section 527a of Act No. 281 of the Public Acts of 1967, being section 206.527a of the Michigan Compiled Laws, for the fiscal year ending September 30, 1980 only.~~ **THE CULTURAL DESTINATIONS FUND IS CREATED IN THE STATE TREASURY AND SHALL BE ADMINISTERED BY THE DEPARTMENT OF HISTORY, ARTS, AND LIBRARIES AS AUTHORIZED BY THE LEGISLATURE THROUGH APPROPRIATIONS. THE MONEY COLLECTED UNDER SUBDIVISION (B) SHALL BE DEPOSITED WITH THE STATE TREASURER AND CREDITED TO THE FUND. THE STATE TREASURER MAY RECEIVE MONEY OR OTHER ASSETS FROM ANY SOURCE FOR DEPOSIT INTO THE FUND. THE STATE TREASURER SHALL DIRECT THE INVESTMENTS OF THE FUND AND CREDIT TO THE FUND INTEREST AND EARNINGS FROM FUND INVESTMENTS. NO MONEY SHALL BE EXPENDED FROM THE FUNDS EXCEPT AS SPECIFICALLY**

1 AUTHORIZED BY THIS SUBSECTION. MONEY IN THE FUND AT THE CLOSE OF
2 THE FISCAL YEAR SHALL REMAIN IN THE FUND AND NOT LAPSE TO THE
3 GENERAL FUND. THE FUND SHALL ONLY BE USED FOR STATE PARK OPERATIONS
4 AND IMPROVEMENTS, GRANTS FOR ARTS AND CULTURAL PROJECTS, AND GRANTS
5 FOR HISTORIC PRESERVATION PROGRAMS.