

Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536

SFA**BILL ANALYSIS**

Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

House Bill 6066 (Substitute H-2 as passed by the House)
Sponsor: Representative Jason Allen
House Committee: Commerce
Senate Committee: Government Operations

Date Completed: 6-4-02

CONTENT

The bill would amend the History, Arts, and Libraries Act to do the following:

- **Create the Michigan Film Advisory Commission in the Department of History, Arts, and Libraries.**
- **Prescribe the appointment of 15 members to the Commission.**
- **Specify that the Michigan Film Office would be created in the Department, and would be headed by the Michigan Film Commissioner who would be appointed by the Department Director.**
- **Authorize the Commission to advise the Governor, the Department, the Michigan Film 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; and prescribe other powers and duties of the Commission.**

The bill also would allow the Department to enter into an agreement with one or more governmental entities to carry out the powers, duties, functions, and responsibilities of the Department as provided in the Act, and as otherwise provided by law. Further, the bill would allow the Director to delegate his or her authority to execute such an agreement to another officer or employee of the Department, under terms the Director considered appropriate.

The bill provides that the Michigan Film Advisory Commission would consist of one member appointed by the Senate Majority Leader, one member appointed by the Speaker of the House, and 13 members appointed by the Governor as follows:

- Five associated with broad areas of film and motion picture making, production of television programs and commercials, and related industries in Michigan.
- Two representing Michigan-based theater owners, including one who owned a large theater (a theater with 10 screens or more or that seated at least 1,000 individuals).
- Two from film, television, or related industry unions.
- Three appointed from the public at large and not active in the film, television, and related industries.
- One representing local units of government.

The Governor would have to appoint one member of the Commission to serve as chairperson, but the individual could not serve as chairperson for more than two consecutive years. Members of the Commission would serve three years, without compensation, except for reimbursement for their actual and necessary expenses while attending meetings or performing other authorized Commission business.

The Commission could 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, and assist in the establishment of film and television ventures and such related matters as the Michigan Film Office or the Department considered appropriate. Further, the Commission could assist the office in promoting, encouraging, and facilitating film, television, and related production in Michigan; develop strategies and methods to attract film, television, and related business to Michigan; under direction of the office, provide assistance to film, television, and related service personnel who used Michigan as a business location; and sponsor and support official functions for film, television, and related industries.

The Commission would have to meet at least three times each year, and at the call of its chairperson. A meeting would have to be conducted as a public meeting in compliance with the Open Meetings Act.

Written materials of the Commission would be subject to the Freedom of Information Act except that a writing could be kept confidential for up to six months after the date a request to inspect, obtain, or copy the writing was 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.

A member of the Commission could not use for personal gain information obtained by the member while performing business of the Commission, nor could a Commission member disclose confidential information he or she obtained while conducting Commission business, except as necessary to perform that business.

MCL 399.702 et al.

Legislative Analyst: George Towne

FISCAL IMPACT

The bill would create in the Department a new Commission that would be eligible for reimbursement of expenses. These costs would be an increase for the Department, but without any information as what they would total in one year, the fiscal impact is unknown at this time.

Fiscal Analyst: Maria Tyszkiewicz