

**SENATE SUBSTITUTE FOR
HOUSE BILL NO. 4941**

A bill to create a department of history, arts, and libraries; to provide for its administration; and to provide for its powers, duties, functions, and responsibilities.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "history, arts, and libraries act".

3 Sec. 2. As used in this act:

4 (a) "Council" means the Michigan council for arts and cul-
5 tural affairs established by Executive Order No. 1991-21.

6 (b) "Department" means the department of history, arts, and
7 libraries created in section 3.

8 (c) "Director" means the director of the department.

9 (d) "Office" means the office of film and television
10 services as provided for in Executive Directive 1979-3, Executive

HB 4941, As Passed Senate, July 12, 2001

House Bill No. 4941 as amended July 12, 2001

2

1 Order No. 1984-8, Executive Order No. 1994-26, and Executive
2 Order No. 1999-1.

3 (e) "Person" means an individual, partnership, corporation,
4 association, governmental entity, or other legal entity.

5 (f) "Type II transfer" means that term as it is defined in
6 section 3 of the executive organization act of 1965, 1965 PA 380,
7 MCL 16.103.

8 Sec. 3. The department of history, arts, and libraries is
9 created.

10 Sec. 4. The department shall be headed by a director who
11 shall be appointed by and serve at the pleasure of the governor.

12 Sec. 5. The department shall carry out the powers, duties,
13 functions, and responsibilities as provided in this act and as
14 otherwise provided by law.

Sec. 6. All records, personnel, property, grants and unexpended balances of appropriations, allocations and other funds used, held, employed, available or to be made available to any entity for the activities, powers, duties, functions and responsibilities transferred to the Department of History, Arts and Libraries by this Act are hereby transferred to the Department of History, Arts and Libraries. The State Budget Director shall determine and authorize the most efficient manner possible for handling financial transactions and records in the state's financial management system for the remainder of the fiscal year ending September 30, 2001.

15 Sec. 11. (1) The Michigan council for arts and cultural
16 affairs is transferred by a type II transfer to the department.
17 The council shall consist of 15 members appointed by the
18 governor.

19 (2) The term of office of each member of the council shall
20 be 3 years. A member appointed to fill a vacancy occurring other
21 than by expiration of a term shall be appointed for the unexpired
22 term.

23 (3) The governor shall appoint 1 member of the council as
24 chairperson. The council shall elect other officers as it con-
25 siders necessary.

HB 4941, As Passed Senate, July 12, 2001

H02873'01 (S-1)

HB 4941, As Passed Senate, July 12, 2001

House Bill No. 4941

3

1 (4) Members of the council shall not receive compensation,
2 but may be reimbursed for the actual and necessary expenses,
3 including mileage, incurred in carrying out their functions.

4 (5) The council may appoint subcommittees and advisory
5 committees. The director may assign staff, if requested by the
6 chairperson of the council, to assist the council in performing
7 its functions.

8 (6) The council shall do all of the following:

9 (a) Advise the governor and the director on matters relating
10 to arts and cultural affairs.

11 (b) Disburse, fund, and make grants to public and private
12 arts and cultural entities.

13 (c) Accept gifts, grants, loans, appropriations, or other
14 aid from any person and agree and comply with conditions attached
15 to such gifts, grants, loans, appropriations, or other aid.

16 (d) Make and execute contracts and other instruments with
17 any person, necessary or convenient to the proper exercise of its
18 function.

19 (e) Develop and implement a long-range plan to accomplish
20 its objectives.

21 Sec. 21. (1) Upon return of the office of film and televi-
22 sion services from the Michigan economic development corporation
23 to the Michigan strategic fund, the office is transferred by a
24 type II transfer to the department.

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

26 (a) Promote and market Michigan's locations, talent,
27 facilities, and technical production and other services.

HB 4941, As Passed Senate, July 12, 2001

House Bill No. 4941 as amended July 12, 2001

4

1 (b) Provide to interested persons descriptive and pertinent
2 information on locations, talent, facilities, and technical pro-
3 duction and other services.

4 (c) Provide technical assistance to the film and television
5 industry in locating and securing the use of locations, talent,
6 facilities, and services.

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

11 (e) Serve as chief state liaison with the film and televi-
12 sion production industry and with other governmental units and
13 agencies for the purpose of promoting, encouraging, and facili-
14 tating film and television production in Michigan.

15 Enacting section 1. This act takes effect August 6, 2001.

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