

EXECUTIVE ORDER No. 2007-51

MICHIGAN COMMISSION ON THE COMMEMORATION OF THE BICENTENNIAL OF THE WAR OF 1812

DEPARTMENT OF HISTORY, ARTS, AND LIBRARIES

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the State of Michigan in the Governor;

WHEREAS, the War of 1812 served as a crucial test for the United States Constitution and our newly established democratic republic;

WHEREAS, many parts of Michigan were affected by the War of 1812, including the City of Detroit and Fort Mackinac, which were both captured and occupied by British forces;

WHEREAS, Michigan played a critical role in the War of 1812, including the Battle of Frenchtown in Monroe County on January 22, 1813, where more than 900 soldiers from Michigan, Ohio, and Kentucky fought;

WHEREAS, it is in the best interests of the State of Michigan to provide for appropriate commemorative activities recognizing the 200th anniversary of the War of 1812;

WHEREAS, recognizing the bicentennial of the War of 1812 will increase awareness of Michigan's cultural heritage and assist cultural economic development in this state;

NOW, THEREFORE, I, Jennifer M. Granholm, Governor of the State of Michigan, by virtue of the power and authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, order the following:

I. DEFINITIONS

As used in this Order:

A. "Commission" means the Michigan Commission on the Bicentennial of the War of 1812 created within the Department of History, Arts, and Libraries under Section II of this Order.

B. "Department of History, Arts, and Libraries" or "Department" means the principal department of state government created by Section 3 of the History, Arts, and Libraries Act, 2001 PA 63, MCL 399.703.

C. Department of Military and Veterans Affairs means the principal department of state government created as the Department of Military Affairs by Section 125 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.225, and renamed the Department of Military and Veterans Affairs by Executive Order 1997-7, MCL 32.91.

D. "Mackinac Island State Park Commission" means the commission created under Section 2 of 1927 PA 355, transferred to the Department of Natural Resources by Section 256 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.356, transferred to the new Department of Natural Resources by Executive Order 1991-31, MCL 299.13, and transferred to the Department of History, Arts, and Libraries by 2001 PA 78, MCL 324.76503.

E. "Travel Michigan" means the program created as the Michigan Travel Bureau under Section 2a of the Michigan Tourism Policy Act, 1945 PA 106, MCL 2.102a, renamed Travel Michigan by Executive Order

1997-1, MCL 2.111, transferred to the Michigan Strategic Fund by Executive Order 1999-1, MCL 408.40, and transferred to the Michigan Economic Development Corporation under the interlocal agreement effective April 5, 1999, and subsequently amended, between local participating economic development corporations formed under the economic development corporations act, 1974 PA 338, MCL 125.1601 to 125.1636, and the Michigan Strategic Fund.

II. CREATION OF THE MICHIGAN COMMISSION ON THE COMMEMORATION OF THE BICENTENNIAL OF THE WAR OF 1812

A. The Michigan Commission on the Commemoration of the Bicentennial of the War of 1812 is created as an advisory body within the Department of History, Arts, and Libraries.

B. The Commission shall consist of 15 members, including all of the following:

1. The Director of the Department of History, Arts, and Libraries, or his or her designee from within the Department of History, Arts, and Libraries.

2. The Adjutant General, or his or her designee from within the Department of Military and Veterans Affairs.

3. 13 residents of this state appointed by the Governor, including 1 individual representing Travel Michigan, 1 individual representing the Mackinac Island State Park Commission, and at least 1 individual representing Native American tribes in Michigan.

C. Of the members of the Commission appointed under Section II.B.3, 4 members shall be appointed for terms expiring on December 31, 2008, 3 members shall be appointed for terms expiring on December 31, 2009, 3 members shall be appointed for terms expiring on December 31, 2010, and 3 members shall be appointed for terms expiring on December 31, 2011. After the initial appointments, members shall be appointed for a term of 4 years.

D. A vacancy on the Commission shall be filled in the same manner as the original appointment.

E. The Director of the Department shall serve as the Chairperson of the Commission. The Commission shall elect a member of the Commission to serve as Vice-Chairperson of the Commission.

III. CHARGE TO THE COMMISSION

A. The Commission shall act in an advisory capacity and shall do all of the following:

1. Advise the Department and the Governor on matters relating to fostering authenticity and inclusion in Michigan's observance of the 200th anniversary of the War of 1812.

2. Encourage, plan, and develop activities, events, programs, observances, and services appropriate to commemorate the Bicentennial of the War of 1812.

3. Enlist the support of private citizens, businesses, nonprofit organizations, and governmental entities in the planning and promotion of the Bicentennial of the War of 1812.

4. Encourage private citizens, businesses, nonprofit organizations, and governmental entities to organize and participate in War of 1812 Bicentennial activities.

5. Encourage schools and cultural institutions in Michigan to participate in activities recognizing the

Bicentennial of the War of 1812.

6. Encourage Michigan's participation in national and international activities commemorating the Bicentennial of the War of 1812 and facilitate communications with other states, provinces, and countries commemorating the Bicentennial.

7. Recognize the role of Native Americans in the War of 1812.

8. Serve as a clearinghouse for the collection and dissemination of information about War of 1812 Bicentennial plans, events, programs, observances, and services.

9. Research and promote the development of cultural, historical, and economic development opportunities relating to the War of 1812 in connection with the War of 1812 Bicentennial.

10. Review, plan, and recommend strategies to promote and preserve the history of the War of 1812 in Michigan.

B. The Commission shall complete its work by July 31, 2015.

IV. OPERATIONS OF THE COMMISSION

A. The Commission shall be staffed and assisted by personnel from the Department, subject to available funding. Any budgeting, procurement, or related management functions of the Commission shall be performed under the direction and supervision of the Director of the Department.

B. The Commission shall adopt procedures consistent with Michigan law and this Order governing its organization and operations.

C. A majority of the members of the Commission serving constitutes a quorum for the transaction of the Commission's business. The Commission shall act by a majority vote of its serving members.

D. The Commission shall meet at the call of the Chairperson and as may be provided in procedures adopted by the Commission.

E. The Commission may establish advisory workgroups composed of members of the public who are not members of the Commission. The Commission may adopt, reject, or modify any recommendations proposed by an advisory workgroup.

F. The Commission may, as appropriate, make inquiries, studies, investigations, hold hearings, and receive comments from the public. The Commission may also consult with outside experts in order to perform its duties, including, but not limited to, experts in the private sector, organized labor, government agencies, and at institutions of higher education.

G. Members of the Commission shall serve without compensation. Members of the Commission may receive reimbursement for necessary travel and expenses consistent with relevant statutes and the rules and procedures of the Civil Service Commission and the Department of Management and Budget, subject to available funding.

H. The Commission may hire or retain contractors, sub-contractors, advisors, consultants, and agents, and may make and enter into contracts necessary or incidental to the exercise of the powers of the Commission and the performance of its duties as the Director of the Department deems advisable and necessary, in accordance with this Order, and the relevant statutes, rules, and procedures of the Civil

Service Commission and the Department of Management and Budget.

I. The Commission may accept donations of labor, services, or other things of value from any public or private agency or person.

J. Members of the Commission shall refer all legal, legislative, and media contacts to the Department.

V. MISCELLANEOUS

A. All departments, committees, commissioners, or officers of this state, or of any political subdivision of this state, shall give to the Commission or to any member or representative of the Commission, any necessary assistance required by the Commission or any member or representative of the Commission, in the performance of the duties of the Commission so far as is compatible with its, his, or her duties. Free access shall also be given to any books, records, or documents in its, his, or her custody, relating to matters within the scope of inquiry, study, or review of the Commission.

B. This Order shall not abate any suit, action, or other proceeding lawfully commenced by, against, or before any entity affected under this Order. Any suit, action, or other proceeding may be maintained by, against, or before the appropriate successor of any entity affected under this Order.

C. The invalidity of any portion of this Order shall not affect the validity of the remainder of the Order, which may be given effect without any invalid portion. Any portion of this Order found invalid by a court or other entity with proper jurisdiction shall be severable from the remaining portions of this Order.

D. This Order is effective upon filing.

Given under my hand and the Great Seal of the State of Michigan this 27th day of December, in the year of our Lord, two thousand seven.

JENNIFER M. GRANHOLM
GOVERNOR

BY THE GOVERNOR: