



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bills 553 through 558 (as reported without amendment)
Senate Bill 559 (Substitute S-1 as reported)
Senate Bills 560 and 561 (as reported without amendment)
Senate Bill 562 (Substitute S-1 as reported)
Senate Bills 563, 564, and 565 (as reported without amendment)
Sponsor: Senator Goeff Hansen (S.B. 553-557)
 Senator Wayne Schmidt (S.B. 558-561)
 Senator Mike Green (S.B. 562-565)
Committee: Outdoor Recreation and Tourism

CONTENT

Senate Bill 562 (S-1) would amend the Michigan Historical Markers Act to do the following:

- Permit the Department of Natural Resources (DNR), after consultation with the Michigan Historical Commission, to enter into an agreement to assist with administration of the Michigan Historical Marker Program.
- Modify the goals of the program.
- Include in the definition of "historic resource" places associated with a significant individual, group, or event in the State.
- Require the DNR to maintain the State Register of Historic Sites, and delete language permitting the DNR to list a historic resource or site in the State Register and to commemorate the resource or site with the placement of a marker.
- Require markers and locations approved by the Commission to be added to the Register.
- Permit the Commission, with a landowner's consent, to submit an application for the placement of an official Michigan historical marker.
- Delete an exception for an agency from the requirement to pay an application fee.
- Require an application to be approved by the Commission, rather than the Michigan History Center (presently called the Michigan Historical Center).
- Require the Center to arrange for a marker to be prepared, upon the Commission's approval, and to give preference to a Michigan-based company.
- Require an applicant to pay the full actual cost of a marker, before it was ordered.
- Allow a marker to refer to Michigan as the "Great Lakes State".
- Require a person in possession of a resource or site where a marker was displayed to maintain the marker according to prescribed standards.
- Require certain funds to be deposited into the Michigan History Center Operations Fund, instead of the Historical Marker Fund, and transfer money in that Fund to the Operations Fund.
- Delete a provision making it a misdemeanor to exhibit or use the design of a marker without the DNR's permission.
- Permit a person in possession of a marker to return it to the DNR or a sheriff without penalty, within one year after the bill's effective date.
- Require a person to return a marker to the Center or dispose of it as prescribed by the Center, if the Center withdrew a marker designation.

The bill also would rename the Act as the "Governor John B. Swainson Michigan Historical Markers Act".

Senate Bill 563 would amend Part 635 (Surface and Underground Coal Mine Reclamation) of the Natural Resources and Environmental Protection Act to refer to the Governor John B. Swainson Michigan Historical Markers Act in the definition of "historic resource".

Senate Bill 564 would amend the Michigan Historical Center Act to do the following:

- Replace the term "historical" with "history" in the names of the Act, the Michigan Historical Center, the Michigan Historical Museum, and the Michigan Historical Center Operations Fund.
- Allow money in the Fund to be spent to implement the Governor John B. Swainson Michigan Historical Markers Act.
- Require fees collected for admissions and other services to be deposited in the Operations Fund.
- Require the DNR to prepare an annual report accounting for revenue and expenditures of the Fund, and including information about the location of any markers erected during the previous fiscal year; and provide the report to legislative committees.

Senate Bill 565 would amend the Michigan Historical Commission Act to refer to the Michigan History Center, rather than the Michigan Historical Center.

Senate Bills 553 through 561 would amend various acts to refer to the Michigan History Center Act, rather than Public Act 271 of 1913 (which was repealed when the Michigan Historical Center Act was enacted) in provisions concerning the retention or disposition of records.

Senate Bill 553 would amend the General Property Tax Act. Senate Bills 554 and 555 would amend the Business Corporation Act and the Nonprofit Corporation Act, respectively. Senate Bill 556 would amend the Revised Judicature Act. Senate Bill 557 would amend Public Act 105 of 1964, which provides for the reproduction of State, local unit, and municipal court records. Senate Bill 558 would amend Public Act 29 of 1957, which allows a probate court to order the destruction of records related to proceedings for the hospitalization of a child with special health care needs.

Senate Bill 559 (S-1) would amend a section of the Michigan Penal Code that provides that all official books, papers, or records created by or received in any office or agency of the State or its political subdivisions are public property. The bill also would require a person to return records to the Michigan History Center, rather than the Michigan Historical Commission, if the office where the records belong is defunct.

Senate Bill 560 would amend the Legal Defense Fund Act, and Senate Bill 561 would amend the Michigan Campaign Finance Act.

MCL 211.24 (S.B. 553)
450.1913 (S.B. 554)
450.2913 (S.B. 555)
600.1428 (S.B. 556)
691.1101 (S.B. 557)
720.551 (S.B. 558)
750.491 (S.B. 559)
15.531 (S.B. 560)
169.216 (S.B. 561)
399.151-399.160 (S.B. 562)
324.63502 (S.B. 563)
399.801 et al. (S.B. 564)
399.832 & 399.833 (S.B. 565)

Legislative Analyst: Suzanne Lowe

FISCAL IMPACT

Overall, the bills would have no significant fiscal impact on the Department of Natural Resources or local units of government. While the bills would make a number of changes to the Historical Marker Program administered by the Michigan History Center, the bills would not significantly change the scope, and hence the cost, of the program. Currently, as well as under the bills, those requesting historical markers pay the full cost of purchasing, installing, and maintaining the markers.

From an administrative standpoint, the bills would transfer the remaining balance and future revenue of the Historical Marker Fund to the Michigan History Center Operations Fund. The DNR has reported that the Historical Marker Fund has a balance of about \$56,000; under the bills, that balance would be combined with the balance of the Michigan History Center Operations Fund, which is estimated to be about \$500,000 currently. The Operations Fund is used by the Michigan History Center to fund the operations of the museum gift shop as well as to receive revenue from admissions, training programs, conferences, and other services. That revenue is used to offset some of the cost related to operation of the Michigan History Center. Under the bills, the scope of use for the Operations Fund would be expanded to include administration of the Historical Marker Program.

Finally, the bills would remove the misdemeanor penalty for improperly using or displaying the design of a historical marker. It is unknown how many individuals have been prosecuted for that offense, but it is likely few; therefore, this amendment would have little fiscal impact on local courts or law enforcement.

Date Completed: 9-29-17

Fiscal Analyst: Josh Sefton