

MICHIGAN FREEDOM TRAIL COMMISSION ACT

House Bill 5637 (Substitute H-1) First Analysis (4-21-98)

Sponsor: Rep. Samuel Buzz Thomas
Committee: House Oversight and Ethics

THE APPARENT PROBLEM:

The Underground Railroad, a clandestine effort to assist slaves escaping to freedom, reached its peak in the period of 1830 to 1865. The railroad was a national network of homes, hiding places, institutions and people providing hiding places and transportation for runaway slaves. The story of the Underground Railroad has been described by the National Park Service as a story "of individual sacrifice and heroism in the efforts of enslaved people to reach freedom from bondage".

In 1990 the National Park Service was directed by Congress to study how to best interpret and commemorate the Underground Railroad. This study was undertaken with the assistance of an advisory committee that included experts in historic preservation, African American history, United States history, and members of the general public. The study found that the story of the Underground Railroad is nationally significant; that a few elements of the story are represented in existing National Park Service sites, but many others are not adequately represented and protected; that many sites are in imminent danger of being lost or destroyed; and that no single site or route completely reflects and characterizes the Underground Railroad, that rather it is best represented by networks and regions. The park service made a number of recommendations for protecting and interpreting the history of the Underground Railroad, and from those recommendations legislation has been introduced in Congress to create a National Underground Railroad Network to Freedom Program. The National Black Caucus of State Legislators has passed a resolution supporting the federal initiative and proposing state and local initiatives to preserve historical sites and identify significant routes and events associated with the history of the Underground Railroad. In 1997, the New York state legislature passed legislation creating a state commission to commemorate that state's historic sites associated with the Underground Railroad.

Legislation has been introduced to set up a similar commission in Michigan, to promote and preserve the

history of the freedom trail and the Underground Railroad in Michigan.

THE CONTENT OF THE BILL:

The bill would create the Michigan Freedom Trail Commission Act, creating a "Michigan Freedom Trail Commission" in the Department of State to promote and preserve the history of the freedom trail and the Underground Railroad in the state.

Commission members, operation. The commission would exercise its prescribed duties and functions independently of the secretary of state, though its budgeting, procurement, and related functions and its administrative staffing would be performed under the direction and supervision of the secretary of state. Twelve commission members would be appointed by the governor within 90 days of the bill's effective date. Appointed members would consist of three members from the academic community who were knowledgeable in African-American history, two members who were active in civil rights issues, two members who were knowledgeable in historic preservation, two members who represented local communities in which the underground railroad had a significant presence, and three at-large members, one of whom would have to be a representative of the Museum of African American History in Detroit. In addition to the twelve appointed members, the commission also would have six *ex officio* members (each of whom could be represented by designees): the director of the Department of Natural Resources, the chief executive officer of the Michigan Jobs Commission, the director of Travel Michigan (the travel bureau), the state archivist, the state librarian, and the secretary of state (or his or her designee). Appointed members would serve for four-year terms (or until a successor was appointed, whichever were

later), except for the members initially appointed (who would be appointed to staggered one-, two-, and three-year terms). The governor would fill vacancies among appointed commission members in the same way as the original appointments, and could remove commission members for any good cause, including incompetency, dereliction of duty, malfeasance, misfeasance, or nonfeasance in office. Members would serve without compensation, though they could be reimbursed for their actual and necessary expenses incurred in performance of their official duties.

At their first meeting, commission members would elect a commission chair and other officers considered necessary or appropriate. After the first meeting, the commission would meet at least quarterly, or more frequently at the call of the chair or at the request of six or more of the appointed members. A majority of the appointed members would constitute a quorum, and a majority of appointed members present and serving would be required for official commission action. The commission would be required to conduct its business in compliance with the Open Meetings Act, and commission writings ("writings prepared, owned, used, in the possession of, or retained by the commission in the performance of an official function") would be subject to the Freedom of Information Act.

Commission duties. The commission would be required to do all of the following:

- ** Review, plan, and implement a master plan to promote and preserve the history of the freedom trail and the Underground Railroad in Michigan;
- ** Work with state and federal authorities to sponsor commemorations, linkages, seminars, and public forums on the freedom trail and the Underground Railroad;
- ** Help and promote applications for inclusion in the national and state register of historic places for historic places related to the freedom trail and the Underground Railroad in Michigan;
- ** Help and develop partnerships to seek public and private funds to carry out activities to protect, preserve, and promote the legacy of the freedom trail and Underground Railroad in Michigan; and
- ** Report annually to the governor and both houses of the legislature on commission activities each calendar year.

BACKGROUND INFORMATION:

According to historical information compiled in a special edition of the Grand Rapids Press in 1982, Michigan has been called the Grand Terminus of the Underground Railroad due to its proximity to Canada and the Great Lakes, which were used as a major thoroughfare for moving slaves to Canada. Before passage of the Fugitive Slave Act in 1950, Michigan was free territory, and was itself a destination for escaping slaves. After that legislation took effect, it became legal for bounty hunters to track escapees in the state for recapture. At this point, the efforts of those involved in the Underground Railroad increased dramatically. By 1862, it is estimated that about 50,000 fugitives had been routed into Canada by way of Detroit, the state's largest center of underground activity. There were other major departures from Port Huron, Monroe, and along Michigan's east coast.

Seven major routes through Michigan were used by escaping slaves and operators of the Underground Railroad. They have been identified as:

- Route 1: Toledo to Detroit, a route which ran along the waterways of Lake Erie, the Detroit River, Lake St. Clair and the St. Clair River.
- Route 2: Toledo to Adrian to Detroit, a trail beginning in Toledo and running to Monroe County, then into Lenawee County, through Tecumseh and into the lower part of Washtenaw County and on to Detroit. Adrian is said to have been the focal point of this route, due largely to a strong Quaker influence in the area.
- Route 3: St. Joseph to Detroit, following much of the Old Sauk Trail, an Indian trail that ran along the Lake Michigan shoreline from the Indiana border through St. Joseph, Branch, and Hillsdale Counties and into Detroit. There were important stations in Union City and Coldwater, and the area also published an underground anti-slavery newspaper, "Signal of Liberty", whose operators were in constant danger and frequently moved the printing presses from one secret location to another.
- Route 4: Chicago to Detroit, covering the counties along the Old Territorial Road, and including the communities of Niles, Vandalia, Schoolcraft, Kalamazoo, Battle Creek, Marshall, and Jackson. Much of the underground activity along this route was reportedly managed by Quakers who settled in southwest Michigan. At the other end of this route,

abolitionist activity brought the founding of the Michigan Anti-Slavery Society at the Washtenaw County Courthouse in 1837. Later, abolitionists and anti-slavery sympathizers met outside Jackson and founded the Republican Party in 1854.

- Route 5: Muskegon to Detroit, following the Grand River Valley from Lake Michigan to Jackson, and including stations in Muskegon, Grand Rapids, Lansing and beyond. Fugitives were moved east and west along the route as well as along tributaries leading to the Grand River.

- Route 6: Detroit to Saginaw Bay, running from the outskirts of Detroit to Saginaw. This route was used as an alternate route when slave catchers were watching Detroit closely. Fugitives could be moved to Canada via the Saginaw Bay, or taken to northern Michigan, or to Port Huron for transport to Sarnia. Farmington was the junction of several routes, including Route 6, and Sojourner Truth was a frequent visitor to this city in her work of fundraising and rallying people to the abolitionist cause.

- Route 7: Chicago to the Upper Peninsula, along the eastern shoreline of Lake Michigan from Chicago through the U.P. This was the route where fugitive slaves were received from underground connections in Indiana, Illinois, Wisconsin, and Minnesota.

FISCAL IMPLICATIONS:

According to the House Fiscal Agency and the Department of State, it is expected that the bill would result in increased costs to the Department of State of \$71,200 per year, for expense reimbursement for commission members and one staff position to provide administrative support. (3-18-98 and 4-15-98)

ARGUMENTS:

For:

There is a great deal of interest in the rich history of Michigan's role in the dramatic story of the Underground Railroad, a series of dangerous and heroic efforts by black and white Americans joined together in active protest against the institution of human slavery in this country. By establishing a commission to coordinate activities to preserve and communicate this history, Michigan will maximize efforts to tell the story of the Underground Railroad to its own citizens and to out-of-state tourists seeking to understand this part of the nation's history. The state-level commission is viewed as a way to link

Michigan's historic preservation efforts to national efforts to build an appropriate historical "monument", as it were, mapping the routes, marking probable sites, capturing oral histories of those with personal stories to tell, and generally helping to make the story real to Michigan citizens and others.

Response:

There is some concern with the large size of the proposed commission, and with whether all appropriate groups would be represented.

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.