

# SENATE BILL No. 1317

June 23, 2004, Introduced by Senators KUIPERS, SIKKEMA, HAMMERSTROM, BISHOP, GARCIA, VAN WOERKOM, ALLEN, CASSIS, GEORGE, SANBORN, GILBERT, PATTERSON, CROUSEY, BROWN, McMANUS, JELINEK, HARDIMAN, STAMAS, BIRKHOLZ and GOSCHKA and referred to the Committee on Local, Urban and State Affairs.

A bill to create the Ronald Wilson Reagan memorial monument fund commission to govern the Ronald Wilson Reagan memorial monument fund; to prescribe the powers and duties of the commission and certain state departments and officers; to provide for penalties; and to provide for dissolution of the commission.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 1. This act shall be known and may be cited as the  
2 "Ronald Wilson Reagan memorial monument fund commission act".

3       Sec. 2. As used in this act:

4       (a) "Commission" means the Ronald Wilson Reagan memorial  
5 monument fund commission created in section 3.

6       (b) "Monument fund" means the Ronald Wilson Reagan memorial  
7 monument fund created in the Ronald Wilson Reagan memorial  
8 monument fund act.

9       Sec. 3. (1) The Ronald Wilson Reagan memorial monument fund

1 commission is created as a type II agency in the department of  
2 management and budget. The commission is the governing body of  
3 the monument fund. The commission shall consist of all of the  
4 following:

5 (a) The state treasurer or his or her designee.

6 (b) The attorney general or his or her designee.

7 (c) The secretary of state or his or her designee.

8 (d) Seven members appointed by the governor as follows:

9 (i) Two members selected by the governor.

10 (ii) Two members recommended by the senate majority leader.

11 (iii) Two members recommended by the speaker of the house of  
12 representatives.

13 (iv) One member recommended by the Ronald Reagan presidential  
14 foundation.

15 (2) Members of the commission shall serve for terms of 4  
16 years or until a successor is appointed, whichever is later. If  
17 a vacancy occurs on the commission, the vacancy shall be filled  
18 in the same manner as the original appointment.

19 (3) The commission shall initially convene within 6 months  
20 after the first deposit of money in the monument fund. The  
21 commission shall meet often enough to expedite the completion of  
22 the monument as prescribed in section 4. A majority of the  
23 members of the commission constitute a quorum for conducting  
24 business.

25 (4) The commission shall conduct its business at public  
26 meetings held in compliance with the open meetings act, 1976 PA  
27 267, MCL 15.261 to 15.275. A writing prepared, owned, used, in

1 the possession of, or retained by the commission in the  
2 performance of an official function shall be available to the  
3 public in compliance with the freedom of information act, 1976 PA  
4 442, MCL 15.231 to 15.246.

5 Sec. 4. The commission shall oversee the financing, design,  
6 site location, and construction of a memorial monument dedicated  
7 to President Ronald Wilson Reagan. The commission shall solicit  
8 designs for the monument and shall select the final design.

9 Sec. 5. (1) The commission may accept on behalf of the  
10 monument fund grants or gifts from the federal government, an  
11 individual, a public or private corporation, organization, or  
12 foundation, or any other source. The acceptance and use of  
13 federal funds by the commission does not commit state money and  
14 does not obligate the legislature to continue the purposes for  
15 which federal money is made available. The commission shall  
16 transmit money received under this section to the state treasurer  
17 for deposit in the monument fund.

18 (2) A person shall not solicit or collect money for the  
19 monument fund through the use of telemarketing.

20 (3) A person shall not conduct any fund-raising activities in  
21 the name of the Ronald Wilson Reagan memorial monument fund  
22 without prior written approval from the Ronald Wilson Reagan  
23 memorial monument fund commission.

24 (4) A person shall not use the name or logo of the Ronald  
25 Wilson Reagan memorial monument fund or commission in any  
26 fund-raising activity without prior written approval of the  
27 commission.

1       (5) A person who violates subsection (2), (3), or (4) is  
2 guilty of a misdemeanor for each separate violation, punishable  
3 by imprisonment for not more than 1 year or a fine of not more  
4 than \$1,000.00, or both.

5       Sec. 6. After the completion of construction of the  
6 monument pursuant to section 4 and payment of all amounts due in  
7 connection with the monument, the commission is dissolved.

8       Enacting section 1. This act does not take effect unless  
9 Senate Bill No. \_\_\_\_\_ or House Bill No. \_\_\_\_\_ (request  
10 no. 07461'04 \*) of the 92nd Legislature is enacted into law.