

# HOUSE BILL NO. 5467

February 05, 2020, Introduced by Reps. Hammoud, Vaupel, Liberati, Hood, Cynthia Johnson, Manoogian, Peterson, Stone, Rabhi, Whitsett and Jones and referred to the Committee on Health Policy.

A bill to create the commission on disability concerns; to prescribe the commission's powers and duties; and to prescribe the powers and duties of certain state departments and agencies.

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

1           Sec. 1. As used in this act:

2           (a) "Commission on disability concerns" or "commission" means  
3 the commission created in section 2.

4           (b) "Department" means the department of civil rights.

5           Sec. 2. (1) The commission on disability concerns is created



1 within the department.

2 (2) The commission shall be staffed and assisted by staff from  
3 the department, subject to available funding. Any budgeting,  
4 procurement, or related management functions of the commission  
5 shall be performed under the direction and supervision of the  
6 department director.

7 (3) The commission shall consist of 13 members appointed by  
8 the governor.

9 (4) The members first appointed to the commission must be  
10 appointed within 180 days after the effective date of this act.

11 (5) Members of the commission shall serve for terms of 4 years  
12 or until a successor is appointed, whichever is later, except that  
13 of the members first appointed 4 shall serve for 1 year, 4 shall  
14 serve for 2 years, and 5 shall serve for 3 years.

15 (6) If a vacancy occurs on the commission, the governor shall  
16 appoint a successor for the unexpired term in the same manner as  
17 the original appointment.

18 (7) The governor may remove a member of the commission for  
19 incompetence, dereliction of duty, malfeasance, misfeasance, or  
20 nonfeasance in office, or any other good cause.

21 Sec. 3. (1) The first meeting of the commission shall be  
22 called by the governor. At the first meeting, the commission shall  
23 elect from among its members a chairperson and other officers as it  
24 considers necessary or appropriate. After the first meeting, the  
25 commission shall meet at least quarterly, or more frequently at the  
26 call of the chairperson or if requested by 7 or more members.

27 (2) A majority of the voting members constitute a quorum for  
28 transacting business at a meeting of the commission. A majority of  
29 the members present and serving are required for official action of



1 the commission.

2 (3) The business that the commission may perform must be  
3 conducted at a public meeting held in compliance with the open  
4 meetings act, 1976 PA 267, MCL 15.261 to 15.275.

5 (4) A writing prepared, owned, used, in the possession of, or  
6 retained by the commission in the performance of an official  
7 function is subject to the freedom of information act, 1976 PA 442,  
8 MCL 15.231 to 15.246.

9 (5) Members of the commission shall serve without  
10 compensation, but may be reimbursed for their actual and necessary  
11 expenses incurred in the performance of their official duties as  
12 members of the commission.

13 Sec. 4. (1) The commission shall do all of the following:

14 (a) Review and advise the governor and the department on the  
15 policies of this state concerning individuals with disabilities.

16 (b) Review and advise the governor and the department of the  
17 nature, magnitude, and priorities of the issues facing individuals  
18 with disabilities.

19 (c) Monitor, evaluate, investigate, and recommend programs for  
20 the betterment of individuals with disabilities in this state.

21 (d) Make recommendations to the governor and the department  
22 regarding changes in state programs, statutes, regulations, and  
23 policies, including, but not limited to, coordinating state  
24 programs serving individuals with disabilities.

25 (e) Recommend policy and action plans to serve the needs of  
26 individuals with disabilities in this state.

27 (f) Recognize the accomplishments and contributions of  
28 individuals with disabilities in this state.

29 (g) Make recommendations to the governor and the department



1 regarding methods of overcoming discrimination against individuals  
2 with disabilities.

3 (h) Promote public awareness of disability issues.

4 (i) Promote equal access to state services by individuals with  
5 disabilities.

6 (j) Promote the involvement of individuals with disabilities  
7 in government at all levels.

8 (k) Issue reports that address issues described in this  
9 section and provide recommendations at times designated by the  
10 governor or the department director.

11 (2) The commission may do 1 or more of the following:

12 (a) Establish advisory workgroups composed of representatives  
13 of entities participating in commission activities or other members  
14 of the public as considered necessary by the commission to assist  
15 the commission in performing its duties and responsibilities. The  
16 commission may adopt, reject, or modify any recommendation proposed  
17 by an advisory workgroup.

18 (b) As appropriate, make inquiries, studies, and  
19 investigations, hold hearings, and receive comments from the  
20 public. The commission may also consult with outside experts in  
21 order to perform its duties, including, but not limited to, experts  
22 in the private sector, organized labor, government agencies, and  
23 institutions of higher education.

24 (c) Hire or retain a contractor, subcontractor, advisor,  
25 consultant, or agent. The commission may make and enter into a  
26 contract that is necessary or incidental to exercising its power  
27 and performing its duties as the department director considers  
28 advisable and necessary.

29 (d) Accept donations of labor, services, or other things of



1 value from a public or private agency or person.

