

HOUSE BILL No. 4726

April 27, 1989, Introduced by Reps. Stabenow, Jondahl, Hollister, Ciaramitaro, DeMars and Leland and referred to the Committee on Appropriations.

A bill to create a Michigan ethnic and cultural affairs commission; to create an ethnic and cultural center fund; to provide for the powers and duties of the commission and certain state officials, agencies, and departments; and to make an appropriation.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

3 Sec. 2. As used in this act:

4 (a) "Commission" means the Michigan ethnic and cultural
5 affairs commission created in section 3.

6 (b) "Department" means the department of management and
7 budget.

8 (c) "Fund" means the ethnic and cultural center fund created
9 in section 8.

1 Sec. 3. (1) The Michigan ethnic and cultural affairs
2 commission is created as an autonomous entity in the department
3 of management and budget. The commission shall exercise its
4 powers and duties independently of the department except for
5 budget, procurement, and related management functions.

6 (2) The commission shall appoint an executive director of
7 the commission. The executive director shall be a member of the
8 classified state civil service.

9 (3) The executive director shall hire all staff required to
10 exercise the powers and carry out duties of the commission. The
11 commission within limitations provided by law shall approve the
12 number of staff members hired and their job descriptions.

13 Sec. 4. (1) The commission shall consist of the following
14 12 members:

15 (a) Nine members appointed by the governor with the advice
16 and consent of the senate. One appointee shall be appointed from
17 a list of 1 or more nominees presented to the governor by the
18 senate majority leader, and 1 appointee shall be appointed from a
19 list of 1 or more nominees presented to the governor by the
20 speaker of the house of representatives.

21 (b) The director of the department of management and budget
22 or his or her designee.

23 (c) The secretary of state or his or her designee.

24 (d) The superintendent of public instruction or his or her
25 designee.

1 (2) The commission annually shall elect a chairperson,
2 vice-chairperson, and other officers from its appointed members
3 as it considers advisable.

4 (3) Each appointed member of the commission shall be an
5 active member of a Michigan ethnic organization and shall repre-
6 sent different ethnic and cultural backgrounds.

7 (4) Except for the initial members, an appointed member of
8 the commission shall serve for a term of 4 years or until a suc-
9 cessor is appointed and qualified. Of the members initially
10 appointed, 2 of the members shall be appointed for a term of 1
11 year, 2 of the members shall be appointed for a term of 2 years,
12 3 of the members shall be appointed for a term of 3 years, and 2
13 of the members shall be appointed for a term of 4 years. A
14 vacancy on the commission shall be filled by the governor for the
15 balance of the unexpired term, not more than 30 days after the
16 vacancy is created, in the same manner as the original
17 appointment.

18 (5) The commission shall be appointed within 90 days after
19 the effective date of this act.

20 Sec. 5. (1) Within 60 days after appointment and confirma-
21 tion of all appointed members, the commission shall adopt bylaws
22 for the operation of the commission. The bylaws shall include,
23 at a minimum, voting procedures and minimum requirements for
24 attendance at meetings.

25 (2) The commission shall hold regular quarterly meetings at
26 places and on dates fixed by the commission. Special meetings

1 may be called by the chairperson or by not less than 6 commission
2 members on 3 business days' actual notice.

3 (3) A majority of the commission members constitutes a
4 quorum for the transaction of business at a meeting of the
5 commission. Final action by the commission shall be only by
6 affirmative vote of a majority of the commission members
7 serving. A commission member shall not vote by proxy.

8 (4) The members of the commission shall receive per diem
9 compensation as determined by the legislature. The actual and
10 necessary expenses of members incurred in the performance of
11 their official duties shall be reimbursed as provided by law for
12 state employees.

13 Sec. 6. (1) A meeting of the commission shall be held pur-
14 suant to the open meetings act, Act No. 267 of the Public Acts of
15 1976, being sections 15.261 to 15.275 of the Michigan Compiled
16 Laws. Public notice of the time, date, and place of the meeting
17 shall be given in the manner required by Act No. 267 of the
18 Public Acts of 1976.

19 (2) A writing prepared, owned, used, in the possession of,
20 or retained by the commission in the performance of an official
21 function shall be made available to the public pursuant to the
22 freedom of information act, Act No. 442 of the Public Acts of
23 1976, being sections 15.231 to 15.246 of the Michigan Compiled
24 Laws.

25 Sec. 7. The commission shall do all of the following:

1 (a) Promote and encourage an understanding of the different
2 ethnic and cultural groups in this state and their relationship
3 to families, neighborhoods, and the economy.

4 (b) Consult and work with educational institutions to pro-
5 mote the study of the different ethnic and cultural groups of
6 this state and to encourage the study of foreign language
7 instruction.

8 (c) Recognize the accomplishments and contributions that the
9 different ethnic and cultural groups have made and continue to
10 make to the development and history of this state.

11 (d) Advise the governor and legislature concerning the coor-
12 dination and administration of state programs serving the differ-
13 ent ethnic groups of this state.

14 (e) Serve as a clearinghouse for the collection, coordina-
15 tion, and distribution of information about ethnic organizations
16 and activities including, but not limited to, the following:

17 (i) The location of specific ethnic communities, groups, and
18 organizations of this state.

19 (ii) The location and date of upcoming annual and special
20 events involving ethnic groups and organizations of this state.

21 (f) Establish a Michigan ethnic and cultural center in
22 Lansing to do all of the following:

23 (i) Exhibit the cultural background and contemporary customs
24 of the different ethnic groups of this state.

25 (ii) Demonstrate the contributions that the different ethnic
26 groups have made and continue to make to this state.

1 (iii) Provide for programs and presentations to promote an
2 understanding and appreciation of the different ethnic groups of
3 this state.

4 (g) Consult and work with the different ethnic groups and
5 the local and regional ethnic cultural centers located throughout
6 this state in carrying out its duties.

7 Sec. 8. (1) An ethnic and cultural center fund is created
8 in the state treasury. The fund shall be administered by the
9 commission and shall be used only to carry out the purposes of
10 this act.

11 (2) The commission may apply for and accept grants and gifts
12 from governmental and private sources. Any money received by the
13 commission as a grant or gift shall be deposited into the fund.

14 (3) Any money, including interest earned by the fund,
15 remaining in the fund at the end of a fiscal year shall be car-
16 ried over in the fund to the next and succeeding fiscal years and
17 shall not be credited to or revert to the general fund.

18 Sec. 9. There is appropriated to the department for the
19 fiscal year ending September 30, 1989, \$500,000.00 for the pur-
20 poses of carrying out this act.