



# HOUSE BILL No. 4508

March 17, 1993, Introduced by Reps. Jondahl, Gubow, Pitoniak, Joe Young, Jr., Scott and Freeman and referred to the Committee on Civil Rights and Women's Issues.

A bill to create an Asian Pacific American affairs commission and an office of Asian Pacific American affairs and to prescribe their powers and duties; and to prescribe the powers and duties of certain state agencies, departments, and officials.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

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

3       Sec. 2. As used in this act:

4       (a) "Asian Pacific American" means a person who has origins  
5 in any of the original peoples of the far east, southeast Asia,  
6 the Indian subcontinent, or the Pacific islands; is identified by  
7 an employer in an EEO-1 report as Asian or Pacific islander; or  
8 is regarded in the community as having origins in any of the

1 original peoples of the far east, southeast Asia, the Indian  
2 subcontinent, or the Pacific islands.

3 (b) "Commission" means the Asian Pacific American affairs  
4 commission created in section 3.

5 (c) "Department" means the department of management and  
6 budget.

7 (d) "Director" means the director of the office of Asian  
8 Pacific American affairs.

9 (e) "Office" means the office of Asian Pacific American  
10 affairs created in section 11.

11 Sec. 3. (1) An Asian Pacific American affairs commission is  
12 created in the department of management and budget. The commis-  
13 sion shall exercise its powers and duties independently of the  
14 department except for budget, procurement, and housekeeping  
15 functions. The commission shall consist of 15 members appointed  
16 by the governor with the advice and consent of the senate. The  
17 commission annually shall elect a chairperson and  
18 vice-chairperson, and shall elect other officers from its members  
19 as it considers advisable.

20 (2) Members of the commission shall be of Asian or Pacific  
21 islander origin or descent. The membership of the commission  
22 shall consist of both men and women and shall be appointed from  
23 geographical areas representative of Asian Pacific Americans  
24 throughout this state.

25 (3) Except for initial members, a member of the commission  
26 shall serve for a term of 3 years or until a successor is  
27 appointed. Of the members initially appointed, 5 of the members

1 shall be appointed for a term of 3 years, 5 of the members shall  
2 be appointed for a term of 2 years, and 5 of the members shall be  
3 appointed for a term of 1 year. A vacancy on the commission  
4 shall be filled by the governor for the balance of the unexpired  
5 term.

6 (4) The commission shall be appointed within 90 days after  
7 the effective date of this act.

8 Sec. 5. (1) Within 90 days after appointment and confirma-  
9 tion of all members, the commission shall adopt bylaws for the  
10 operation of the commission. The bylaws shall include, at a min-  
11 imum, voting procedures and minimum requirements for attendance  
12 at meetings.

13 (2) The commission shall hold regular quarterly meetings at  
14 places and on dates fixed by the commission. Special meetings  
15 may be called by the chairperson or by not less than 8 commission  
16 members on 3 business days' actual notice.

17 (3) A majority of the commission members appointed and serv-  
18 ing constitutes a quorum. Final action by the commission shall  
19 be only by affirmative vote of a majority of the commission mem-  
20 bers appointed and serving. A commission member shall not vote  
21 by proxy.

22 (4) The legislature annually shall fix the per diem compen-  
23 sation of members of the commission. Expenses of members  
24 incurred in the performance of official duties shall be reim-  
25 bursed as provided by law for state employees.

26 (5) The department shall furnish administrative services to  
27 the commission and shall provide secretarial and other staff

1 necessary to allow the proper exercise of the powers and duties  
2 of the commission. The department shall provide adequate office  
3 space to the commission. The department shall make available the  
4 times and places of commission meetings and keep minutes of the  
5 meetings and a record of the actions of the commission.

6 (6) The department shall assign professional employees to  
7 staff the commission to assist the commission in the performance  
8 of its substantive responsibilities under this act.

9 Sec. 7. (1) A meeting of the commission shall be held pur-  
10 suant to the open meetings act, Act No. 267 of the Public Acts of  
11 1976, being sections 15.261 to 15.275 of the Michigan Compiled  
12 Laws. Public notice of the time, date, and place of the meeting  
13 shall be given in the manner required by Act No. 267 of the  
14 Public Acts of 1976.

15 (2) A writing prepared, owned, used, in the possession of,  
16 or retained by the commission or office in the performance of an  
17 official function shall be made available to the public pursuant  
18 to the freedom of information act, Act No. 442 of the Public Acts  
19 of 1976, being sections 15.231 to 15.246 of the Michigan Compiled  
20 Laws.

21 Sec. 9. The commission shall do all of the following:

22 (a) Stimulate and encourage the study and review of the  
23 status of Asian Pacific Americans in this state.

24 (b) Develop a unified policy and plan of action to serve the  
25 needs of Asian Pacific Americans in this state.

1 (c) Advise the governor, the legislature, and the office  
2 concerning the coordination and administration of state programs  
3 serving Asian Pacific Americans.

4 (d) Make recommendations to the governor and legislature  
5 regarding changes in state programs, statutes, and policies.

6 (e) Advise the governor and legislature of the nature, mag-  
7 nitude, and priorities of the problems of Asian Pacific Americans  
8 in this state.

9 (f) Review and advise the governor and the legislature on  
10 the state's policies concerning Asian Pacific American affairs.

11 (g) Secure appropriate recognition of Asian Pacific American  
12 accomplishments and contributions to this state.

13 (h) Review and approve the annual report by the office of  
14 Asian Pacific American affairs as described in section 13.

15 (i) Make recommendations to the governor and legislature  
16 regarding methods of overcoming discrimination against Asian  
17 Pacific Americans in public and private employment and civil and  
18 political rights.

19 (j) Work to ensure equal access to all levels of education  
20 for Asian Pacific Americans.

21 (k) Promote methods to ensure equal access to state services  
22 for Asian Pacific Americans.

23 (l) Cooperate with and coordinate activities with the Indian  
24 affairs commission, the commission on Spanish-speaking affairs,  
25 the Michigan women's commission, and any other commission which  
26 deals with minority or ethnic affairs.

1 (m) Monitor, evaluate, investigate, advocate, and initiate  
2 programs for the betterment of Asian Pacific Americans in this  
3 state.

4 (n) Serve as a clearinghouse for incidents of anti-Asian and  
5 anti-Pacific islander American harassment in this state.

6 (o) Promote public awareness of Asian and Pacific islander  
7 cultures.

8 Sec. 11. (1) The office of Asian Pacific American affairs  
9 is created in the department of management and budget.

10 (2) The commission shall select the director of the office  
11 with the concurrence of the director of the department of manage-  
12 ment and budget in accordance with state civil service  
13 procedures.

14 (3) The department shall furnish administrative services to  
15 the office and shall provide secretarial and other staff neces-  
16 sary to allow the proper exercise of the powers and duties of the  
17 office. The department shall provide adequate office space to  
18 the office.

19 (4) The department shall assign professional employees to  
20 staff the office necessary to assist the office in the per-  
21 formance of its substantive responsibilities under this act.

22 Sec. 13. The office shall do all of the following:

23 (a) Provide the commission with information concerning the  
24 problems of Asian Pacific Americans and implement commission  
25 policy.

26 (b) Conduct studies and recommend solutions to the problems  
27 of Asian Pacific Americans in the areas of education, employment,

1 civil rights, health, housing, senior citizens, mental health,  
2 social services, commerce, and other related areas.

3 (c) Recommend to federal, state, and local governmental  
4 departments and agencies the creation of services and facilities  
5 as needed.

6 (d) Serve as a clearinghouse for the collection and distri-  
7 bution of information on Asian Pacific American affairs.

8 (e) Apply for and accept grants and gifts from governmental  
9 and private sources.

10 (f) Request the services of all state and local governmental  
11 departments and agencies to assure that Asian Pacific Americans  
12 have access to decision making bodies, the policies of which  
13 affect Asian Pacific Americans in this state.

14 (g) Cooperate with departments and agencies to aid in effec-  
15 tuating the purposes of this act.

16 (h) Review the performance of state departments and agencies  
17 regarding the hiring and promotion of Asian Pacific Americans by  
18 the state departments and agencies and the provision of services  
19 to Asian Pacific Americans by the state departments and  
20 agencies.

21 (i) Review the curriculum programs and policies of elementa-  
22 ry, secondary, and postsecondary educational institutions of this  
23 state regarding Asian Pacific Americans and the admissions pro-  
24 grams and policies of postsecondary educational institutions of  
25 this state regarding Asian Pacific Americans.

1 (j) Submit a full written report of its activities and  
2 recommendations each year to the governor, legislature, and  
3 various Asian Pacific American communities throughout the state.