

Act No. 443
Public Acts of 1998
Approved by the Governor
December 29, 1998
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STATE OF MICHIGAN
89TH LEGISLATURE
REGULAR SESSION OF 1998

Introduced by Senators Bennett, Conroy, Gougeon, North, Bullard, Vaughn, V. Smith, Peters, A. Smith, DeBeaussaert, Young, Stallings, Byrum and Koivisto

ENROLLED SENATE BILL No. 380

AN ACT to amend 1990 PA 325, entitled "An act to authorize the donation of certain property and artifacts to the department of state; to provide for state acceptance of the donated property and artifacts; to prescribe the powers and duties of the department of state in relation to the donated property and artifacts; to provide for the operation and administration of certain museums; to create museum advisory boards and prescribe the powers and duties of the boards; to create revolving trust funds and provide for the operation of those funds; to encourage establishment of recognized friends organizations; and to make appropriations to the department of state and provide for the expenditure of the appropriations," by amending sections 110 and 210 (MCL 399.410 and 399.510).

The People of the State of Michigan enact:

Sec. 110. (1) The department shall encourage the creation of an officially recognized friends of the maritime museum organization designed to provide funding, promotional support, volunteer labor, and other forms of assistance to the maritime museum.

(2) If established, the officially recognized friends of the maritime museum organization may do all of the following:

(a) Make expenditures on behalf of the programs of the maritime museum, if such expenditures are requested by the department.

(b) Use the facilities of the maritime museum without charge upon receipt of written permission from the department to do so. Use of the maritime museum facilities shall be in keeping with the authorized purposes of the friends of the maritime museum organization, shall not be made at times and places that would unreasonably interfere with opportunities of the general public to use the facilities for established purposes, and shall be subject to the other provisions of this section.

(c) Engage in fund-raising activities at the maritime museum.

(d) Operate a maritime museum store or other sales facilities, or both, if the department enters into a concession agreement with the friends of the maritime museum organization.

(3) To qualify as the officially recognized friends of the maritime museum organization, an organization shall do all of the following:

(a) Incorporate under the laws of the state of Michigan.

(b) Operate on a nonprofit basis.

(c) Request written approval from the department, using procedures and forms prescribed by the department, to function as an officially recognized friends of the maritime museum organization.

(4) Except as provided in subsection (5), if an entity qualifies as the officially recognized friends of the maritime museum organization, the department shall issue a letter of certification recognizing the friends of the maritime museum organization's qualifications. The letter shall specify the conditions under which the friends of the maritime museum organization may make expenditures on behalf of the maritime museum and may include other appropriate provisions.

(5) Nothing in this section requires the department to certify a friends of the maritime museum organization that meets the qualifications prescribed in this section.

(6) The department may promulgate rules pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, to establish special conditions with which the friends of the maritime museum organization shall comply in order to use maritime museum facilities.

(7) The department shall not permit the use of museum facilities if the friends of the maritime museum organization fails to provide membership and employment opportunities to all persons regardless of race, color, religion, sex, age, national origin, or physical disability.

Sec. 210. (1) The department shall encourage the creation of an officially recognized friends of the depot organization designed to provide funding, promotional support, volunteer labor, and other forms of assistance to the railroad history museum.

(2) If established, the officially recognized friends of the depot organization may do all of the following:

(a) Make expenditures on behalf of the programs of the railroad history museum, if such expenditures are requested by the department.

(b) Use the facilities of the railroad history museum without charge upon receipt of written permission from the department to do so. Use of the railroad history museum facilities shall be in keeping with the authorized purposes of the friends of the depot organization, shall not be made at times and places that would unreasonably interfere with opportunities of the general public to use the facilities for established purposes, and shall be subject to the other provisions of this section.

(c) Engage in fund-raising activities at the railroad history museum.

(d) Furnish volunteer labor to perform services in the railroad history museum store and in connection with other programs at the railroad history museum.

(3) To qualify as the officially recognized friends of the depot organization, an organization shall do all of the following:

(a) Incorporate under the laws of the state of Michigan.

(b) Operate on a nonprofit basis.

(c) Request written approval from the department, using procedures and forms prescribed by the department, to function as an officially recognized friends of the depot organization.

(4) Except as provided in subsection (5), if an entity qualifies as the officially recognized friends of the depot organization, the department shall issue a letter of certification recognizing the organization's qualifications. The letter shall specify the conditions under which the friends of the depot organization may make expenditures on behalf of the railroad history museum and may include other appropriate provisions.

(5) Nothing in this section requires the department to certify a friends of the depot organization that meets the qualifications prescribed in this section.

(6) The department may promulgate rules pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, to establish special conditions with which the friends of the depot organization shall comply in order to use railroad history museum facilities.

(7) The department shall not permit the use of railroad history museum facilities if the friends of the depot organization fails to provide membership and employment opportunities to all persons regardless of race, color, religion, sex, age, national origin, or physical disability.

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate.

Mary Beaulieu

Clerk of the House of Representatives.

Approved

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Governor.