

Act No. 187
Public Acts of 2017
Approved by the Governor
November 20, 2017
Filed with the Secretary of State
November 21, 2017
EFFECTIVE DATE: February 19, 2018

**STATE OF MICHIGAN
99TH LEGISLATURE
REGULAR SESSION OF 2017**

Introduced by Senator Green

ENROLLED SENATE BILL No. 564

AN ACT to amend 2016 PA 470, entitled “An act to create the Michigan historical center; to prescribe the authority of the center; to provide for the archives of Michigan and the Michigan historical museum to be under the control and supervision of the center; to provide stewardship for the museum and archival collection of this state; to provide for the management of state and local government records of archival value; to prescribe the powers and duties of certain state and local agencies and officials; and to repeal acts and parts of acts,” by amending the title and sections 1, 2, 3, 7, and 8 (MCL 399.801, 399.802, 399.803, 399.807, and 399.808).

The People of the State of Michigan enact:

TITLE

An act to create the Michigan history center; to prescribe the authority of the center; to provide for the archives of Michigan and the Michigan history museum to be under the control and supervision of the center; to provide stewardship for the museum and archival collection of this state; to provide for the management of state and local government records of archival value; to prescribe the powers and duties of certain state and local agencies and officials; and to repeal acts and parts of acts.

Sec. 1. This act shall be known and may be cited as the “Michigan history center act”.

Sec. 2. As used in this act:

- (a) “Archives” means the archives of Michigan.
- (b) “Center” means the Michigan history center.
- (c) “Commission” means the Michigan historical commission created in section 3 of the Michigan historical commission act, 2016 PA 469, MCL 399.833.
- (d) “Department” means the department of natural resources.
- (e) “Director” means the director of the department.
- (f) “Museum” means the Michigan history museum.
- (g) “Operations fund” means the Michigan history center operations fund created in section 8.
- (h) “Publications fund” means the Michigan heritage publications fund created in section 5.
- (i) “Record” means any of the following:
 - (i) A document, paper, book, letter, or writing, including a document, paper, book, letter, or writing prepared by handwriting, typewriting, printing, photostating, photocopying, or electronic medium.
 - (ii) A photograph.

- (iii) A film.
- (iv) A map.
- (v) A magnetic or paper tape.
- (vi) A microform.
- (vii) A magnetic or punch card.
- (viii) A disc, drum, sound, or video recording.
- (ix) An electronic data processing material.
- (x) Recorded information in any electronic or digital file format, including individual letters, words, pictures, sounds, impulses, or symbols.
- (xi) A combination of items listed in subparagraphs (i) to (x), regardless of physical form or characteristics.
- (j) "Rule" means a rule promulgated pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.
- (k) "Store" means the retail store operated by the center.

Sec. 3. (1) The Michigan history center is established in the department.

(2) The archives of Michigan and the Michigan history museum shall be operated under the control and supervision of the center.

(3) Using modern professional practices, the center shall do all of the following:

- (a) Advise the department on history policies and programs and serve as a forum for citizen concerns and input.
- (b) Collect, provide stewardship for, and interpret materials, including, but not limited to, archival records in all available media, artifacts, oral histories, and published family history references, that document and illustrate the history of this state and its people. The center shall make these materials available to the public in a manner consistent with their preservation for future generations, using techniques that include, but are not limited to, museum exhibits, historical markers, public programs, public research facilities, and online materials.
- (c) Create Michigan-focused educational programs and materials that reinforce adopted state educational standards.
- (d) Provide professional assistance to other state and local government agencies related to records designated for preservation by approved records retention schedules.
- (e) Use its resources to support heritage tourism and community development in this state.
- (f) Represent this state in its partnership with the Thunder Bay National Marine Sanctuary and Underwater Preserve.
- (g) Provide professional expertise and leadership for the preservation and interpretation of history on state lands.

(4) Money collected by the center for historical markers, document reproduction and services, conferences, admissions, workshops, training classes, and the use of specialized equipment, facilities, exhibits, collections, and software shall be forwarded to the state treasurer for deposit into the operations fund. Subject to the annual appropriations process, the center may charge reasonable fees for admissions and other services described in this subsection. Fees collected under this subsection shall be forwarded to the state treasurer for deposit into the operations fund.

(5) The center may accept gifts and bequests, including tangible and intangible property, for the furtherance of its authorized purposes. Money collected under this subsection shall be forwarded to the state treasurer for deposit into the operations fund.

Sec. 7. (1) Within the center, museum responsibilities include, but are not limited to, accessioning and deaccessioning artifacts that should be preserved for future generations, providing stewardship for and access to those artifacts, managing historic sites and museums that are owned by this state, creating interpretive plans and exhibits for its managed sites and other sites within the department with the exception of those operated by the Mackinac State Historic Parks, and administering programs that support and extend the visitor experience at its managed sites.

(2) Proceeds in excess of costs incurred in the conduct of auctions, sales, or transfers of artifacts no longer considered suitable for the collection of the museum may be expended upon receipt for additional materials for the collection. The department shall notify the chairpersons, vice-chairpersons, and minority vice-chairpersons of the senate and house appropriations subcommittees on natural resources 1 week prior to any auctions or sales.

(3) Money collected under this section shall be forwarded to the state treasurer for deposit into the operations fund.

Sec. 8. (1) The Michigan history center operations fund is created within the state treasury.

(2) The state treasurer may receive money or other assets from any source for deposit into the operations fund. The state treasurer shall direct the investment of the operations fund. In consultation with the department, the state

treasurer may create subaccounts within the operations fund. The state treasurer shall credit to the operations fund interest and earnings from operations fund investments.

(3) Money in the operations fund at the close of the fiscal year shall remain in the operations fund and shall not lapse to the general fund.

(4) The department shall be the administrator of the operations fund for auditing purposes.

(5) The department shall expend money in the operations fund, upon appropriation, to do any of the following:

(a) Purchase artifacts for the collections of the center.

(b) Restore artifacts in the collections of the center.

(c) Advertise and pay for educational programs, special exhibits, and special events, including performers, presented at the center or another museum or historical facility operated by the department.

(d) Provide free materials to school groups.

(e) Purchase items offered for sale at the store.

(f) Pay for any other expense incurred by the center.

(g) Implement the Governor John B. Swainson Michigan historical markers act, 1955 PA 10, MCL 399.151 to 399.160.

(6) The department shall annually prepare a report containing an accounting of revenues and expenditures from the operations fund for the previous fiscal year. The report shall include information about the location of any markers erected during the previous fiscal year. This report shall be provided to the senate and house of representatives appropriations committees and the standing committees of the senate and house of representatives with jurisdiction over issues pertaining to natural resources and the environment.

Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted into law.

Enacting section 2. This amendatory act does not take effect unless all of the following bills of the 99th Legislature are enacted into law:

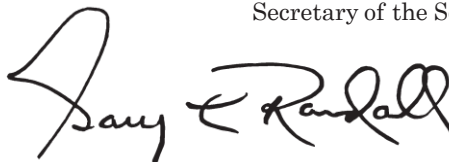
(a) Senate Bill No. 563.

(b) Senate Bill No. 565.

This act is ordered to take immediate effect.



Secretary of the Senate



Clerk of the House of Representatives

Approved

.....
Governor

Compiler's note: Senate Bill No. 563, referred to in enacting section 2, was filed with the Secretary of State November 21, 2017, and became 2017 PA 186, Eff. Feb. 19, 2018.

Senate Bill No. 565, also referred to in enacting section 2, was filed with the Secretary of State November 21, 2017, and became 2017 PA 188, Eff. Feb. 19, 2018.