

Act No. 409
Public Acts of 1998
Approved by the Governor
December 17, 1998
Filed with the Secretary of State
December 21, 1998
EFFECTIVE DATE: December 21, 1998

STATE OF MICHIGAN
89TH LEGISLATURE
REGULAR SESSION OF 1998

**Introduced by Reps. Thomas, Schauer, Profit, DeHart, Brater, McBryde, Harder, Kelly, Kilpatrick, Jelinek, Goschka, LaForge, Baird, Cherry, Dobb, Oxender, Gubow, Gire, Stallworth, Hale, Bogardus, Anthony, Scott, Vaughn, Cassis, Perricone and Raczkowski
Reps. Agee, Alley, Baade, Bankes, Basham, Bodem, Brewer, Callahan, Dalman, DeVuyst, Dobronski, Emerson, Fitzgerald, Freeman, Gagliardi, Galloway, Gernaat, Gilmer, Godchaux, Hood, Jellema, Johnson, Kukuk, LeTarte, London, Martinez, Mathieu, Middaugh, Murphy, Olshove, Price, Prusi, Richner, Rison, Rocca, Schermesser, Schroer, Scranton, Tesanovich, Voorhees, Wallace, Wetters and Whyman named co-sponsors**

ENROLLED HOUSE BILL No. 5637

AN ACT 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:

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

Sec. 2. As used in this act:

- (a) "Department" means the department of state.
- (b) "Michigan freedom trail commission" or "commission" means the Michigan freedom trail commission created in section 3.

Sec. 3. (1) The Michigan freedom trail commission is created within the department of state. The commission shall exercise its prescribed duties and functions independently of the secretary of state. However, the budgeting, procurement, and related functions of the commission and administrative responsibilities for the staff of the commission shall be performed under the direction and supervision of the secretary of state.

(2) The commission shall consist of the following:

- (a) Members appointed by the governor, as follows:
 - (i) Three members from the academic community knowledgeable in African-American history.
 - (ii) One member actively involved in civil rights issues.
 - (iii) One member knowledgeable in historic preservation.
 - (iv) One member representing local communities in which the underground railroad had a significant presence.
 - (v) Three members at large, 1 of whom shall be a representative of the museum of African American history located in the city of Detroit.
- (b) Members serving ex officio without vote as follows:
 - (i) The chief executive officer of the Michigan jobs commission or his or her representative.
 - (ii) The state librarian or his or her representative.
 - (iii) The secretary of state or his or her representative.
- (3) The members appointed under subsection (2)(a) first appointed to the commission shall be appointed within 90 days after the effective date of this act.

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

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

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

(7) At the first meeting, the commission shall elect from among its members a chairperson and other officers as it considers necessary or appropriate. After the first meeting, the commission shall meet at least quarterly, or more frequently at the call of the chairperson or if requested by 6 or more members appointed under subsection (2)(a).

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

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

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

(11) Members of the commission shall serve without compensation. However, members of the commission may be reimbursed for their actual and necessary expenses incurred in the performance of their official duties as members of the commission.

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

(a) Review, plan, and implement a master plan to promote and preserve the history of the freedom trail and underground railroad in this state.

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

(c) 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.

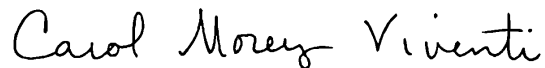
(d) Assist and develop partnerships to seek public and private funds to carry out activities to protect, preserve, and promote the legacy of the freedom trail and underground railroad in this state.

Sec. 5. The commission shall annually report to the governor and both houses of the legislature on the activities of the commission in the prior calendar year.

This act is ordered to take immediate effect.



Clerk of the House of Representatives.



Secretary of the Senate.

Approved _____

Governor.