

Act No. 508
Public Acts of 2002
Approved by the Governor
July 23, 2002
Filed with the Secretary of State
July 23, 2002
EFFECTIVE DATE: July 23, 2002

STATE OF MICHIGAN
91ST LEGISLATURE
REGULAR SESSION OF 2002

Introduced by Reps. Allen, Birkholz, Cassis, Kolb, Mortimer, Shulman, Bishop, Shackleton, Van Woerkom, Gilbert, Patterson, Rivet, McConico, Stallworth, Kuipers, Jacobs, Thomas, Murphy, Waters, Bovin, Daniels, Phillips, George, Kowall, Vander Roest, DeRossett and Mead

ENROLLED HOUSE BILL No. 6066

AN ACT to amend 2001 PA 63, entitled "An act to create a department of history, arts, and libraries; to provide for its administration; and to provide for its powers, duties, functions, and responsibilities," by amending sections 2 and 21 (MCL 399.702 and 399.721) and by adding sections 7 and 22.

The People of the State of Michigan enact:

Sec. 2. As used in this act:

- (a) "Commission" means the Michigan film advisory commission created in section 22.
- (b) "Council" means the Michigan council for arts and cultural affairs established by Executive Order No. 1991-21.
- (c) "Department" means the department of history, arts, and libraries created in section 3.
- (d) "Director" means the director of the department.
- (e) "Office" means the Michigan film office created in section 21.
- (f) "Person" means an individual, partnership, corporation, association, governmental entity, or other legal entity.
- (g) "Type II transfer" means that term as it is defined in section 3 of the executive organization act of 1965, 1965 PA 380, MCL 16.103.

Sec. 7. (1) The department may enter into cooperative agreements, contracts, or other agreements with 1 or more governmental entities to use the personnel, services, or facilities of the entity to assist with carrying out the duties, functions, and responsibilities of the department as provided in this act and as otherwise provided by law.

(2) The director may delegate his or her authority to execute an agreement authorized in subsection (1) to another officer or employee of the department under terms the director considers appropriate.

Sec. 21. (1) The Michigan film office is created in the department and shall be headed by the Michigan film commissioner. The director shall appoint an individual to serve as the Michigan film commissioner.

(2) The office shall do all of the following:

- (a) Promote and market Michigan's locations, talent, crews, facilities, and technical production and other services.
- (b) Provide to interested persons descriptive and pertinent information on locations, talent, crews, facilities, and technical production and other services.
- (c) Provide technical assistance to the film and television industry in locating and securing the use of locations, talent, crews, facilities, and services.

(d) Encourage community and Michigan film and television production industry participation in, and coordination with, state efforts to attract film and television production in Michigan.

(e) Serve as chief state liaison with the film and television production industry and with other governmental units and agencies for the purpose of promoting, encouraging, and facilitating film and television production in Michigan.

Sec. 22. (1) The Michigan film advisory commission is created in the department. The commission shall consist of the following members:

(a) Thirteen individuals appointed by the governor as follows:

(i) Five members associated with broad areas of film and motion picture making, production of television programs and commercials, and related industries in Michigan.

(ii) Two members representing Michigan-based theater owners, 1 of whom shall be a large theater owner. As used in this subdivision, "large theater" means a theater with 10 screens or more or that seats 1,000 individuals or more.

(iii) Two members from film, television, or related industry unions.

(iv) Three members appointed from the public at large and not active in the film, television, and related industries.

(v) One member representing local units of government.

(b) One individual appointed by the speaker of the house of representatives.

(c) One individual appointed by the senate majority leader.

(2) The Michigan film commissioner shall serve as an ex officio nonvoting member of the commission.

(3) The governor shall appoint 1 member of the commission to serve as chairperson of the commission for a term of 1 year. The governor may reappoint the chairperson for an additional term of 1 year. A member shall not serve as chairperson for more than 2 consecutive terms.

(4) The term of office of each regular member of the commission shall be 3 years and until the appointment and qualification of the member's successor. If a vacancy occurs on the commission, that vacancy shall be filled within 90 days after the vacancy occurs for the remainder of the unexpired term. The vacancy shall be filled in the same manner as the original appointment. An individual who is appointed to fill a vacancy is eligible for appointment to a subsequent full term.

(5) Members of the commission shall serve without compensation but, subject to appropriations, may receive reimbursement for their actual and necessary expenses while attending meetings or performing other authorized official business of the commission.

(6) The commission may do 1 or more of the following:

(a) Advise the governor, the department, the office, and the legislature on how to promote and market Michigan's locations, crews, facilities, and technical production facilities and other services used by film, television, and related industries.

(b) Encourage community and Michigan film and television production industry participation in, and coordination with, state efforts to attract film, television, and related production to Michigan.

(c) Assist the office in promoting, encouraging, and facilitating film, television, and related production in Michigan.

(d) Develop strategies and methods to attract film, television, and related business to Michigan.

(e) Under direction of the office, provide assistance to film, television, and related service personnel who use Michigan as a business location.

(f) Sponsor and support official functions for film, television, and related industries.

(g) Assist in the establishment of film and television ventures and such related matters as the office or the department considers appropriate.

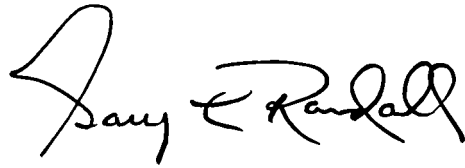
(7) The commission shall meet not less than 3 times each year. The commission shall also meet at the call of its chairperson.

(8) A meeting of the commission shall be conducted as a public meeting held in compliance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275. Notice of the date, time, and place of a public meeting of the commission shall be given as prescribed in the open meetings act, 1976 PA 267, MCL 15.261 to 15.275.

(9) A writing prepared, owned, used, in the possession of, or retained by the commission when performing business of the commission is subject to the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246, except that such a writing may be kept confidential for up to 6 months after the date a request to inspect, obtain, or copy the writing is received, if, in the judgment of the chairperson of the commission, disclosure of the record would compromise or otherwise undermine the ability of Michigan industry to compete in the promotion and marketing of Michigan's locations, crews, facilities, and technical production and other services.

(10) A member of the commission shall not use for personal gain information obtained by the member while performing business of the commission, nor shall a member of the commission disclose confidential information obtained by the member while conducting commission business, except as necessary to perform commission business.

This act is ordered to take immediate effect.



Clerk of the House of Representatives.



Secretary of the Senate.

Approved _____

Governor.