



**House  
Legislative  
Analysis  
Section**

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**DEPT. OF HISTORY, ARTS, AND  
CULTURE**

**House Bills 4939 and 4940**  
**Sponsor: Rep. Thomas M. George**

**House Bill 4949**  
**Sponsor: Rep. Joseph Rivet**

**House Bill 4941**  
**Sponsor: Rep. Gerald Van Woerkom**

**House Bill 4950**  
**Sponsor: Rep. Paula K. Zelenko**

**House Bill 4942**  
**Sponsor: Rep. LaMar Lemmons III**

**House Bill 4951**  
**Sponsor: Rep. Mickey Mortimer**

**House Bill 4943**  
**Sponsor: Rep. Mary Ann Middaugh**

**House Bill 4952**  
**Sponsor: Rep. James Koetje**

**House Bill 4944**  
**Sponsor: Rep. Jerry O. Kooiman**

**House Bill 4953**  
**Sponsor: Rep. Judson Gilbert II**

**House Bill 4945**  
**Sponsor: Rep. Alan Sanborn**

**House Bill 4954**  
**Sponsor: Rep. Bill McConico**

**House Bill 4946**  
**Sponsor: Rep. Patricia Birkholz**

**House Bill 4955**  
**Sponsor: Rep. Douglas Bovin**

**House Bill 4947**  
**Sponsor: Rep. Michael Bishop**

**House Bill 4956**  
**Sponsor: Rep. Susan Tabor**

**House Bill 4948**  
**Sponsor: Rep. Steve Vear**

**House Bill 4957**  
**Sponsor: Rep. Samuel Buzz Thomas**

**Committee: Commerce**  
**Complete to 6-13-01**

**House Bills 4939 - 4957 (6-13-01)**

**A SUMMARY OF HOUSE BILLS 4939-4957 AS INTRODUCED 6-13-01**

The package of bills would create in statute a new executive department, the Department of History, Arts, and Culture, and transfer various programs and functions to the new department from other executive agencies. In addition, the package would transfer the operation of the Library of Michigan and various other library programs from the legislature to the new executive department. House Bills 4939 and 4942-4957 are tie-barred to House Bill 4941, the bill that would create the new department. (House Bill 4940, which would transfer the state library, does not contain a tie-bar.)

House Bill 4941 would create a new act, the History, Arts, and Culture Act. It would create the new Department of History, Arts, and Culture, and specify that the department would be headed by a director who would be appointed by, and serve at the pleasure of, the governor. The department would be charged with carrying out the powers, duties, functions, and responsibilities as provided in Executive Order No. 2001-1, and as otherwise provided by law. (Note: the executive order lists many of the functions included in the bill package, excepting the transfer of the library functions, and in addition transfers several other that would be transferred to the new department that are not included in this bill package. The text of the executive order can be found at [www.state.mi.us/migov/gov/ExecutiveOrders/index](http://www.state.mi.us/migov/gov/ExecutiveOrders/index).)

House Bill 4939 would amend the Management and Budget Act (MCL 18.1114 and 18.1219) to transfer the management and operation of the Michigan Library and Historical Center from the Legislative Council to the new department. The bill would also update references to the former Roosevelt Building (to refer to the grounds where that building stood before it was demolished).

House Bill 4940 would amend the Library of Michigan Act (MCL 397.12 et al.) to transfer the library to the new Department of History, Arts, and Culture. The bill would specify that the library would be charged primarily with providing reference services to the legislative, executive, and judicial branches of government, rather than specifically to the legislative branch. The library board of trustees, currently consisting of four legislators, seven librarians representing different kinds of libraries, the chief justice of the supreme court or a designee, the administrator of the Legislative Council, and two members of the public, would be reconstituted. The new board would consist of one member appointed by each of the four legislative leaders, four members of the general public appointed by the governor, and the chief justice or his or her designee. The bill specifies that the state librarian would be appointed by the governor, rather than by the Legislative Council in consultation with the library board. Further, the bill would remove from the act language specifying that the budgeting functions of the library are the responsibility of the state librarian, and that the council administrator and the librarian are to coordinate the activities of the library with the Legislative Council. Employees of the library on the bill's effective date would be transferred to the new department in accordance with civil service rules, and would be assumed into the classified civil service. Finally, the bill would repeal a section of the act that requires the state librarian to report annually to the Legislative Council and to the legislature on the operations of the library and on progress made in automating the operations of the library.

House Bill 4942 would amend the District Library Establishment Act (MCL 397.172 et al.) and House Bill 4943 would amend the State Aid to Public Libraries Act (MCL 397.552) to transfer the functions of the Legislative Council under those acts to the new Department of History, Arts, and Culture.

House Bill 4944 would amend the Michigan Historical Commission act (MCL 399.1 et al.) to transfer the commission from the Department of State to the new Department of History, Arts, and Culture.

House Bill 4945 would amend the Local Historic Districts Act (MCL 399.201a et al.) to transfer responsibilities under that act from the Bureau of History in the Department of State to the new Department of History, Arts, and Culture.

House Bill 4946 would amend a provision of the downtown development authority act (MCL 125.1679) concerning the preservation of historic sites to include references to the new department rather than to the secretary of state.

House Bill 4947 would amend the Single Business Tax Act (MCL 208.39c) and House Bill 4948 would amend the Income Tax Act (MCL 206.266) to change references from the Department of State to the new Department of History, Arts, and Culture in provisions concerning tax credits for the preservation of historic resources.

House Bill 4949 would amend the Management and Budget Act (MCL 18.1284 et al.) to transfer responsibility for records management, retention, disposal, archiving, and so forth from the Department of State to the new department. House Bill 4950 would likewise amend the Records Media Act (MCL 24.402) to transfer functions under that act from the Department of State to the new department.

House Bill 4951 would amend Public Act 69 of 1976 (MCL 399.111 et al.), concerning the acquisition and operation of state historic sites, to transfer responsibilities under the act from the secretary of state to the new Department of History, Arts, and Culture.

House Bill 4952 would amend a provision of the Freedom of Information Act (MCL 15.243) exempting the disclosure of information that would reveal the exact location of archaeological sites to transfer certain responsibilities from the secretary of state to the new department.

House Bill 4953 would amend the Natural Resources and Environmental Protection Act (MCL 324.76102 et al.) to transfer responsibilities relating to aboriginal records and antiquities from the Department of State to the new Department of History, Arts, and Culture.

House Bill 4954 would amend the Revised Judicature Act (MCL 600.2137) to transfer responsibilities related to the reproduction and destruction of court records from the Department of State to the new department.

House Bill 4955 would amend the Michigan Iron Industry Museum Advisory Board Act (MCL 399.73 and 399.74) to transfer the advisory board from the Department of State to the new Department of History, Arts, and Culture.

House Bill 4956 would amend the Natural Resources and Environmental Protection Act (MCL 324.76501 et al.) to transfer the Mackinac Island State Park Commission from the Department of Natural Resources to the new Department of History, Arts, and Culture. It would also place language in the act specifying that the park commission would control and manage the Mill Creek historical site near Mackinac City (this property was previously transferred to the park commission by land conveyance under Public Act 285 of 1975). Further, the bill specifies

that a person who violated a rule promulgated by the park commission would be responsible for a civil infraction and could be ordered to pay a civil fine of up to \$500.

House Bill 4957 would amend the Michigan Freedom Trail Commission Act (MCL 399.82 and 399.83) to transfer the commission from the Department of State to the new Department of History, Arts, and Culture.

Analyst: D. Martens

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