

Act No. 63
Public Acts of 2001
Approved by the Governor
July 23, 2001
Filed with the Secretary of State
July 24, 2001
EFFECTIVE DATE: August 6, 2001

**STATE OF MICHIGAN
91ST LEGISLATURE
REGULAR SESSION OF 2001**

Introduced by Rep. Van Woerkom

ENROLLED HOUSE BILL No. 4941

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.

The People of the State of Michigan enact:

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

Sec. 2. As used in this act:

- (a) "Council" means the Michigan council for arts and cultural affairs established by Executive Order No. 1991-21.
- (b) "Department" means the department of history, arts, and libraries created in section 3.
- (c) "Director" means the director of the department.
- (d) "Office" means the office of film and television services as provided for in Executive Directive 1979-3, Executive Order No. 1984-8, Executive Order No. 1994-26, and Executive Order No. 1999-1.
- (e) "Person" means an individual, partnership, corporation, association, governmental entity, or other legal entity.
- (f) "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. 3. The department of history, arts, and libraries is created.

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

Sec. 5. The department shall carry out the powers, duties, functions, and responsibilities as provided in this act and as 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.

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

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

(3) The governor shall appoint 1 member of the council as chairperson. The council shall elect other officers as it considers necessary.

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

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

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

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

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

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

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

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

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

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

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

(b) Provide to interested persons descriptive and pertinent information on locations, talent, 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, 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.

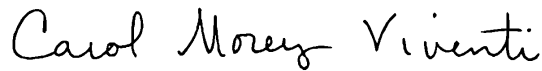
(e) Serve as chief state liaison with the film and television production industry and with other governmental units and agencies for the purpose of promoting, encouraging, and facilitating film and television production in Michigan.

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

This act is ordered to take immediate effect.



Clerk of the House of Representatives.



Secretary of the Senate.

Approved

Governor.