

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 215

A bill to amend 1975 PA 164, entitled

"An act to create a commission on Spanish-speaking affairs, an office of Spanish-speaking affairs, and an interagency council on Spanish-speaking affairs; to prescribe their powers and duties; to provide for appropriations; and to abolish the advisory council for the Spanish-speaking,"

by amending the title and sections 1, 2, 3, 4, 5, and 6 (MCL 18.301, 18.302, 18.303, 18.304, 18.305, and 18.306), sections 2 and 4 as amended by 2004 PA 94.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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TITLE

An act to create a ~~commission on Spanish-speaking affairs, an~~
~~office of Spanish-speaking affairs~~ **HISPANIC/LATINO COMMISSION OF**
MICHIGAN, AN OFFICE OF HISPANIC/LATINO AFFAIRS, and ~~an~~ **A**
HISPANIC/LATINO interagency council; ~~on Spanish-speaking affairs,~~
to prescribe their powers and duties; to provide for

1 appropriations; and to abolish the advisory council for the
2 Spanish-speaking.

3 Sec. 1. As used in this act:

4 (a) "Commission" means the ~~commission on Spanish speaking~~
5 ~~affairs~~ **HISPANIC/LATINO COMMISSION OF MICHIGAN** created in section
6 2.

7 (b) "Director" means the director of the office of ~~Spanish-~~
8 ~~speaking~~ **HISPANIC/LATINO** affairs.

9 (c) "Office" means the office of ~~Spanish-speaking~~
10 **HISPANIC/LATINO** affairs as created in section 4.

11 (d) ~~"Spanish-speaking "~~ **"HISPANIC/LATINO** people" means ~~a person,~~
12 ~~including a migrant agricultural worker, who:~~ has a Spanish
13 ~~surname, has a parent or grandparent~~ **PEOPLE** of Mexican, Puerto
14 Rican, Cuban, Central American, South American, or other Spanish **OR**
15 **INDIGENOUS** origin or descent. ~~;~~ ~~uses Spanish as the primary~~
16 ~~language or mother tongue; is identified by an employer in an EEO-1~~
17 ~~report as a "Spanish-surnamed American"; or is regarded in the~~
18 ~~community as being of Mexican, Puerto Rican, Cuban, Central~~
19 ~~American, South American, or other Spanish origin or descent.~~

20 Sec. 2. (1) A ~~commission on Spanish speaking affairs~~
21 **HISPANIC/LATINO COMMISSION OF MICHIGAN** is established within the
22 department of **ENERGY**, labor, and economic growth. The commission
23 shall consist of 15 members appointed by the governor by and with
24 the advice and consent of the senate. The commission shall elect a
25 chairperson, vice-chairperson, and other officers from its members
26 as it deems advisable.

27 (2) Members of the commission shall be ~~Spanish-speaking and of~~

~~Spanish-speaking origin. Members~~ **BROADLY REPRESENTATIVE OF ALL
FIELDS OF INTEREST TO HISPANIC/LATINO PEOPLE AND** shall be appointed
from urban, suburban, and rural geographical areas representative
of the ~~Spanish-speaking~~ **HISPANIC/LATINO** people throughout this
state.

(3) The term of each member shall be 3 years. Of the members
first appointed, 5 shall serve for 3-year terms, 5 shall serve for
2-year terms, and 5 shall serve for a 1-year term. A vacancy shall
be filled by the governor in the same manner as the original
appointment for the balance of the unexpired term.

(4) The commission shall meet not less than ~~12~~ **6** times during
each calendar year. Each member of the commission shall receive per
diem compensation as appropriated in the annual budget. Per diem
compensation shall be paid only for a full day's commission work at
which a quorum is present. A member shall receive reimbursement for
actual and necessary traveling expenses incurred in the performance
of official business. Reimbursement shall be made in the manner
provided by law for state employees.

(5) A majority of the members of the commission constitutes a
quorum. A majority of the members of the commission is required for
final action by the commission. A vacancy in the commission shall
not impair the right of the remaining members to exercise the
powers of the commission.

Sec. 3. (1) The purpose of the commission shall be to develop
a unified policy and plan of action to serve the needs of
~~Michigan's Spanish-speaking~~ **THIS STATE'S HISPANIC/LATINO** people.

(2) The commission shall **DO ALL OF THE FOLLOWING IN THE**

1 **FOLLOWING ORDER OF PRIORITY:**

2 (a) Advise the governor, the legislature, and the office
3 concerning the coordination and administration of state programs
4 serving ~~Spanish-speaking~~ **HISPANIC/LATINO** people.

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

7 (c) Advise the governor and legislature of the nature,
8 magnitude, and priorities of the problems of ~~Spanish-speaking~~
9 **HISPANIC/LATINO** people.

10 (d) Review and approve grants to be made from federal, state,
11 or private funds ~~which~~ **THAT** are administered by the office.

12 (e) Review and advise the governor and the legislature on the
13 state's policies concerning ~~Spanish-speaking~~ **HISPANIC/LATINO**
14 affairs.

15 (f) Secure appropriate recognition of ~~Spanish-speaking~~
16 **HISPANIC/LATINO** accomplishments and contributions to this state.

17 (g) Review and approve the annual report by the office of
18 ~~Spanish-speaking~~ **HISPANIC/LATINO** affairs as described in section 5.

19 **(H) ASSIST WITH THE PLANNING AND IMPLEMENTATION OF A**
20 **HISPANIC/LATINO HERITAGE MONTH CELEBRATION.**

21 **(I) ASSIST WITH THE PLANNING AND IMPLEMENTATION OF**
22 **HISPANIC/LATINO HOLIDAY CELEBRATIONS.**

23 Sec. 4. (1) The office of ~~Spanish-speaking~~ **HISPANIC/LATINO**
24 affairs is established within the department of **ENERGY**, labor, and
25 economic growth.

26 (2) The commission shall select the director of the office
27 with the concurrence of the director of the department of **ENERGY**,

1 labor, and economic growth in accordance with state civil service
2 procedures.

3 Sec. 5. (1) The purpose of the office shall be to provide the
4 commission with information concerning the problems of ~~Spanish-~~
5 ~~speaking~~ **HISPANIC/LATINO** people and to implement commission policy.

6 (2) The office shall:

7 (a) Conduct studies and recommend solutions to the problems of
8 ~~Spanish-speaking~~ **HISPANIC/LATINO** people in the areas of education,
9 employment, civil rights, health, housing, senior citizens, and
10 other related areas.

11 (b) Recommend to federal, state, and local governmental
12 departments and agencies the creation of services and facilities as
13 needed.

14 (c) Serve as a clearinghouse for the collection and
15 distribution of information on ~~Spanish-speaking~~ **HISPANIC/LATINO**
16 affairs.

17 (d) Apply for and accept grants and gifts from governmental
18 and private sources.

19 (e) Request the services of all state and local governmental
20 departments and agencies to assure that ~~Spanish-speaking~~
21 **HISPANIC/LATINO** people have access to decision-making bodies, the
22 policies of which affect ~~Spanish-speaking~~ **HISPANIC/LATINO** people in
23 this state.

24 (f) Cooperate with departments and agencies to aid in
25 effectuating the purposes of this act.

26 (g) Submit a full written report of its activities and
27 recommendations each year to the governor, legislature, and various

1 ~~Spanish speaking~~ **HISPANIC/LATINO** communities throughout the state.

2 Sec. 6. (1) A state **HISPANIC/LATINO** interagency council ~~on~~
3 ~~Spanish speaking affairs~~ is created within the office.

4 (2) The council shall consist of **ALL OF THE FOLLOWING:**

5 ~~—— (a) The director of mental health or his authorized~~
6 ~~representative.~~

7 ~~—— (b) The director of public health or his authorized~~
8 ~~representative.~~

9 ~~—— (c) The director of social services or his authorized~~
10 ~~representative.~~

11 ~~—— (d) The director of licensing and regulation or his authorized~~
12 ~~representative.~~

13 ~~—— (e) The director of the department of natural resources or his~~
14 ~~authorized representative.~~

15 ~~—— (f) The superintendent of public instruction or his authorized~~
16 ~~representative.~~

17 ~~—— (g) The state treasurer or his authorized representative.~~

18 ~~—— (h) The director of the department of agriculture or his~~
19 ~~authorized representative.~~

20 ~~—— (i) The state personnel director or his authorized~~
21 ~~representative.~~

22 ~~—— (j) The executive director of the department of civil rights~~
23 ~~or his authorized representative.~~

24 ~~—— (k) The attorney general or his authorized representative.~~

25 ~~—— (l) The secretary of state or his authorized representative.~~

26 ~~—— (m) The director of the department of corrections or his~~
27 ~~authorized representative.~~

1 ~~—— (n) The executive director of the women's commission or her~~
2 ~~authorized representative.~~

3 ~~—— (o) The director of management and budget or his authorized~~
4 ~~representative.~~

5 ~~—— (p) The director of labor or his authorized representative.~~

6 ~~—— (q) The chairman of the state housing development authority or~~
7 ~~his authorized representative.~~

8 (A) THE ATTORNEY GENERAL OR HIS OR HER DESIGNEE.

9 (B) THE DIRECTOR OF THE DEPARTMENT OF AGRICULTURE OR HIS OR
10 HER DESIGNEE.

11 (C) THE DIRECTOR OF THE DEPARTMENT OF CIVIL RIGHTS OR HIS OR
12 HER DESIGNEE.

13 (D) THE DIRECTOR OF THE DEPARTMENT OF COMMUNITY HEALTH OR HIS
14 OR HER DESIGNEE.

15 (E) THE DIRECTOR OF THE DEPARTMENT OF CORRECTIONS OR HIS OR
16 HER DESIGNEE.

17 (F) THE DIRECTOR OF THE DEPARTMENT OF HUMAN SERVICES OR HIS OR
18 HER DESIGNEE.

19 (G) THE DIRECTOR OF THE DEPARTMENT OF ENERGY, LABOR, AND
20 ECONOMIC GROWTH OR HIS OR HER DESIGNEE.

21 (H) THE DIRECTOR OF THE DEPARTMENT OF TECHNOLOGY, MANAGEMENT,
22 AND BUDGET OR HIS OR HER DESIGNEE.

23 (I) THE DIRECTOR OF THE DEPARTMENT OF NATURAL RESOURCES AND
24 ENVIRONMENT OR HIS OR HER DESIGNEE.

25 (J) THE EXECUTIVE DIRECTOR OF THE WOMEN'S COMMISSION.

26 (K) THE EXECUTIVE DIRECTOR OF THE MICHIGAN STATE HOUSING
27 DEVELOPMENT AUTHORITY OR HIS OR HER DESIGNEE.

1 (I) THE PRESIDENT OF THE MICHIGAN STRATEGIC FUND OR HIS OR HER
2 DESIGNEE.

3 (M) THE STATE PERSONNEL DIRECTOR OR HIS OR HER DESIGNEE.

4 (N) THE STATE TREASURER OR HIS OR HER DESIGNEE.

5 (O) THE SECRETARY OF STATE OR HIS OR HER DESIGNEE.

6 (P) THE SUPERINTENDENT OF PUBLIC INSTRUCTION OR HIS OR HER
7 DESIGNEE.

8 (3) The purpose of the interagency council shall be to
9 coordinate and provide for the exchange of information on all
10 programs relating to services for ~~Spanish-speaking~~ **HISPANIC/LATINO**
11 people. The interagency council shall also assist the office and
12 commission in the development of an annual report ~~which~~ **THAT** is to
13 be submitted to the governor, the legislature, and ~~Spanish-speaking~~
14 **HISPANIC/LATINO** communities throughout the state.