

REPRINT

SUBSTITUTE FOR

HOUSE BILL NO. 4957

(As passed the House, June 28, 2001)

A bill to amend 1998 PA 409, entitled  
"Michigan freedom trail commission act,"  
by amending sections 2 and 3 (MCL 399.82 and 399.83).

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 2. As used in this act:

2       (a) "Department" means the department of ~~state~~ HISTORY,  
3 ARTS, AND LIBRARIES.

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

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

**HB 4957, As Passed Senate, July 12, 2001**

House Bill No. 4957

2

1 responsibilities for the staff of the commission shall be  
2 performed under the direction and supervision of the ~~secretary~~  
3 ~~of state~~ DEPARTMENT.

4 (2) The commission shall consist of the following MEMBERS:

5 (A) ONE MEMBER APPOINTED BY THE SPEAKER OF THE HOUSE OF  
6 REPRESENTATIVES.

7 (B) ONE MEMBER APPOINTED BY THE SENATE MAJORITY LEADER.

8 (C) ~~(a) Members~~ NINE MEMBERS appointed by the governor, as  
9 follows:

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

12 (ii) One member actively involved in civil rights issues.

13 (iii) One member knowledgeable in historic preservation.

14 (iv) One member representing local communities in which the  
15 underground railroad had a significant presence.

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

19 (D) ~~(b) Members~~ THREE MEMBERS serving ex officio without  
20 vote as follows:

21 (i) The chief executive officer of the Michigan ~~jobs~~  
22 ~~commission~~ ECONOMIC DEVELOPMENT CORPORATION or his or her  
23 representative.

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

25 (iii) The ~~secretary of state~~ DIRECTOR OF THE DEPARTMENT or  
26 his or her representative.

1 (3) The members appointed under subsection ~~-(2)(a)-~~ (2)(C)  
2 first appointed to the commission shall be appointed within 90  
3 days after ~~the effective date of this act~~ DECEMBER 21, 1998.

4 (4) Members of the commission appointed under subsection  
5 ~~-(2)(a)-~~ (2)(C) shall serve for terms of 4 years or until a suc-  
6 cessor is appointed, whichever is later, except that of the mem-  
7 bers first appointed 3 shall serve for 1 year, 3 shall serve for  
8 2 years, and 3 shall serve for 3 years. A MEMBER OF THE COMMIS-  
9 SION APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES OR  
10 THE SENATE MAJORITY LEADER UNDER SUBSECTION (2)(A) OR (B),  
11 RESPECTIVELY, SHALL HOLD OFFICE FOR A TERM OF 2 YEARS TO COINCIDE  
12 WITH THE TERM OF OFFICE OF STATE REPRESENTATIVE.

13 (5) ~~If a~~ A vacancy ~~occurs~~ on the commission ~~among mem-~~  
14 ~~bers appointed under subsection (2)(a), the governor shall make~~  
15 ~~an appointment~~ SHALL BE FILLED for the unexpired term in the  
16 same manner as the original appointment.

17 (6) The governor, SPEAKER OF THE HOUSE OF REPRESENTATIVES,  
18 OR SENATE MAJORITY LEADER may remove a member of the commission  
19 APPOINTED BY HIM OR HER for incompetency, dereliction of duty,  
20 malfeasance, misfeasance, or nonfeasance in office, or any other  
21 good cause.

22 (7) At the first meeting, the commission shall elect from  
23 among its members a chairperson and other officers as it consid-  
24 ers necessary or appropriate. After the first meeting, the com-  
25 mission shall meet at least quarterly, or more frequently at the  
26 call of the chairperson or if requested by ~~6~~ 7 or more members  
27 appointed under subsection (2)(a), (B), AND (C).

**HB 4957, As Passed Senate, July 12, 2001**

House Bill No. 4957

4

1       (8) A majority of the members of the commission appointed  
2 under subsection (2)(a), (B), AND (C) constitute a quorum for the  
3 transaction of business at a meeting of the commission. A major-  
4 ity of the members appointed under subsection (2)(a), (B), AND  
5 (C) present and serving are required for official action of the  
6 commission.

7       (9) The business that the commission may perform shall be  
8 conducted at a public meeting of the commission held in compli-  
9 ance with the open meetings act, 1976 PA 267, MCL 15.261 to  
10 15.275.

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

15       (11) Members of the commission shall serve without  
16 compensation. However, members of the commission may be reim-  
17 bursed for their actual and necessary expenses incurred in the  
18 performance of their official duties as members of the  
19 commission.

20       Enacting section 1. This amendatory act does not take  
21 effect unless House Bill No. 4941 of the 91st Legislature is  
22 enacted into law.