MICHIGAN TOURISM POLICY ACT

Act 106 of 1945

AN ACT to enhance the economic viability of the state through development, improvement, and promotion of the travel, tourism, and convention industry of the state; to create the Michigan travel commission and to prescribe its powers and duties; to create a travel bureau, and to prescribe its powers and duties; to provide for appropriations in carrying out this act and the allocation and disbursement of those appropriations; and to repeal certain acts and parts of acts.

History: 1945, Act 106, Imd. Eff. Apr. 19, 1945 ;-- Am. 1975, Act 145, Imd. Eff. July 9, 1975

The People of the State of Michigan enact:

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2.101 Short title; legislative findings; intent.

Sec. 1.

(1) This act shall be known and may be cited as the "Michigan tourism policy act".

(2) The legislature finds all of the following:

(a) Tourism is a major source of employment, income, and tax revenues in this state, and the expansion of the tourism industry is vital to the growth of the state's economy.

(b) The tourism industry is important to the state, not only because of the numbers of people it serves and the vast human, financial, and physical resources it employs, but because of the benefits tourism and related activities confer on individuals and on society as a whole.

(c) Investment of state resources is needed to provide a more effective means of marketing travel to, and within, the state, and to optimize the considerable investment of time, energy, capital, and resources being made by the tourism industry.

(d) Coordination of existing state government involvement in tourism promotion at the state level and with local government and the private sector will maximize the economic and employment benefits of the tourism industry.

(3) Through this act the legislature intends to encourage all of the following:

(a) A commitment to the fostering of the economic activity inherent in tourism promotion.

(b) Development of a means to promote and market the state as a destination for tourists on a worldwide basis.

(c) Tourism growth to assist this state in remaining competitive in the world tourism marketplace.

(d) Maximization of the contribution of the tourism-related industries to the state's economic prosperity and expansion of employment opportunities.

(e) Recognition of historic, natural, and scenic environments, and the development of cultural and heritage tourism programs and international marketing strategies, to enhance the state's appeal as a destination for domestic and international tourism.

(f) Provision of timely, up-to-date travel and tourism information on urban and rural locations in various regions of the state to enable state residents to take maximum advantage of travel opportunities within the state.

(g) Health, education, and intercultural appreciation of the geography, natural resources, history, arts, and ethnicity of the state.

(h) The welcome entry of individuals traveling to the state to enhance international understanding and goodwill, consistent with immigration laws, laws protecting the public health, laws governing the importation of goods into the United States, and other applicable laws and regulations.

(i) The collection, analysis, and timely dissemination of data which accurately measures the economic impact of tourism on the state in order to facilitate planning in the public and private sectors.

(j) The establishment of a program to market the travel vacation opportunities available in this state to residents and nonresidents by using any medium or means that the travel bureau, in consultation with the travel commission, determines appropriate.

(k) Public interest in protection of the natural resources and the cultural heritage of the state.

(l) Recognition of state and locally managed recreational opportunities including camping, hunting, fishing, boating, snowmobiling, golfing, skiing, and other outdoor recreation experiences.

History: 1945, Act 106, Imd. Eff. Apr. 19, 1945 ;-- CL 1948, 2.101 ;-- Am. 1975, Act 145, Imd. Eff. July 9, 1975 ;-- Am. 1993, Act 109, Imd. Eff. July 16, 1993 ;-- Am. 1994, Act 102, Imd. Eff. Apr. 18, 1994

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2.102 Michigan travel commission; creation; appointment, qualifications, and terms of members; vacancies; compensation and expenses; travel bureau director; chair and vice-chair; meetings; removal from office; quorum; voting; public meeting; documents subject to freedom of information act.

Sec. 2.

(1) The Michigan travel commission is created within the department of commerce.

(2) The commission shall consist of 13 members appointed by the governor with the advice and consent of the senate. The governor shall select members who are experienced in the travel, tourism, and recreation industry or an associated field. Members of the commission shall be representative of all geographic areas of the state. Not less than 7 members of the commission shall be owners and operators of for-profit businesses from the private sector of the travel, tourism, and recreation industry and shall be experienced in the travel, tourism, and recreation industry. Of the 7 members appointed from the private sector not less than 4 members shall be owners and operators of small businesses. As used in this section, "small businesses" means business concerns incorporated or doing business in this state which employ not more than 100 full-time or part-time employees.

(3) A member of the commission shall be appointed for a term of 4 years. No member may serve more than 2 full 4-year terms. A vacancy on the commission shall be filled in the same manner as the original appointment.

(4) The members of the commission shall serve without compensation. However, members of the commission may be reimbursed for their expenses incurred in the performance of their official duties not to exceed 25 days in a fiscal year pursuant to the standard travel regulations of the department of management and budget.

(5) The commission shall recommend by name the appointment of the travel bureau director to the director of the department of commerce, and elect from its membership annually a chair and vice-chair. The commission shall meet at least quarterly, or more frequently if requested by 8 or more members, or at the call of the chair.

(6) A member of the commission may be removed from office by the governor in accordance with section 10 of article V of the state constitution of 1963.

(7) A majority of the commission constitutes a quorum for the transaction of business at a meeting of the commission. A majority vote of the members present and serving is required for official action of the Michigan travel commission.

(8) The business of the Michigan travel commission shall be conducted at a public meeting of that commission, held in compliance with the open meetings act, Act No. 267 of the Public Acts of 1976, being sections 15.261 to 15.275 of the Michigan Compiled Laws.

(9) A document prepared, owned, used, in the possession of, or retained by the Michigan travel commission in the performance of an official function is subject to the freedom of information act, Act No. 442 of the Public Acts of 1976, being sections 15.231 to 15.246 of the Michigan Compiled Laws.

History: 1945, Act 106, Imd. Eff. Apr. 19, 1945 ;-- CL 1948, 2.102 ;-- Am. 1956, Act 94, Eff. Aug. 11, 1956 ;-- Am. 1960, Act 5, Imd. Eff. Mar. 17, 1960 ;-- Am. 1961, Act 32, Imd. Eff. May 18, 1961 ;-- Am. 1962, Act 52, Eff. Mar. 28, 1963 ;-- Am. 1975, Act 145, Imd. Eff. July 9, 1975 ;-- Am. 1986, Act 233, Imd. Eff. Oct. 6, 1986 ;-- Am. 1993, Act 109, Imd. Eff. July 16, 1993

Compiler's Notes: For transfer of the Michigan travel commission from the department of commerce to the Michigan jobs commission, see E.R.O. No. 1994-10, compiled at MCL 408.48 of the Michigan Compiled Laws.

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2.102a Travel bureau; creation; duties.

Sec. 2a.

The travel bureau is created within the department of commerce and shall do all of the following:

(a) Implement programs to market this state as a desirable travel destination.

(b) Before funding a promotional effort, identify and document those benefits to the state that the travel bureau determines likely to result from the promotional effort.

(c) Withhold funds for any proposed promotional effort that in the travel bureau's determination will not likely benefit the travel industry in the state or conform with the goals of the master plan described in section 2c.

(d) If the travel bureau expends funds for a promotional effort, identify and document the actual benefits, if any, conferred upon the state by that promotional effort.

(e) Use reasonable means to identify, review, and comment upon the policies and programs of state agencies which directly affect the achievement of the duties and responsibilities of the travel bureau.

(f) Facilitate travel to and within this state to the maximum extent feasible.

(g) From time to time, convene interagency committees, consisting of representatives of units of state government that may be required to devise recommendations to identify and solve tourism problems.

(h) Provide informational assistance and guidance to regional, county, and city tourism development organizations and similar private organizations in planning programs to attract visitors.

History: Add. 1975, Act 145, Imd. Eff. July 9, 1975 ;-- Am. 1993, Act 109, Imd. Eff. July 16, 1993

Compiler's Notes: For transfer of powers and duties of Michigan travel bureau from the department of commerce to the Michigan jobs commission, see E.R.O. No. 1994-10, compiled at MCL 408.48 of the Michigan Compiled Laws.

Admin Rule: R 2.101 et seq. of the Michigan Administrative Code.

2.102b Employee acceptance of free meals or lodging; policy.

Sec. 2b.

The travel bureau shall develop with the department of commerce a formal, written policy governing travel bureau employee acceptance of free meals or lodging, and implement that policy within 1 year of the effective date of the amendatory act that added this section.

History: Add. 1993, Act 109, Imd. Eff. July 16, 1993

2.102c Master plan.

Sec. 2c.

(1) In consultation with the appropriate divisions of the Michigan department of commerce, the travel bureau and Michigan travel commission shall develop a comprehensive, long-range master plan for a period of not less than 2 years and not more than 5 years that identifies each of the following:

(a) Tourism development and management goals.

(b) Programs proposed to be implemented during the term of the master plan.

(2) The master plan shall be updated as the travel bureau, Michigan travel commission, and the appropriate divisions of the department of commerce determine necessary.

History: Add. 1993, Act 109, Imd. Eff. July 16, 1993

2.102d Annual report.

Sec. 2d.

Beginning 1 year after the effective date of the amendatory act that added this section, the travel bureau shall submit to the travel commission, the governor, and the legislature an annual report containing all of the following:

(a) A statement identifying and analyzing expenditures authorized by the travel bureau during the preceding 12 months, and a summary of the results of those expenditures.

(b) A tourism marketing plan for the next fiscal year.

History: Add. 1993, Act 109, Imd. Eff. July 16, 1993

2.103 Michigan travel commission; duties.

Sec. 3.

(1) The Michigan travel commission shall do all of the following:

(a) Assist the Michigan travel bureau with the development of a comprehensive long-range master plan.

(b) Annually assess the activities and accomplishments of the Michigan travel bureau, and convey each assessment in writing to the director of the department of commerce.

(c) Work to the maximum extent practicable with those private associations, nonprofit corporations, organizations, or other private entities which promote tourism in this state.

(d) Promulgate rules for the implementation of this act pursuant to Act No. 306 of the Public Acts of 1969, as amended, being sections 24.201 to 24.328 of the Michigan Compiled Laws.

(e) Conduct public hearings to obtain input concerning policy development from a broad cross section of travel interests.

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(f) Withhold expenditure of state funds otherwise authorized under this act if the Michigan travel bureau determines that the proposed expenditure is for an activity that does not conform with the goals of the master plan described in section 2c or does not benefit the travel industry in the state.

(2) The commission shall authorize the expenditure of funds necessary to carry out this act, and shall be authorized to incur necessary expenses, in accordance with the accounting laws of the state.

(3) The commission, in cooperation with the Michigan travel bureau, may convene committees consisting of qualified professionals and experts in various segments of the tourism industry that may be required to aid in the preparation of, or revision of, all or part of a marketing plan.

History: 1945, Act 106, Imd. Eff. Apr. 19, 1945 ;-- CL 1948, 2.103 ;-- Am. 1956, Act 94, Eff. Aug. 11, 1956 ;-- Am. 1975, Act 145, Imd. Eff. July 9, 1975 ;-- Am. 1993, Act 109, Imd. Eff. July 16, 1993
Compiler's Notes: For transfer of the Michigan travel commission from the department of commerce to the Michigan jobs commission, see E.R.O. No. 1994-10, compiled at MCL 408.48 of the Michigan Compiled Laws.

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2.103a Appropriation; basic support and discretionary grants.

Sec. 3a.

The legislature shall annually appropriate the sums necessary to implement this act. Amounts as appropriated by the legislature shall be made available for basic support and discretionary grants to eligible local and regional travel authorities and agencies in accordance with the following:

(a) Basic support grants shall be made to eligible agencies and authorities to provide continuing support of advertising and promotional efforts designed to encourage travel for purposes of resort and recreational tourism, business and conventions, and sightseeing and entertainment. Grant funds shall be utilized to fund the operating expenses of eligible agencies and the direct cost of advertising and promotion. The specific amount of grants, matching requirements, eligible applicants, application procedure, and administrative and reporting requirements shall be established within the guidelines of rules promulgated by the Michigan travel commission.

(b) Basic support grants for the fiscal year ending June 30, 1976, shall be made in accordance with sections 26(a), 26(b), and 26(c) of Act No. 239 of the Public Acts of 1974, and section 6 of this act.

(c) Discretionary grants shall be made to eligible applicants for travel development and marketing projects based upon the extent of impact upon employment, economic stability, and increase in real per capita income. The specific application procedure and project grant requirements shall be established in rules promulgated by the Michigan travel commission.

History: Add. 1975, Act 145, Imd. Eff. July 9, 1975
Admin Rule: R 2.101 et seq. of the Michigan Administrative Code.

2.104, 2.105 Repealed. 1975, Act 145, Imd. Eff. July 9, 1975.

Compiler's Notes: The repealed sections pertained to reports and financial estimates of the Michigan tourist council.

2.106 Repealed. 1975, Act 145, Eff. July 1, 1976.

Compiler's Notes: The repealed section pertained to funds available to regional associations.

2.107, 2.108 Repealed. 1975, Act 145, Imd. Eff. July 9, 1975.

Compiler's Notes: The repealed sections pertained to reversion of unencumbered funds and cooperation with agricultural marketing council.

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