

STATE SONG COMMISSION

House Bill 4119 (Substitute H-1) First Analysis (4-21-98)

Sponsor: Rep. Kirk Profit
Committee: House Oversight and Ethics

THE APPARENT PROBLEM:

During the last 20 years, there have been numerous bills introduced into the legislature to adopt particular songs as Michigan's state song. These attempts have been unsuccessful, as various legislators have suggested songs promoted by constituents and competing proposals have repeatedly been advanced. At various times, bills have passed both the House and Senate adopting certain songs as the official state song, but no bill has ever been passed by both houses and signed into law. Apparently, there is significant support for the concept of the state having an official state song (as most other states do), but it has become apparent that the legislature will be unlikely to come to a consensus as to which song should be named.

Therefore, as a new approach to this perennial issue, it has been suggested that a commission be appointed to select an official state song.

THE CONTENT OF THE BILL:

The bill would create a new act to establish a "Michigan state song commission" in the Department of State to designate and adopt a song as the state song.

The commission would consist of four members, one member each being appointed by the Senate Majority Leader, the Senate Minority Leader, the Speaker of the House of Representatives, and the Minority Leader of the House. An individual who submitted a song or melody to the commission for consideration would be ineligible to serve on the commission, as would a member of the immediate family of a person who submitted a song, and members of organizations submitting songs. Any vacancies on the commission would be filled in the same manner as the original appointment. The first meeting of the commission would have to be held not later than February 1, 1999. A majority of the commission members would constitute a quorum for transacting business, and action by the commission would be by majority of the

votes cast. Members would serve without compensation, but could be reimbursed for their actual and necessary expenses incurred in the performance of their official commission duties.

The commission would meet and evaluate songs and melodies submitted by state residents, would have to develop criteria that it would follow to select a state song, and then would designate and adopt a song as the state song. The commission also could designate and adopt other melodies that represented the musical heritage of Michigan. The selection of a state song and other melodies would have to be completed by May, 1999. Once a song or melody was designated and adopted by the commission, commission members would be prohibited from divulging the name of the song or melody to anyone outside the commission until May, 1999, in conjunction with Michigan week activities. At that time, the secretary of state and the commission would issue a joint press release describing the songs and melodies designated and adopted by the commission under the bill.

The commission would expire 30 days after the press release was issued.

FISCAL IMPLICATIONS:

According to the House Fiscal Agency, the bill would result in small, indeterminate cost increase for reimbursing commission members' expenses and providing administrative support. (4-15-98) According to the Department of State, the department expects to absorb any costs within its existing resources. (4-18-98)

BACKGROUND INFORMATION:

Over the years, a number of bills have been introduced that would have adopted an official state song, including:

- "Water Wonderland" (HBs 5228 and 5831 and SB 113 of 1979, SB 775 of 1981, HB 5231 of 1985, and HB 5184 of 1991),
- "Our Water Wonderland" (HB 5805 of 1979 and HB 5700 of 1985),
- "My Michigan" (SB 1151 of 1979),
- "Michigan My Homeland" (HB 5274 of 1983),
- "Michigan People" (HB 5548 of 1985),
- "Michigan (The Best You've Ever Been)" (HB 4672 of 1987),
- "Michigan, The Water Wonderland" (HB 4949 of 1987 and HB 5854 of 1995),
- "Apple Blossom Time" (SB 591 of 1987),
- "Two Peninsulas, One People" (SB 467 of 1991 and SB 1063 of 1993),
- "The Michigan Anthem" (HB 5075 of 1991),
- "Michigan, My Michigan" (HB 4732 of 1991, HB 4002 of 1993, and HB 4403 of 1995),
- "I Want to Go Back to Michigan, Down on the Farm" (HB 5767 of 1993 and SB 657 of 1995),
- "Michigan, My Home" (HB 4946 of 1995),
- "Wolverine Waltz" (SB 1071 of 1995 and SB 506 of 1997).

ARGUMENTS:

For:

Michigan reportedly is one of only three states (the other two being New York and New Jersey) that does not have an official state song. Michigan deserves to have an official song that not only would enhance the pride of its residents, but also would bring credit to the state. It would be particularly appropriate to announce the selection of the song during Michigan Week festivities.

Since the legislature has been unable to come to a consensus on this issue, it is time to try a new approach. The bill would set up a bipartisan commission housed in the Department of State to evaluate the various candidate songs and to select an

official state song. That way, the decision could be removed from the political process. And in addition to one official state song, the bill would allow the commission to designate other melodies that represent the rich and varied musical heritage of the state. It is expected that a commission would work with, perhaps, a university music department, or an existing musical organization (such as a symphony orchestra) to provide it with musical expertise. One possibility is that candidate songs could be performed at a concert in order to review and compare them. The bill would specify that people submitting songs, their immediate families, and members of organizations submitting songs to be considered could not be members of the commission.

Response:

Though a commission may be the only way to finally settle this issue, the bill proposes a four-person commission, which could result in further gridlock unless there was a way to break a tie. Further, the bill is silent on the qualifications for serving on the commission, such as knowledge or experience pertaining to music, Michigan history, and the like.

POSITIONS:

The Department of State supports the bill. (4-18-98)

Analyst: D. Martens

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.