

HOUSE BILL No. 4724

April 27, 1989, Introduced by Reps. Joe Young, Jr., Varga, Joe Young, Sr., Watkins, Saunders, Harrison, Hoffman, Hollister, Stabenow, Rocca, Hunter, Perry Bullard, Gubow, Terrell, Dutko, Weeks, Leland, Hertel, Murphy, Clack, Jondahl, Berman, Hood, DeMars, Honigman, Stallworth, Kilpatrick, Bennane, Stopczynski and Wallace 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 management and budget and consists of 19 members as
9 follows:

10 (a) A state representative appointed by the speaker of the
11 house.

1 (b) A state senator appointed by the senate majority
2 leader.

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

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

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

10 (i) The Detroit association of black organizations.

11 (ii) The national association for the advancement of colored
12 people (NAACP).

13 (iii) The national urban league.

14 (iv) Black ministers.

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

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

22 (ii) The wolverine bar association.

23 (iii) The national medical association.

24 (iv) The national association of black accountants.

25 (v) The Michigan alliance of black educators.

26 (vi) The national association of black journalists.

(vii) Community action agencies.

(viii) The Negro business and professional women clubs.

(ix) The opportunities industrialization centers incorporated (OIC).

(3) Commission members appointed by the governor shall be appointed for terms of 3 years, except that of the members first appointed, 6 members shall serve for 1 year, 6 members shall serve for 2 years, and 5 members shall serve for 3 years. The term of a legislator who is a member of the commission expires upon sine die adjournment of the 2-year legislative session for which the legislator is appointed. A vacancy created other than by the expiration of a term shall be filled for the balance of the unexpired term in the same manner as the original appointment. A member may be reappointed for additional terms.

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

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

Sec. 4. (1) The business which the commission may perform shall be conducted at a public meeting under the open meetings act, Act No. 267 of the Public Acts of 1976, being sections 15.261 to 15.275 of the Michigan Compiled Laws. Public notice of

1 the time, date, and place of the meeting shall be given in the
2 manner required by Act No. 267 of the Public Acts of 1976.

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

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

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

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

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

17 (d) Commission or conduct surveys and studies as necessary
18 or appropriate.

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

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

1 commission created by Act No. 1 of the Public Acts of 1968, being
2 sections 10.71 to 10.77 of the Michigan Compiled Laws.

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

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

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

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

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

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

1 Sec. 8. All executive departments and agencies of this
2 state shall fully cooperate with the commission in the
3 performance of the commission's duties.

4 Sec. 9. The commission shall submit an annual report to the
5 governor, which shall include recommendations based on the
6 commission's studies.