

HOUSE BILL No. 4314

February 15, 1991, Introduced by Reps. Joe Young, Jr., Harrison, Saunders, Clack, Wallace, DeMars, Clarke, Leland, Varga, Kilpatrick, Joe Young, Sr., Gubow and Dobronski and referred to the Committee on State Affairs.

A bill to establish a black affairs commission; and to prescribe the commission's powers and duties.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "black affairs commission act".

3 Sec. 2. As used in this act:

4 (a) "Chairperson" means the chairperson of the commission.

5 (b) "Commission" means the black affairs commission created
6 in section 3.

7 Sec. 3. (1) The black affairs commission is created in the
8 department of civil rights and consists of 19 members as
9 follows:

10 (a) One member appointed by the senate majority leader.

11 (b) One member appointed by the speaker of the house of
12 representatives.

1 (c) Seventeen members, as provided in subsection (2),
2 appointed by the governor with the advice and consent of the
3 senate.

4 (2) Of the members appointed by the governor:

5 (a) Two members each from each of the following shall be
6 appointed from a list of 6 candidates submitted by each of the
7 following:

8 (i) The Michigan association of black organizations.

9 (ii) The national association for the advancement of colored
10 people (NAACP).

11 (iii) The national urban league.

12 (iv) Black ministers.

13 (b) One member each from each of the following shall be
14 appointed from a list of 3 candidates submitted by each of the
15 following:

16 (i) The black association of state employees (BASE).

17 (ii) Black Greek letter organizations including, but not
18 limited to, Alpha Kappa Alpha, Alpha Phi Alpha, Delta Sigma
19 Theta, Kappa Alpha Psi, Omega Psi Phi, Phi Beta Sigma, Sigma
20 Gamma Rho, and Zeta Phi Beta.

21 (iii) The wolverine bar association.

22 (iv) The national medical association.

23 (v) The national association of black accountants.

24 (vi) The Michigan alliance of black educators.

25 (vii) The national association of black journalists.

26 (viii) Community action agencies.

1 (ix) The Negro business and professional women clubs.

2 (3) Commission members appointed by the governor shall be
3 appointed for terms of 3 years, except that of the members first
4 appointed, 6 members shall serve for 1 year, 6 members shall
5 serve for 2 years, and 5 members shall serve for 3 years.
6 Commission members appointed by the senate majority leader or the
7 speaker of the house of representatives shall be appointed for
8 terms of 2 years. A vacancy created other than by the expiration
9 of a term shall be filled for the balance of the unexpired term
10 in the same manner as the original appointment. A member may be
11 reappointed for additional terms.

12 (4) The commission shall elect annually from its membership
13 a chairperson, vice-chairperson, and other officers that the com-
14 mission considers necessary. The chairperson is the chief execu-
15 tive officer of the commission. The commission shall also
16 appoint an executive director in accordance with civil service
17 procedures who shall serve as secretary to the commission.

18 (5) A commission member shall receive reimbursement only for
19 actual and necessary expenses incurred in the performance of the
20 commission's business.

21 Sec. 4. (1) The business which the commission may perform
22 shall be conducted at a public meeting under the open meetings
23 act, Act No. 267 of the Public Acts of 1976, being sections
24 15.261 to 15.275 of the Michigan Compiled Laws. Public notice of
25 the time, date, and place of the meeting shall be given in the
26 manner required by Act No. 267 of the Public Acts of 1976.

1 (2) A writing prepared, owned, used, in the possession of,
2 or retained by the commission in the performance of an official
3 function shall be made available to the public under the freedom
4 of information act, Act No. 442 of the Public Acts of 1976, being
5 sections 15.231 to 15.246 of the Michigan Compiled Laws.

6 Sec. 5. The commission shall do all of the following:

7 (a) Stimulate and encourage the study and review of the
8 status of black Americans in this state.

9 (b) Recommend methods of overcoming discrimination against
10 black Americans in the exercise of civil and political rights,
11 and in employment, both public and private.

12 (c) Study, devise, and promote effective methods to provide
13 black Americans with the means for skill development, job
14 retraining, and educational advancement.

15 (d) Commission or conduct surveys and studies as necessary
16 or appropriate.

17 (e) Secure appropriate recognition of the accomplishments
18 and contributions of black Americans to this state.

19 (f) Cooperate with and coordinate activities with the Indian
20 affairs commission created by Act No. 195 of the Public Acts of
21 1972, being sections 16.711 to 16.720 of the Michigan Compiled
22 Laws, the commission on Spanish-speaking affairs created by Act
23 No. 164 of the Public Acts of 1975, being sections 18.301 to
24 18.308 of the Michigan Compiled Laws, and the Michigan women's
25 commission created by Act No. 1 of the Public Acts of 1968, being
26 sections 10.71 to 10.77 of the Michigan Compiled Laws.

1 (g) Monitor, evaluate, investigate, advocate, and initiate
2 programs for the betterment of the black community in this
3 state.

4 (h) Monitor, evaluate, investigate, and advocate all public
5 and private programs that have a direct impact on the black com-
6 munities in the areas of legislation, employment, education,
7 housing, health, and the judiciary system.

8 (i) Appoint advisory committees in fields that shall
9 include, but not be limited to, education, social service, labor
10 and employment, law enforcement, health, legal rights, family
11 relations, and volunteer services.

12 (j) Approve employees required to carry out assigned respon-
13 sibilities in accordance with civil service regulations and
14 within limitations provided by law, and prescribe their duties.

15 Sec. 6. The executive director of the commission shall
16 implement the policies and programs of the commission and be
17 responsible for staff assignments and the administration of the
18 commission office. The executive director shall also perform
19 additional duties as assigned by the chairperson.

20 Sec. 7. The commission may accept federal funds or private
21 gifts or donations. However, the acceptance and use of federal
22 funds does not commit state funds and does not place any obliga-
23 tion upon the legislature to continue the purpose for which the
24 funds are made available.

25 Sec. 8. All executive departments and agencies of this
26 state shall fully cooperate with the commission in the
27 performance of the commission's duties.

1 Sec. 9. The commission shall submit an annual report to the
2 governor, which shall include recommendations based on the
3 commission's studies.