

MICHIGAN MUSEUM ACT (EXCERPT)
Act 325 of 1990

399.508 Railroad history museum; funding assistance.

Sec. 208.

(1) In order to assist the funding of the railroad history museum, the department may do all of the following:

(a) Charge a reasonable fee for entry into the railroad history museum. If charged, the fee shall be set by the secretary of state and shall be reviewed annually.

(b) Establish and administer a retail sales store at the railroad history museum. The railroad history museum store may acquire and sell items that pertain to the collections maintained at the railroad history museum or the purpose of the railroad history museum, or both. Items sold by the railroad history museum store may be acquired by purchase, gift, or consignment and may be sold on a commission basis. The department is exempt from the provisions of section 261 of the management and budget act, Act No. 431 of the Public Acts of 1984, being section 18.1261 of the Michigan Compiled Laws, when acquiring items intended for resale in the railroad history museum store. A charge shall be established for each item offered for sale. The charge may include markups and discounts that are commensurate with industry practice. The department may accept cash, check, or credit card payments as compensation for items sold and shall determine which credit cards will be accepted for payment. The department may establish accounts in credit card banks for the deposit of credit card sales invoices and to pay discounts and service charges in connection with the use of credit cards. The department may purchase and place advertisements concerning items offered for sale at the railroad history museum store. The railroad history museum store may utilize the services of high school cooperative students and volunteers.

(c) Establish and operate a snack bar or other food and beverage service at the railroad history museum and make reasonable charges for the items sold. The department may enter into agreements with a contractor or concessionaire to operate a food and beverage concession. A food and beverage concession agreement entered into under authority of this subdivision shall require each contractor or concessionaire to conduct his or her business in good taste and in keeping with the theme of the railroad history museum. The Michigan commission for the blind shall have priority to establish vending and cafeteria operations in the railroad history museum, as authorized by Act No. 260 of the Public Acts of 1978, being sections 393.351 to 393.368 of the Michigan Compiled Laws.

(d) Rent space on the railroad history premises of the museum to tasteful and appropriate history-oriented retail businesses, including, but not limited to, coin, stamp and antique dealers, and model railroad dealers. As consideration for space rented under this section, the department shall charge either 25% of the net profits of the business or the prevailing rate for the space rented. The department shall enter into a written rental agreement with each business specifying the term of the lease, which shall not exceed 1 year in duration, but may contain a renewal clause, the agreed upon consideration, grounds for termination, and any other provisions the secretary of state considers necessary for the sound operation of the railroad history museum.

(e) Rent space on the premises of the railroad history museum to appropriate businesses that demonstrate a substantial need to engage in commerce at the railroad history museum site, including, but not limited to, amtrak or any successor to amtrak. The department shall enter into a written rental agreement with each business specifying the terms of the lease, which shall not exceed 10 years in length but may contain a renewal clause, the consideration, grounds for termination, and such other provisions as the secretary of state considers necessary for the sound operation of the railroad history museum and the business.

(f) Rent space on the premises of the railroad history museum to nonprofit businesses and entities whose purpose involve promoting the study of railroading, historic preservation in general, or Michigan history. The department may rent space under this subdivision at a rate reduced from the prevailing rate for comparable space in the area, but not below 50% of the prevailing rate. The department shall enter into a written rental agreement with each nonprofit business or entity specifying the terms of the lease, which shall not exceed 3 years in duration but may contain a renewal clause, the agreed upon consideration, grounds for termination, and any other provisions the secretary of state considers necessary for the sound operation of the railroad history museum.

(2) The department may rent space on the premises of the railroad history museum to a suitable restaurant. The restaurant shall agree to develop a decor relating to the theme of the railroad history museum that is subject to the approval of the secretary of state. As consideration for space rented under this subsection, the department shall charge 15% of the net profits of the restaurant. The department shall enter into a written rental agreement with the restaurant specifying the terms of the lease, which shall not exceed 3 years in duration but may contain a renewal clause, the agreed upon consideration, grounds for termination, and any other provisions the secretary of state considers necessary for the sound operation of the railroad history museum.

History: 1990, Act 325, Imd. Eff. Dec. 21, 1990

Compiler's Notes: For transfer of powers and duties of the commission for the blind from family independence agency to department of labor

and economic growth by Type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011. For transfer of powers and duties of commission for the blind to bureau of services for blind persons within department of licensing and regulatory affairs, see E.R.O. No. 2012-5, compiled at MCL 445.2033.