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SFA**BILL ANALYSIS**

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House Bill 5637 (Substitute H-1 as passed by the House)
Sponsor: Representative Samuel Buzz Thomas
House Committee: House Oversight and Ethics
Senate Committee: Local, Urban and State Affairs

Date Completed: 9-23-98

CONTENT

The bill would create the “Michigan Freedom Trail Commission Act” to do the following:

- Create the Michigan Freedom Trail Commission within the Department of State.
- Require the Commission, among other things, to promote and preserve the history of the Freedom Trail and Underground Railroad in the State.
- Require the Commission to report annually to the Governor and Legislature on the Commission’s activities in the prior calendar year.

Duties

The Commission would be required to exercise its duties and functions independently of the Secretary of State. The budgeting, procurement, and related functions of the Commission and administrative responsibilities for the Commission’s staff, however, would have to be performed under the direction and supervision of the Secretary of State.

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 Underground Railroad in the State.
- Work in conjunction with State and Federal authorities to sponsor commemorations, linkages, seminars, and public forums on the Freedom Trail and Underground Railroad in the State and neighboring states.
- Assist and promote the making of applications for inclusion in the National and State register of historic places for significant historic places related to the Freedom Trail and the Underground Railroad in Michigan.
- Assist 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 the State.

Membership

The Commission would consist of the following:

- Members appointed by the Governor: three from the academic community knowledgeable in African-American history; two actively involved in civil rights issues; two knowledgeable in historic preservation, one of whom was a representative of the Michigan Museum Association;

two representing local communities in which the Underground Railroad had a significant presence; and, three members at large, one of whom would have to be a representative of the Museum of African American History in Detroit.

- Members serving ex officio without vote: the Director of the Department of Natural Resources, the chief executive officer of the Michigan Jobs Commission, the Director of Travel Michigan, the State Archivist, the State Librarian, and the Secretary of State, or their representatives.

The members appointed by the Governor would have to be appointed within 90 days after the bill's effective date. These members would have to serve for four-year terms or until a successor was appointed, whichever was later, except that of the members first appointed, three would serve for one year, three would serve for two years, and three would serve for three years. If a vacancy occurred on the Commission among these members, the Governor would have to make an appointment for the unexpired term in the same manner as the original appointment.

The Governor could remove a Commission member for incompetency, dereliction of duty, malfeasance, misfeasance, or nonfeasance in office, or any other good cause.

At the first meeting, the Commission would have to elect from among its members a chairperson and other officers as it considered necessary or appropriate. After the first meeting, the Commission would have to meet at least quarterly, or more frequently at the call of the chairperson or if requested by at least six members who were appointed by the Governor. A majority of the members appointed by the Governor would constitute a quorum for the transaction of business at a meeting of the Commission. A majority of these members present and serving would be required for official action of the Commission. The Commission would be subject to the Open Meetings Act and the Freedom of Information Act.

Commission members would serve without compensation, but could be reimbursed for their actual and necessary expenses incurred in the performance of their official duties as members of the Commission.

Legislative Analyst: L. Arasim

FISCAL IMPACT

The Commission would incur costs from paying expenses to Commission members as well as one staff member to provide administrative support. Public Act 310 of 1998 provided \$71,200 for costs associated with the Michigan Freedom Trail Commission. There would be no impact on local government.

Fiscal Analyst: E. Limbs

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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.