

Act No. 163
Public Acts of 2013
Approved by the Governor
November 12, 2013
Filed with the Secretary of State
November 12, 2013
EFFECTIVE DATE: November 12, 2013

**STATE OF MICHIGAN
97TH LEGISLATURE
REGULAR SESSION OF 2013**

Introduced by Rep. Nesbitt

ENROLLED HOUSE BILL No. 4937

AN ACT to amend 2000 PA 322, entitled “An act to create certain committees; to create certain funds from certain sources and to provide for the disposition of money from the funds; to provide for the creation of certain funds by certain private entities; to create incentives and to locate and maintain value-added agricultural processing, commercialization of agriculture, and production ventures within this state; to provide for grants, loans, and loan guarantees to certain private and governmental entities for certain purposes; to provide for certain powers and duties for certain private entities, state agencies, commissions, and departments; to authorize loans, loan guarantees, expenditures, and grants from the funds; and to finance the development of certain programs,” by amending the title and section 3 (MCL 285.303); and to repeal acts and parts of acts.

The People of the State of Michigan enact:

TITLE

An act to create certain committees; to create certain funds from certain sources and to provide for the disposition of money from the funds; to provide for the creation of certain funds by certain private entities; to create incentives and to locate and maintain value-added agricultural processing, commercialization of agriculture, and production ventures within this state; to provide for grants, loans, and loan guarantees to certain private and governmental entities for certain purposes; to provide for certain powers and duties for certain private entities, state agencies, commissions, and departments; to authorize loans, loan guarantees, expenditures, and grants from the funds; to finance the development of certain programs; and to provide for appropriations.

Sec. 3. (1) As used in this section:

- (a) “Department” means the department of environmental quality.
- (b) “Fund” means the Michigan clean air fund created in this section.

(2) The Michigan clean air fund is created within the department of treasury to be administered by the department. Money in the fund at the close of the fiscal year shall remain in the fund and shall not lapse to the general fund. The state treasurer shall credit to the fund the money from any source provided by law.

(3) Money in the fund shall be used by the department to provide grants and loans to individuals, private or public corporations, and local units of government for programs or projects established to reduce oxides of nitrogen and volatile organic compounds and for the administration of the grant and loan program.

(4) The director of the department shall have final approval of grants and loans made under this section. Grants and loans made under this section are contingent upon the availability of money in the fund.

(5) The director of the department may impose fiduciary obligations upon a recipient of a grant, including performance bonding, and may impose conditions upon the receipt and expenditure of the grant money.

(6) An application for a grant or loan from the fund shall be made on a form or in a format prescribed by the department. The department may require the applicant to provide any information reasonably necessary to allow the department to make a determination required under this section.

(7) The department shall promulgate rules under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, to implement this section.

Enacting section 1. (1) Section 4 of the Julian-Stille value-added act, 2000 PA 322, MCL 285.304, is repealed.

(2) R 460.2601 to R 460.2625 of the Michigan administrative code are rescinded.

Enacting section 2. All money in the Michigan clean air fund on the effective date of this amendatory act is appropriated and transferred to the Michigan public service commission for distribution to utilities in the amounts contributed by the utilities to the Michigan clean air fund. Money received by the Michigan public service commission and distributed to utilities under this enacting section shall be refunded to customers through the reconciliation process provided in sections 6h and 6j of 1939 PA 3, MCL 460.6h and 460.6j.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor