

SUBSTITUTE FOR
HOUSE BILL NO. 5637

A bill to create the Michigan freedom trail commission; and to prescribe the powers and duties of certain state departments, agencies, commissions, and officers.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "Michigan freedom trail commission act".

3 Sec. 2. As used in this act:

4 (a) "Department" means the department of state.

5 (b) "Michigan freedom trail commission" or "commission"
6 means the Michigan freedom trail commission created in section
7 3.

8 Sec. 3. (1) The Michigan freedom trail commission is cre-
9 ated within the department of state. The commission shall
10 exercise its prescribed duties and functions independently of the
11 secretary of state. However, the budgeting, procurement, and

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1 related functions of the commission and administrative
2 responsibilities for the staff of the commission shall be per-
3 formed under the direction and supervision of the secretary of
4 state.

5 (2) The commission shall consist of the following:

6 (a) Members appointed by the governor, as follows:

7 (i) Three members from the academic community knowledgeable
8 in African-American history.

9 (ii) Two members actively involved in civil rights issues.

10 (iii) Two members knowledgeable in historic preservation [, 1
of which is a representative of the Michigan museum association].

11 (iv) Two members representing local communities in which the
12 underground railroad had a significant presence.

13 (v) Three members at large, 1 of whom shall be a representa-
14 tive of the museum of African American history located in the
15 city of Detroit.

16 (b) Members serving ex officio without vote as follows:

17 (i) The director of the department of natural resources or
18 his or her representative.

19 (ii) The chief executive officer of the Michigan jobs com-
20 mission or his or her representative.

21 (iii) The director of travel Michigan or his or her
22 representative.

23 (iv) The state archivist or his or her representative.

24 (v) The state librarian or his or her representative.

25 (vi) The secretary of state or his or her representative.

1 (3) The members appointed under subsection (2)(a) first
2 appointed to the commission shall be appointed within 90 days
3 after the effective date of this act.

4 (4) Members of the commission appointed under
5 subsection (2)(a) shall serve for terms of 4 years or until a
6 successor is appointed, whichever is later, except that of the
7 members first appointed 3 shall serve for 1 year, 3 shall serve
8 for 2 years, and 3 shall serve for 3 years.

9 (5) If a vacancy occurs on the commission among members
10 appointed under subsection (2)(a), the governor shall make an
11 appointment for the unexpired term in the same manner as the
12 original appointment.

13 (6) The governor may remove a member of the commission for
14 incompetency, dereliction of duty, malfeasance, misfeasance, or
15 nonfeasance in office, or any other good cause.

16 (7) At the first meeting, the commission shall elect from
17 among its members a chairperson and other officers as it consid-
18 ers necessary or appropriate. After the first meeting, the com-
19 mission shall meet at least quarterly, or more frequently at the
20 call of the chairperson or if requested by 6 or more members
21 appointed under subsection (2)(a).

22 (8) A majority of the members of the commission appointed
23 under subsection (2)(a) constitute a quorum for the transaction
24 of business at a meeting of the commission. A majority of the
25 members appointed under subsection (2)(a) present and serving are
26 required for official action of the commission.

1 (9) The business that the commission may perform shall be
2 conducted at a public meeting of the commission held in
3 compliance with the open meetings act, 1976 PA 267, MCL 15.261 to
4 15.275.

5 (10) A writing prepared, owned, used, in the possession of,
6 or retained by the commission in the performance of an official
7 function is subject to the freedom of information act, 1976 PA
8 442, MCL 15.231 to 15.246.

9 (11) Members of the commission shall serve without
10 compensation. However, members of the commission may be reim-
11 bursed for their actual and necessary expenses incurred in the
12 performance of their official duties as members of the
13 commission.

14 Sec. 4. The commission shall do all of the following:

15 (a) Review, plan, and implement a master plan to promote and
16 preserve the history of the freedom trail and underground rail-
17 road in this state.

18 (b) Work in conjunction with state and federal authorities
19 to sponsor commemorations, linkages, seminars, and public forums
20 on the freedom trail and underground railroad in this state and
21 neighboring states.

22 (c) Assist and promote the making of applications for inclu-
23 sion in the national and state register of historic places for
24 significant historic places related to the freedom trail and the
25 underground railroad in Michigan.

26 (d) Assist and develop partnerships to seek public and
27 private funds to carry out activities to protect, preserve, and

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1 promote the legacy of the freedom trail and underground railroad
2 in this state.

3 Sec. 5. The commission shall annually report to the gover-
4 nor and both houses of the legislature on the activities of the
5 commission in the prior calendar year.