

SENATE BILL No. 165

February 15, 2017, Introduced by Senators JONES, O'BRIEN, CONYERS, GREGORY, BIEDA, NOFS, SCHUITMAKER, ROCCA, MARLEAU and HERTEL and referred to the Committee on Government Operations.

A bill to create an African-American affairs commission; to prescribe its powers and duties; and to prescribe the powers and duties of certain agencies, departments, and officials.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "African-American affairs commission act".

3 Sec. 3. As used in this act:

4 (a) "African-American" means an individual who has origins in
5 any of the black groups of Africa, including, but not limited to,
6 individuals of Afro-Caribbean descent.

7 (b) "Commission" means the African-American affairs commission
8 created in section 5.

9 (c) "Department" means the department of licensing and
10 regulatory affairs.

11 Sec. 5. (1) The African-American affairs commission is created

1 within the department of licensing and regulatory affairs. The
2 commission shall exercise its powers and duties independently of
3 the department except for budget, procurement, and housekeeping
4 functions. The commission shall consist of 15 members appointed by
5 the governor. The governor shall designate a member of the
6 commission to serve as its chairperson at the pleasure of the
7 governor. The commission may designate a member of the commission
8 to serve as its vice-chairperson at the pleasure of the commission.
9 The commission may elect other officers from its members as the
10 commission considers appropriate.

11 (2) Members of the commission shall be individuals who have a
12 particular interest or expertise in African-American concerns.

13 (3) A member of the commission shall serve for a term of 3
14 years or until a successor is appointed, whichever is later, except
15 that of the members first appointed, 5 shall serve for 3 years, 5
16 shall serve for 2 years, and 5 shall serve for 1 year.

17 (4) If a vacancy occurs on the commission, the governor shall
18 make an appointment for the balance of the unexpired term in the
19 same manner as the original appointment.

20 (5) The governor shall appoint the commission within 90 days
21 after the effective date of this act.

22 Sec. 7. (1) Within 90 days after appointment and qualification
23 of all members, the commission shall adopt bylaws for the operation
24 of the commission. The bylaws shall include, at a minimum, voting
25 procedures and minimum requirements for attendance at meetings.

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

1 meetings may be called by the chairperson or by not fewer than 8
2 commission members on 3 business days' actual notice.

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

8 (4) Members of the commission shall serve without compensation
9 but may receive reimbursement for necessary travel and expenses
10 according to relevant statutes and rules and procedures of the
11 department, subject to available appropriations.

12 (5) The department shall furnish administrative services to
13 the commission and shall provide secretarial and other staff
14 necessary to allow the proper exercise of the powers and duties of
15 the commission. The department shall provide adequate office space
16 to the commission. The department shall give notice of the times
17 and places of commission meetings and keep minutes of the meetings
18 and a record of the actions of the commission.

19 (6) The department shall assign professional employees to
20 staff the commission to assist the commission in the performance of
21 its substantive responsibilities under this act.

22 Sec. 9. (1) A meeting of the commission shall be held pursuant
23 to the open meetings act, 1976 PA 267, MCL 15.261 to 15.275.

24 (2) A writing prepared, owned, used, in the possession of, or
25 retained by the commission or office in the performance of an
26 official function shall be made available to the public pursuant to
27 the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

1 Sec. 11. (1) The commission shall do all of the following:

2 (a) Stimulate and encourage the study and review of the status
3 of African-Americans in this state.

4 (b) Develop a unified policy and plan of action to serve the
5 needs of African-Americans in this state.

6 (c) Advise the governor and legislature concerning the
7 coordination and administration of state programs serving African-
8 Americans.

9 (d) Review, advise, and make recommendations to the governor
10 and legislature regarding changes in this state's programs,
11 statutes, and policies concerning African-Americans.

12 (e) Advise the governor and legislature of the nature,
13 magnitude, and priorities of the problems of African-Americans in
14 this state.

15 (f) Secure appropriate recognition of African-American
16 accomplishments and contributions to this state.

17 (g) Make recommendations to the governor and the director of
18 the department regarding methods of overcoming discrimination
19 against African-Americans.

20 (h) Promote methods to ensure equal access to state services
21 for African-Americans.

22 (i) Cooperate with and coordinate activities with the
23 commissions that deal with minority or ethnic affairs.

24 (j) Monitor, evaluate, investigate, advocate, and initiate
25 programs for the betterment of African-Americans in this state.

26 (k) Promote public awareness of cultures.

27 (l) Refer all legal, legislative, and media contacts to the

1 department of civil rights.

2 (2) This act does not confer upon the commission the authority
3 to conduct investigations into specific complaints of
4 discrimination or any other power or duty specifically granted to
5 the civil rights commission or department of civil rights by
6 section 29 of article V of the state constitution of 1963, or by
7 the Elliott-Larsen civil rights act, 1976 PA 453, MCL 37.2101 to
8 37.2804.

9 Enacting section 1. This act takes effect 90 days after the
10 date it is enacted into law.