

SENATE SUBSTITUTE FOR  
HOUSE BILL NO. 5637

A bill to create the Michigan freedom trail commission; and to prescribe the powers and duties of certain state departments, agencies, commissions, and officers.

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

1       Sec. 1. This act shall be known and may be cited as the  
2 "Michigan freedom trail commission act".

3       Sec. 2. As used in this act:

4       (a) "Department" means the department of state.

5       (b) "Michigan freedom trail commission" or "commission"  
6 means the Michigan freedom trail commission created in section  
7 3.

8       Sec. 3. (1) The Michigan freedom trail commission is cre-  
9 ated within the department of state. The commission shall  
10 exercise its prescribed duties and functions independently of the  
11 secretary of state. However, the budgeting, procurement, and

**HB 5637, As Passed Senate, December 1, 1998**

House Bill No. 5637

2

1 related functions of the commission and administrative  
2 responsibilities for the staff of the commission shall be per-  
3 formed under the direction and supervision of the secretary of  
4 state.

5 (2) The commission shall consist of the following:

6 (a) Members appointed by the governor, as follows:

7 (i) Three members from the academic community knowledgeable  
8 in African-American history.

9 (ii) One member actively involved in civil rights issues.

10 (iii) One member knowledgeable in historic preservation.

11 (iv) One member representing local communities in which the  
12 underground railroad had a significant presence.

13 (v) Three members at large, 1 of whom shall be a representa-  
14 tive of the museum of African American history located in the  
15 city of Detroit.

16 (b) Members serving ex officio without vote as follows:

17 (i) The chief executive officer of the Michigan jobs commis-  
18 sion or his or her representative.

19 (ii) The state librarian or his or her representative.

20 (iii) The secretary of state or his or her representative.

21 (3) The members appointed under subsection (2)(a) first  
22 appointed to the commission shall be appointed within 90 days  
23 after the effective date of this act.

24 (4) Members of the commission appointed under  
25 subsection (2)(a) shall serve for terms of 4 years or until a  
26 successor is appointed, whichever is later, except that of the

**HB 5637, As Passed Senate, December 1, 1998**

House Bill No. 5637

3

1 members first appointed 3 shall serve for 1 year, 3 shall serve  
2 for 2 years, and 3 shall serve for 3 years.

3 (5) If a vacancy occurs on the commission among members  
4 appointed under subsection (2)(a), the governor shall make an  
5 appointment for the unexpired term in the same manner as the  
6 original appointment.

7 (6) The governor may remove a member of the commission for  
8 incompetency, dereliction of duty, malfeasance, misfeasance, or  
9 nonfeasance in office, or any other good cause.

10 (7) At the first meeting, the commission shall elect from  
11 among its members a chairperson and other officers as it consid-  
12 ers necessary or appropriate. After the first meeting, the com-  
13 mission shall meet at least quarterly, or more frequently at the  
14 call of the chairperson or if requested by 6 or more members  
15 appointed under subsection (2)(a).

16 (8) A majority of the members of the commission appointed  
17 under subsection (2)(a) constitute a quorum for the transaction  
18 of business at a meeting of the commission. A majority of the  
19 members appointed under subsection (2)(a) present and serving are  
20 required for official action of the commission.

21 (9) The business that the commission may perform shall be  
22 conducted at a public meeting of the commission held in compli-  
23 ance with the open meetings act, 1976 PA 267, MCL 15.261 to  
24 15.275.

25 (10) A writing prepared, owned, used, in the possession of,  
26 or retained by the commission in the performance of an official

**HB 5637, As Passed Senate, December 1, 1998**

House Bill No. 5637

4

1 function is subject to the freedom of information act, 1976 PA  
2 442, MCL 15.231 to 15.246.

3 (11) Members of the commission shall serve without  
4 compensation. However, members of the commission may be reim-  
5 bursed for their actual and necessary expenses incurred in the  
6 performance of their official duties as members of the  
7 commission.

8 Sec. 4. The commission shall do all of the following:

9 (a) Review, plan, and implement a master plan to promote and  
10 preserve the history of the freedom trail and underground rail-  
11 road in this state.

12 (b) Work in conjunction with state and federal authorities  
13 to sponsor commemorations, linkages, seminars, and public forums  
14 on the freedom trail and underground railroad in this state and  
15 neighboring states.

16 (c) Assist and promote the making of applications for inclu-  
17 sion in the national and state register of historic places for  
18 significant historic places related to the freedom trail and the  
19 underground railroad in Michigan.

20 (d) Assist and develop partnerships to seek public and pri-  
21 vate funds to carry out activities to protect, preserve, and pro-  
22 mote the legacy of the freedom trail and underground railroad in  
23 this state.

24 Sec. 5. The commission shall annually report to the gover-  
25 nor and both houses of the legislature on the activities of the  
26 commission in the prior calendar year.