

HOUSE BILL No. 4957

June 13, 2001, Introduced by Reps. Thomas and Stewart and referred to the Committee on Commerce.

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 CULTURE.

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

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:

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

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

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

9 (iii) One member knowledgeable in historic preservation.

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

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

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

16 (i) The chief executive officer of the Michigan ~~jobs~~
17 ~~commission~~ ECONOMIC DEVELOPMENT CORPORATION or his or her
18 representative.

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

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

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

25 (4) Members of the commission appointed under
26 subsection (2)(a) shall serve for terms of 4 years or until a
27 successor is appointed, whichever is later, except that of the

1 members first appointed 3 shall serve for 1 year, 3 shall serve
2 for 2 years, and 3 shall serve for 3 years.

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

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

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

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

21 (9) The business that the commission may perform shall be
22 conducted at a public meeting of the commission held in compli-
23 ance with the open meetings act, 1976 PA 267, MCL 15.261 to
24 15.275.

25 (10) A writing prepared, owned, used, in the possession of,
26 or retained by the commission in the performance of an official

1 function is subject to the freedom of information act, 1976
2 PA 442, MCL 15.231 to 15.246.

3 (11) Members of the commission shall serve without
4 compensation. However, members of the commission may be reim-
5 bursed for their actual and necessary expenses incurred in the
6 performance of their official duties as members of the
7 commission.

8 Enacting section 1. This amendatory act does not take
9 effect unless Senate Bill No. _____ or House Bill No. 4941
10 (request no. 02873'01) of the 91st Legislature is enacted into
11 law.