

# HOUSE BILL No. 4240

February 25, 2015, Introduced by Reps. Howrylak, Cole, Lauwers, LaVoy, Dianda, Kelly, Goike, Yonker, Somerville, Lucido, Johnson, McBroom, Runestad, Courser and Callton and referred to the Committee on Government Operations.

A bill to amend 2013 PA 240, entitled "Michigan state capitol historic site act," by amending section 6 (MCL 4.1946).

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

- 1           Sec. 6. (1) The commission shall do all of the following:
- 2           (a) Subject to subsection (2), operate and manage the Michigan
- 3 state capitol historic site.
- 4           (b) Maintain and restore the state capitol building.
- 5           (c) Maintain and improve the grounds of the Michigan state
- 6 capitol historic site.
- 7           (d) Appoint an individual to manage the day-to-day operations
- 8 of the Michigan state capitol historic site. The individual
- 9 appointed under this subdivision is an at-will employee and ~~shall~~

1 ~~serve~~**SERVES** at the pleasure of the commission.

2 (e) Employ staff to carry out the commission's  
3 responsibilities under **THIS** subsection ~~(1)~~—and as otherwise  
4 provided by law. All individuals employed by the commission are  
5 nontenured, at-will employees. The commission may discipline,  
6 transfer, demote, suspend, or summarily discharge an employee.

7 (f) Contract with any person for purposes of procuring goods  
8 or services or otherwise carrying out the commission's  
9 responsibilities with regard to the Michigan state capitol historic  
10 site.

11 (g) Make recommendations to the governor, the senate, and the  
12 house of representatives regarding funding for the Michigan state  
13 capitol historic site, including, but not limited to, funding from  
14 the fund.

15 (h) Carry out other responsibilities as provided by law.

16 **(I) WHEN SUFFICIENT MONEY IS RECEIVED TO MEET THE COSTS OF**  
17 **PLACEMENT, PROVIDE FOR THE APPROPRIATE DISPLAY OF THE PLAQUE**  
18 **DONATED BY BRASS ROOTS AND HONORING THE RIGHT TO BEAR ARMS UNDER**  
19 **AMENDMENT II OF THE CONSTITUTION OF THE UNITED STATES AND UNDER**  
20 **SECTION 6 OF ARTICLE I OF THE STATE CONSTITUTION OF 1963.**

21 **(J) WHEN SUFFICIENT MONEY IS RECEIVED TO MEET THE COSTS OF**  
22 **PLACEMENT, PROVIDE FOR THE APPROPRIATE DISPLAY OF A PLAQUE DONATED**  
23 **BY A QUALIFIED ORGANIZATION AND HONORING AMENDMENT I OF THE**  
24 **CONSTITUTION OF THE UNITED STATES AND ARTICLE I OF THE STATE**  
25 **CONSTITUTION OF 1963. THE COMMISSION SHALL REVIEW THE PLAQUE BEFORE**  
26 **PLACEMENT TO ENSURE THAT IT IS OF REASONABLE SIZE, QUALITY, AND**  
27 **CONSTRUCTION AND IS NONPARTISAN IN NATURE. THE COMMISSION SHALL NOT**

1 UNREASONABLY WITHHOLD, DELAY, OR DENY APPROVAL. FOR PURPOSES OF  
2 THIS SUBDIVISION, "QUALIFIED ORGANIZATION" MEANS AN ORGANIZATION  
3 WITH A HISTORY OF SUPPORTING AND ADVOCATING FOR FIRST AMENDMENT  
4 RIGHTS, INCLUDING, BUT NOT LIMITED TO, THE AMERICAN CIVIL LIBERTIES  
5 UNION, THE MICHIGAN PRESS ASSOCIATION, THE MICHIGAN ASSOCIATION OF  
6 BROADCASTERS, THE LEAGUE OF WOMEN VOTERS, THE THOMAS JEFFERSON  
7 CENTER FOR THE PROTECTION OF FREE EXPRESSION, THE AMERICAN  
8 LIBRARIES ASSOCIATION, THE AMERICAN BOOKSELLERS FOUNDATION FOR FREE  
9 EXPRESSION, AND THE REPORTERS COMMITTEE FOR FREEDOM OF THE PRESS.

10 (2) The commission does not have authority and shall not  
11 exercise control over the internal decisions of the senate or the  
12 house of representatives related to the allocation of space in the  
13 state capitol building or the state capitol building parking lot,  
14 including legislative or staff offices. All decisions concerning  
15 space in the state capitol building and the state capitol building  
16 parking lot shall be made according to the rules or practices of  
17 the senate and the house of representatives.