

## MICHIGAN HISTORICAL COMMISSION ACT

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**Senate Bill 521 (S-1) as passed by the Senate**  
**Sponsor: Sen. Ken Horn**

Analysis available at  
<http://www.legislature.mi.gov>

**Senate Bill 522 (S-1) as passed by the Senate**  
**Sponsor: Sen. Margaret O'Brien**

*(Enacted as Public Acts 469 and 470 of 2016)*

**House Committee: Appropriations**  
**Senate Committee: Outdoor Recreation and Tourism**  
**Complete to 11-8-16**

### SUMMARY:

Senate Bill 521 would create the Michigan Historical Commission within the Department of Natural Resources (DNR). The commission would consist of ten members as follows:

- One member appointed by the speaker of the House of Representatives (two year term)
- One member appointed by the Senate majority leader (two year term)
- Seven members appointed by the governor, including one member appointed from a list of three candidates nominated by the Historical Society of Michigan (four year terms)
- DNR director or designee (ex-officio)

Members serving on the current Michigan Historical Commission would be allowed to finish out their respective terms on the commission. Members of the commission would not receive compensation but could receive reimbursement for expenses.

The commission would annually meet to elect a president and vice president and appoint a secretary from among its members. The commission would hold at least four meetings annually, including at least one meeting in Lansing. These meetings would be subject to the Open Meetings Act and Freedom of Information Act.

The Commission would do all of the following:

- Advise DNR on the collection of historical artifacts and the dissemination of information on Michigan history
- Perform responsibilities requested by the DNR director including participating in activities related to Michigan history and preparing an annual report detailing these activities to the house, senate, and governor.
- Annually review the admission fees at the Michigan Historical Center and recommend adjustments if necessary, including a rationale if increasing fees and a plan for the use of additional revenue
- Carry out additional responsibilities as required by law

Senate Bill 522 would create the Michigan Historical Center within the DNR. The center would consist of the archives of the state as well as the Michigan Historical Museum. The center would:

- Advise DNR on history policies, programs, and act as a forum for public input
- Collect archival records and historical artifacts of the state and make them available to the public
- Create Michigan-focused educational programs
- Provide assistance with historical records to other government agencies
- Support heritage tourism and community development in Michigan
- Represent Michigan to the Thunder Bay National Marine Sanctuary and Underwater Preserve
- Provide leadership and expertise in the preservation of history on state land

The center could collect funds in exchange for services provided, including historical markers, printing, and conferences. The center could also charge admission fees, including to the Michigan Historical Museum, and accept gifts and bequests. Any revenue collected would be deposited to the operations fund created by the bill. Money in the operations fund at the end of fiscal year would carry-forward and not lapse to the general fund. Upon appropriation, DNR would use the operations fund for:

- Purchase of artifacts for the center's collection
- Restoration of artifacts in the center's collection
- Publicize and fund educational programs, exhibits, and events at the center or other DNR-managed historical facilities
- Provide free materials to school groups
- Purchase items for resale at a store located at the center
- Fund additional expenses incurred by the center

The center also would be able to publish historical materials for sale to the public. Revenue generated from these sales would be deposited to the publications fund established in the bill. Money in the publications fund would carry-forward and not lapse to the general fund. Upon appropriation, the department would use the publications fund to pay for the cost of producing and promoting historical materials and to support center programs.

The bill would allow DNR to operate a store at the center and sell items related to the center's purpose. Revenue collected at this store would be deposited to the operations fund.

As a component of the center proposed in the bill, the Michigan Historical Museum would have the following purposes:

- Accessioning and deaccessioning artifacts for preservation
- Provide stewardship of collected artifacts
- Manage the state's historic sites and museums
- Create interpretive plans and exhibits for other historic sites under DNR management (excluding Mackinac Island historic sites)
- Administer visitor-focused programs at DNR-managed historic sites

The museum could auction or sell artifacts deemed to be no longer suitable for the collection. The department would be required to notify the corresponding legislative committee leadership prior to conducting such a transaction. Revenue generated from these auctions or sales would be deposited to the operations fund.

As part of the center proposed in the bill, the archives of Michigan would have the following purposes:

- Determine which state government records to keep at the archives for permanent preservation
- Collect and preserve additional records that document life in Michigan
- Establish on-site and online access to the archives
- Certify state documents, including the current state constitution, for legal purposes
- Collaborate with local governments to provide for the preservation of their respective archival collections

Confidential records maintained by the archives would remain confidential. The archives could collect public office records not currently in use that are deemed to be of value for preservation. Any record that is required to be kept by a public officer could not be disposed of, except as allowed by law, and could be transferred to the archives to be preserved in accordance with a state administrative board-approved retention schedule.

Senate Bill 522 would repeal 1913 PA 271 (MCL 399.1-399.10), the current act providing for the Michigan Historical Commission. Senate bills 521 and 522 tie-barred.

#### **FISCAL IMPACT:**

Senate Bill 521 would have an indeterminate but likely minimal fiscal impact on DNR. This impact is indeterminate because it is unclear what commission-related expenses, if any, would be paid for by DNR on behalf of commission members. However, it is unlikely that these expenses would result in a significant increase in costs to the department. The establishment of the Michigan Historical Commission would not have a direct impact on departmental revenues, though this bill does allow the commission to increase admission fees for the Michigan Historical Center if necessary in the future. This bill would have no fiscal impact on local units of government.

Senate Bill 522 would have no fiscal impact on state or local governments. The bill would repeal the current Michigan Historical Commission law and replace it with provisions that closely mirror current practice. The bill would codify existing law and executive orders; DNR does not anticipate any additional fiscal impact.

Fiscal Analyst: Austin Scott

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.