

SENATE BILL No. 215

February 11, 2009, Introduced by Senators GARCIA, HARDIMAN, CROPSEY, JANSEN, VAN WOERKOM and KAHN and referred to the Committee on Local, Urban and State Affairs.

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:

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:

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

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

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

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

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

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

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

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

20 **(I) ASSIST WITH THE PLANNING AND IMPLEMENTATION OF A CESAR**
21 **CHAVEZ DAY CELEBRATION.**

22 **(J) ASSIST WITH THE PLANNING AND IMPLEMENTATION OF A CINCO DE**
23 **MAYO CELEBRATION.**

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

27 (2) The commission shall select the director of the office

1 with the concurrence of the director of the department of **ENERGY**,
2 labor, and economic growth in accordance with state civil service
3 procedures.

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

7 (2) The office shall:

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

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

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

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

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

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

27 (g) Submit a full written report of its activities and

1 recommendations each year to the governor, legislature, and various
2 ~~Spanish-speaking~~ **HISPANIC/LATINO** communities throughout the state.

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

5 (2) The council shall consist of:

6 (a) The director of ~~mental~~ **THE DEPARTMENT OF COMMUNITY** health
7 or his **OR HER** authorized representative.

8 (b) The director of ~~public health~~ **THE DEPARTMENT OF**
9 **ENVIRONMENTAL QUALITY** or his **OR HER** authorized representative.

10 (c) The director of ~~social~~ **THE DEPARTMENT OF HUMAN** services or
11 his **OR HER** authorized representative.

12 (d) The director of ~~licensing and regulation~~ **THE DEPARTMENT OF**
13 **ENERGY, LABOR, AND ECONOMIC GROWTH** or his **OR HER** authorized
14 representative.

15 (e) The director of the department of natural resources or his
16 **OR HER** authorized representative.

17 (f) The superintendent of public instruction or his **OR HER**
18 authorized representative.

19 (g) The state treasurer or his **OR HER** authorized
20 representative.

21 (h) The director of the department of agriculture or his **OR**
22 **HER** authorized representative.

23 (i) The state personnel director or his **OR HER** authorized
24 representative.

25 (j) The executive director of the department of civil rights
26 or his **OR HER** authorized representative.

27 (k) The attorney general or his **OR HER** authorized

1 representative.

2 (l) The secretary of state or his **OR HER** authorized
3 representative.

4 (m) The director of the department of corrections or his **OR**
5 **HER** authorized representative.

6 (n) The executive director of the women's commission or **HIS OR**
7 her authorized representative.

8 (o) The director of **THE DEPARTMENT OF** management and budget or
9 his **OR HER** authorized representative.

10 (p) The director of ~~labor~~**THE DEPARTMENT OF HISTORY, ARTS, AND**
11 **LIBRARIES** or his **OR HER** authorized representative.

12 (q) The chairman of the state housing development authority or
13 his **OR HER** authorized representative.

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