SPANISH-SPEAKING AFFAIRS

Act 164 of 1975

AN ACT to create a Hispanic/Latino commission of Michigan, an office of Hispanic/Latino affairs, and a Hispanic/Latino interagency council; to prescribe their powers and duties; to provide for appropriations; and to abolish the advisory council for the Spanish-speaking.

History: 1975, Act 164, Imd. Eff. July 15, 1975 ;-- Am. 2010, Act 146, Imd. Eff. Aug. 23, 2010
Compiler's Notes: For transfer of the functions, duties, and responsibilities of the Indian Affairs Commission from the Department of Management and Budget to the Director of the Department of Civil Rights as head of the department, see E.R.O. No. 1991-20 compiled at MCL 37.111 of the Michigan Compiled Laws.

The People of the State of Michigan enact:

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18.301 Definitions.

Sec. 1.

As used in this act:

(a) "Commission" means the Hispanic/Latino commission of Michigan created in section 2.

(b) "Director" means the director of the office of Hispanic/Latino affairs.

(c) "Office" means the office of Hispanic/Latino affairs as created in section 4.

(d) "Hispanic/Latino people" means people of Mexican, Puerto Rican, Cuban, Central American, South American, or other Spanish or indigenous origin or descent.

History: 1975, Act 164, Imd. Eff. July 15, 1975 ;-- Am. 2010, Act 146, Imd. Eff. Aug. 23, 2010
Compiler's Notes: For transfer of the functions, duties, and responsibilities of the Commission on Spanish-Speaking Affairs and the Office of Spanish-Speaking Affairs from the Department of Management and Budget to the Director of the Department of Civil Rights as head of the department, see E.R.O. No. 1991-20 compiled at MCL 37.111 of the Michigan Compiled Laws.For transfer of authority, powers, duties, functions, and responsibilities of the commission on Spanish-speaking affairs and office of Spanish-speaking affairs to the director of the department of career development by type I transfer, see E.R.O. No. 2000-3, compiled at MCL 18.311 of the Michigan compiled laws.For transfer of authority, powers, duties, functions, and responsibilities of the interagency council on Spanish-speaking affairs to the director of the department of career development by type III transfer, see E.R.O. No. 2000-3, compiled at MCL 18.311 of the Michigan compiled laws.For transfer of powers and duties of Hispanic Latino commission and office of Hispanic Latino affairs from department of licensing and regulatory affairs to department of civil rights, see E.R.O. No. 2011-4, compiled at MCL 445.2030.For transfer of Hispanic/Latino commission of Michigan and office of Hispanic/Latino affairs from department of civil rights to department of licensing and regulatory affairs, see E.R.O. No. 2016-1, compiled at MCL 445.1993.For the transfer of the Hispanic/Latino commission of Michigan from the department of licensing and regulatory affairs to the department of labor and economic opportunity and the abolishment of the office of Hispanic/Latino affairs and the position of its director, see E.R.O. No. 2019-3, compiled at MCL 125.1998.

18.302 Hispanic/Latino commission of Michigan; establishment; appointment, qualifications, and terms of members; election of officers; vacancy; meetings; compensation; quorum.

Sec. 2.

(1) A Hispanic/Latino commission of Michigan is established within the department of energy, labor, and economic growth. The commission shall consist of 15 members appointed by the governor by and with the advice and consent of the senate. The commission shall elect a chairperson, vice-chairperson, and other officers from its members as it deems advisable.

(2) Members of the commission shall be 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 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 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.

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History: 1975, Act 164, Imd. Eff. July 15, 1975 ;-- Am. 2004, Act 94, Imd. Eff. May 7, 2004 ;-- Am. 2010, Act 146, Imd. Eff. Aug. 23, 2010

Compiler's Notes: For transfer of authority, powers, duties, functions, and responsibilities of the commission on Spanish-speaking affairs and office of Spanish-speaking affairs to the director of the department of career development by type I transfer, see E.R.O. No. 2000-3, compiled at MCL 18.311 of the Michigan compiled laws.For transfer of authority, powers, duties, functions, and responsibilities of the interagency council on Spanish-speaking affairs to the director of the department of career development by type III transfer, see E.R.O. No. 2000-3, compiled at MCL 18.311 of the Michigan compiled laws.For restoration of the interagency council on Spanish-speaking affairs, see E.R.O. No. 2003-1, compiled at MCL 445.2011.For transfer of powers and duties of Hispanic Latino commission and office of Hispanic Latino affairs from department of licensing and regulatory affairs to department of civil rights, see E.R.O. No. 2011-4, compiled at MCL 445.2030.For transfer of Hispanic/Latino commission of Michigan and office of Hispanic/Latino affairs from department of civil rights to department of licensing and regulatory affairs, see E.R.O. No. 2016-1, compiled at MCL 445.1993.For the transfer of the Hispanic/Latino commission of Michigan from the department of licensing and regulatory affairs to the department of labor and economic opportunity and the abolishment of the office of Hispanic/Latino affairs and the position of its director, see E.R.O. No. 2019-3, compiled at MCL 125.1998.

18.302a Conducting business of commission or council at public meeting; notice; availability of writings to public.

Sec. 2a.

(1) The business which the commission or council created pursuant to this act may perform shall be conducted at a public meeting of the commission or council held in compliance with Act No. 267 of the Public Acts of 1976, as amended, being sections 15.261 to 15.275 of the Michigan Compiled Laws. Public notice of the time, date, and place of the meeting shall be given in the manner required by Act No. 267 of the Public Acts of 1976, as amended.

(2) A writing prepared, owned, used, in the possession of, or retained by the commission, council, or office created pursuant to this act in the performance of an official function shall be made available to the public in compliance with Act No. 442 of the Public Acts of 1976, as amended, being sections 15.231 to 15.246 of the Michigan Compiled Laws.

History: Add. 1979, Act 170, Imd. Eff. Dec. 11, 1979
Compiler's Notes: For transfer of authority, powers, duties, functions, and responsibilities of the commission on Spanish-speaking affairs and office of Spanish-speaking affairs to the director of the department of career development by type I transfer, see E.R.O. No. 2000-3, compiled at MCL 18.311 of the Michigan compiled laws.For transfer of authority, powers, duties, functions, and responsibilities of the interagency council on Spanish-speaking affairs to the director of the department of career development by type III transfer, see E.R.O. No. 2000-3, compiled at MCL 18.311 of the Michigan compiled laws.For transfer of powers and duties of Hispanic Latino commission and office of Hispanic Latino affairs from department of licensing and regulatory affairs to department of civil rights, see E.R.O. No. 2011-4, compiled at MCL 445.2030.For transfer of Hispanic/Latino commission of Michigan and office of Hispanic/Latino affairs from department of civil rights to department of licensing and regulatory affairs, see E.R.O. No. 2016-1, compiled at MCL 445.1993.For the transfer of the Hispanic/Latino commission of Michigan from the department of licensing and regulatory affairs to the department of labor and economic opportunity and the abolishment of the office of Hispanic/Latino affairs and the position of its director, see E.R.O. No. 2019-3, compiled at MCL 125.1998.

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18.303 Purpose; duties; priorities.

Sec. 3.

(1) The purpose of the commission shall be to develop a unified policy and plan of action to serve the needs of this state's Hispanic/Latino people.

(2) The commission shall do all of the following in the following order of priority:

(a) Advise the governor, the legislature, and the office concerning the coordination and administration of state programs serving Hispanic/Latino people.

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

(c) Advise the governor and legislature of the nature, magnitude, and priorities of the problems of Hispanic/Latino people.

(d) Review and approve grants to be made from federal, state, or private funds that are administered by the office.

(e) Review and advise the governor and the legislature on the state's policies concerning Hispanic/Latino affairs.

(f) Secure appropriate recognition of Hispanic/Latino accomplishments and contributions to this state.

(g) Review and approve the annual report by the office of Hispanic/Latino affairs as described in section 5.

(h) Assist with the planning and implementation of a Hispanic/Latino heritage month celebration.

(i) Assist with the planning and implementation of Hispanic/Latino holiday celebrations.

History: 1975, Act 164, Imd. Eff. July 15, 1975 ;-- Am. 2010, Act 146, Imd. Eff. Aug. 23, 2010
Compiler's Notes: For transfer of authority, powers, duties, functions, and responsibilities of the commission on Spanish-speaking affairs and office of Spanish-speaking affairs to the director of the department of career development by type I transfer, see E.R.O. No. 2000-3, compiled at MCL 18.311 of the Michigan compiled laws.For transfer of authority, powers, duties, functions, and responsibilities of the interagency council on Spanish-speaking affairs to the director of the department of career development

by type III transfer, see E.R.O. No. 2000-3, compiled at MCL 18.311 of the Michigan compiled laws.For transfer of powers and duties of Hispanic Latino commission and office of Hispanic Latino affairs from department of licensing and regulatory affairs to department of civil rights, see E.R.O. No. 2011-4, compiled at MCL 445.2030.For transfer of Hispanic/Latino commission of Michigan and office of Hispanic/Latino affairs from department of civil rights to department of licensing and regulatory affairs, see E.R.O. No. 2016-1, compiled at MCL 445.1993.For the transfer of the Hispanic/Latino commission of Michigan from the department of licensing and regulatory affairs to the department of labor and economic opportunity and the abolishment of the office of Hispanic/Latino affairs and the position of its director, see E.R.O. No. 2019-3, compiled at MCL 125.1998.

18.304 Office of Hispanic/Latino affairs; establishment; selection of director.

Sec. 4.

(1) The office of Hispanic/Latino affairs is established within the department of energy, labor, and economic growth.

(2) The commission shall select the director of the office with the concurrence of the director of the department of energy, labor, and economic growth in accordance with state civil service procedures.

History: 1975, Act 164, Imd. Eff. July 15, 1975 ;-- Am. 2004, Act 94, Imd. Eff. May 7, 2004 ;-- Am. 2010, Act 146, Imd. Eff. Aug. 23, 2010

Compiler's Notes: For transfer of authority, powers, duties, functions, and responsibilities of the commission on Spanish-speaking affairs and office of Spanish-speaking affairs to the director of the department of career development by type I transfer, see E.R.O. No. 2000-3, compiled MCL 18.311 of the Michigan compiled laws.For transfer of authority, powers, duties, functions, and responsibilities of the interagency council on Spanish-speaking affairs to the director of the department of career development by type III transfer, see E.R.O. No. 2000-3, compiled at MCL 18.311 of the Michigan compiled laws.For transfer of powers and duties of Hispanic Latino commission and office of Hispanic Latino affairs from department of licensing and regulatory affairs to department of civil rights, see E.R.O. No. 2011-4, compiled at MCL 445.2030.For transfer of Hispanic/Latino commission of Michigan and office of Hispanic/Latino affairs from department of civil rights to department of licensing and regulatory affairs, see E.R.O. No. 2016-1, compiled at MCL 445.1993.For the transfer of the Hispanic/Latino commission of Michigan from the department of licensing and regulatory affairs to the department of labor and economic opportunity and the abolishment of the office of Hispanic/Latino affairs and the position of its director, see E.R.O. No. 2019-3, compiled at MCL 125.1998.

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18.305 Office of Hispanic/Latino affairs; purpose; duties.

Sec. 5.

(1) The purpose of the office shall be to provide the commission with information concerning the problems of Hispanic/Latino people and to implement commission policy.

(2) The office shall:

(a) Conduct studies and recommend solutions to the problems of Hispanic/Latino people in the areas of education, employment, civil rights, health, housing, senior citizens, and other related areas.

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

(c) Serve as a clearinghouse for the collection and distribution of information on Hispanic/Latino affairs.

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

(e) Request the services of all state and local governmental departments and agencies to assure that Hispanic/Latino people have access to decision-making bodies, the policies of which affect Hispanic/Latino people in this state.

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

(g) Submit a full written report of its activities and recommendations each year to the governor, legislature, and various Hispanic/Latino communities throughout the state.

History: 1975, Act 164, Imd. Eff. July 15, 1975 ;-- Am. 2010, Act 146, Imd. Eff. Aug. 23, 2010
Compiler's Notes: For transfer of authority, powers, duties, functions, and responsibilities of the commission on Spanish-speaking affairs and office of Spanish-speaking affairs to the director of the department of career development by type I transfer, see E.R.O. No. 2000-3, compiled at MCL 18.311 of the Michigan compiled laws.For transfer of authority, powers, duties, functions, and responsibilities of the interagency council on Spanish-speaking affairs to the director of the department of career development by type III transfer, see E.R.O. No. 2000-3, compiled at MCL 18.311 of the Michigan compiled laws.For transfer of powers and duties of Hispanic Latino commission and office of Hispanic Latino affairs from department of licensing and regulatory affairs to department of civil rights, see E.R.O. No. 2011-4, compiled at MCL 445.2030.For transfer of Hispanic/Latino commission of Michigan and office of Hispanic/Latino affairs from department of civil rights to department of licensing and regulatory affairs, see E.R.O. No. 2016-1, compiled at MCL 445.1993.For the transfer of the Hispanic/Latino commission of Michigan from the department of licensing and regulatory affairs to the department of labor and economic opportunity and the abolishment of the office of Hispanic/Latino affairs and the position of its director, see E.R.O. No. 2019-3, compiled at MCL 125.1998.

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18.306 State Hispanic/Latino interagency council; creation; composition; purpose; duties.

Sec. 6.

(1) A state Hispanic/Latino interagency council is created within the office.

(2) The council shall consist of all of the following:

(a) The attorney general or his or her designee.

(b) The director of the department of agriculture or his or her designee.

(c) The director of the department of civil rights or his or her designee.

(d) The director of the department of community health or his or her designee.

(e) The director of the department of corrections or his or her designee.

(f) The director of the department of human services or his or her designee.

(g) The director of the department of energy, labor, and economic growth or his or her designee.

(h) The director of the department of technology, management, and budget or his or her designee.

(i) The director of the department of natural resources and environment or his or her designee.

(j) The executive director of the women's commission.

(k) The executive director of the Michigan state housing development authority or his or her designee.

(l) The president of the Michigan strategic fund or his or her designee.

(m) The state personnel director or his or her designee.

(n) The state treasurer or his or her designee.

(o) The secretary of state or his or her designee.

(p) The superintendent of public instruction or his or her designee.

(3) The purpose of the interagency council shall be to coordinate and provide for the exchange of information on all programs relating to services for Hispanic/Latino people. The interagency council shall also assist the office and commission in the development of an annual report that is to be submitted to the governor, the legislature, and Hispanic/Latino communities throughout the state.

History: 1975, Act 164, Imd. Eff. July 15, 1975 ;-- Am. 2010, Act 146, Imd. Eff. Aug. 23, 2010
Compiler's Notes: For transfer of authority, powers, duties, functions, and responsibilities of the commission on Spanish-speaking affairs and office of Spanish-speaking affairs to the director of the department of career development by type I transfer, see E.R.O. No. 2000-3, compiled at MCL 18.311 of the Michigan compiled laws.For transfer of authority, powers, duties, functions, and responsibilities of the interagency council on Spanish-speaking affairs to the director of the department of career development by type III transfer, see E.R.O. No. 2000-3, compiled at MCL 18.311 of the Michigan compiled laws.For transfer of powers and duties of Hispanic Latino commission and office of Hispanic Latino affairs from department of licensing and regulatory affairs to department of civil rights, see E.R.O. No. 2011-4, compiled at MCL 445.2030.For transfer of Hispanic/Latino commission of Michigan and office of Hispanic/Latino affairs from department of civil rights to department of licensing and regulatory affairs, see E.R.O. No. 2016-1, compiled at MCL 445.1993.For the transfer of the Hispanic/Latino commission of Michigan from the department of licensing and regulatory affairs to the department of labor and economic opportunity and the abolishment of the office of Hispanic/Latino affairs and the position of its director, see E.R.O. No. 2019-3, compiled at MCL 125.1998.

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18.307 Michigan advisory council for Spanish-speaking abolished; transfer of duties, functions, and property to commission.

Sec. 7.

The Michigan advisory council for the Spanish-speaking created pursuant to Executive Order 1974-6, as amended by Executive Order 1974-6(a), is abolished and its duties and functions shall be assumed by the commission. The documents, files, properties, and moneys belonging to the present Michigan advisory council for the Spanish-speaking shall be transferred to the commission on Spanish-speaking affairs.

History: 1975, Act 164, Imd. Eff. July 15, 1975
Compiler's Notes: For transfer of authority, powers, duties, functions, and responsibilities of the commission on Spanish-speaking affairs and office of Spanish-speaking affairs to the director of the department of career development by type I transfer, see E.R.O. No. 2000-3, compiled at MCL 18.311 of the Michigan compiled laws.For transfer of authority, powers, duties, functions, and responsibilities of the interagency council on Spanish-speaking affairs to the director of the department of career development by type III transfer, see E.R.O. No. 2000-3, compiled at MCL 18.311 of the Michigan compiled laws.For transfer of powers and duties of Hispanic Latino commission and office of Hispanic Latino affairs from department of licensing and regulatory affairs to department of civil rights, see E.R.O. No. 2011-4, compiled at MCL 445.2030.For transfer of Hispanic/Latino commission of Michigan and office of Hispanic/Latino affairs from department of civil rights to department of licensing and regulatory affairs, see E.R.O. No. 2016-1, compiled at MCL 445.1993.For the transfer of the Hispanic/Latino commission of Michigan from the department of licensing and regulatory affairs to the department of labor and economic opportunity and the abolishment of the office of Hispanic/Latino affairs and the position of its director, see E.R.O. No. 2019-3, compiled at MCL 125.1998.

18.308 Effective date.

Sec. 8.

This act shall take effect July 1, 1975.

History: 1975, Act 164, Imd. Eff. July 15, 1975

Compiler's Notes: For transfer of authority, powers, duties, functions, and responsibilities of the commission on Spanish-speaking affairs and office of Spanish-speaking affairs to the director of the department of career development by type I transfer, see E.R.O. No. 2000-3, compiled at MCL 18.311 of the Michigan compiled laws.For transfer of authority, powers, duties, functions, and responsibilities of the interagency council on Spanish-speaking affairs to the director of the department of career development by type III transfer, see E.R.O. No. 2000-3, compiled at MCL 18.311 of the Michigan compiled laws.For transfer of powers and duties of Hispanic Latino commission and office of Hispanic Latino affairs from department of licensing and regulatory affairs to department of civil rights, see E.R.O. No. 2011-4, compiled at MCL 445.2030.For transfer of Hispanic/Latino commission of Michigan and office of Hispanic/Latino affairs from department of civil rights to department of licensing and regulatory affairs, see E.R.O. No. 2016-1, compiled at MCL 445.1993.For the transfer of the Hispanic/Latino commission of Michigan from the department of licensing and regulatory affairs to the department of labor and economic opportunity and the abolishment of the office of Hispanic/Latino affairs and the position of its director, see E.R.O. No. 2019-3, compiled at MCL 125.1998.

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