



Telephone: (517) 373-5383 Fax: (517) 373-1986 TDD: (517) 373-0543

House Bill 4182 (Substitute H-4 as reported with amendment)

Sponsor: Representative Fred Durhal, Jr.

House Committee: Appropriations Senate Committee: Appropriations

CONTENT

The bill would amend the Michigan Trust Fund Act to transfer \$42.0 million from the 21^{st} Century Jobs Trust Fund to the State General Fund in order to help balance the FY 2008-09 budget, and would transfer \$37.5 million from the 21^{st} Century Jobs Trust Fund to the General Fund in FY 2009-10.

The bill also would increase the amount of tobacco settlement revenue that will be deposited into the 21st Century Jobs Trust Fund in FY 2015-16 from \$30.0 to \$72.0 million. Current language in the Michigan Trust Fund Act establishes FY 2015-16 as the final year for tobacco settlement revenue to be deposited annually into the 21st Century Jobs Trust Fund.

MCL 12.257 & 12.258

FISCAL IMPACT

The bill would transfer \$42.0 million from the 21st Century Jobs Trust Fund into the General Fund in FY 2008-09. Various budgetary actions have occurred to make these funds available for transfer. These actions include the following:

- 1. Public Act 101 of 2008 amended the Michigan Tobacco Settlement Finance Authority Act to allow for the refinancing of the Tobacco Settlement Finance Authority bonds. This refinancing garnered \$60.0 million of which \$50.0 million was appropriated for the Michigan Promotion Program and business marketing, leaving a balance of \$10.0 million.
- 2. As passed by the Legislature, the budget bill for the Michigan Strategic Fund (MSF) included an appropriation of \$65.0 million in FY 2008-09 for the 21st Century Jobs Trust Fund. The Michigan Trust Fund Act requires \$75.0 million to be deposited into the 21st Century Jobs Trust Fund each year through 2015. The difference between the allocation and the appropriation is \$10.0 million, which is available for transfer to the General Fund.
- 3. Section 1027 of Public Act 261 of 2008, requiring a set-aside for Lakeshore Advantage, was vetoed, reducing the FY 2008-09 appropriation from \$65.0 million to \$62.0 million. The \$3.0 million remains available in the 21st Century Jobs Trust Fund.

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- 4. Executive Order 2009-22 reduced the FY 2008-09 appropriation to the 21st Century Jobs Trust Fund by \$9.05 million, from \$62.0 million to \$52.95 million.
- 5. Executive Order 2009-22 directed the lapse of two work project accounts from FY 2005-06 21st Century Jobs Trust Fund appropriations. The Agriculture Development Fund work project contained a balance of \$5.0 million and the grant to the Michigan Forest Finance Authority work project contained a balance of \$4.95 million. The total amount of the lapse is \$9.95 million.

The total of these five actions is \$42.0 million that is available for deposit to the General Fund.

The increase of the deposit of tobacco settlement revenue into the 21^{st} Century Jobs Trust Fund in FY 2015-16 would reduce the availability of tobacco settlement revenue to other funds by \$42.0 million.

The bill also would transfer \$37.5 million from the 21^{st} Century Jobs Trust Fund to the General Fund in FY 2009-10. This would leave \$37.5 million in the 21^{st} Century Jobs Trust Fund for use in FY 2009-10. Public Act 61 of 2009 appropriated \$9.0 million in FY 2008-09 from the 21^{st} Century Jobs Trust Fund to the Convention Facility Development Fund. The conference report on Senate Bill 245 adopted by the Legislature includes an appropriation of \$28.5 million in FY 2009-10 from the 21^{st} Century Jobs Trust Fund to the Michigan Strategic Fund for the Jobs for Michigan investment Program: 21^{st} Century Jobs Fund.

Date Completed: 10-5-09 Fiscal Analyst: Elizabeth Pratt

Maria Tyszkiewicz

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.