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*Bill Analysis*  
*Legislative Service Commission*

## **H.B. 432**

127th General Assembly  
(As Introduced)

**Reps. D. Stewart and J. McGregor, Brown, Evans, Flowers, Foley, Heard, Skindell, Strahorn, Yates, Yuko**

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### **BILL SUMMARY**

- Creates the New African Immigrants Commission to advocate for the development and implementation of policies and programs to address the needs of Ohio's sub-Saharan African population.
- Establishes the Office of New African Immigrants Affairs and an Interagency Council, with both focused on aiding sub-Saharan African people.

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### **CONTENT AND OPERATION**

#### **Creation and duties of the New African Immigrants Commission**

(R.C. 4112.31(A) through (I) and 4112.32)

The bill creates the 11-member New African Immigrants Commission (discussed below) and requires the Commission to do all of the following:

- Gather and disseminate information and conduct hearings, conferences, investigations, and special studies on problems and programs concerning sub-Saharan African people.
- Secure appropriate recognition of the accomplishments and contributions of sub-Saharan African people to Ohio.
- Stimulate public awareness of the problems of sub-Saharan African people by conducting a program of public education.
- Develop, coordinate, and assist other public and private organizations that serve sub-Saharan African people, including

conducting training programs for community leadership and service project staff.

- Advise the Governor, General Assembly, and state departments and agencies of the nature, magnitude, and priorities of the problems of sub-Saharan African people.
- Advise the Governor, General Assembly, and state departments and agencies on, and assist in the development and implementation of, comprehensive and coordinated policies, programs, and procedures focusing on the special problems and needs of sub-Saharan African people, especially in the fields of education, employment, energy, health, housing, welfare, and recreation.
- Propose new programs concerning sub-Saharan African people to public and private agencies and evaluate for these agencies existing programs or prospective legislation concerning sub-Saharan African people.
- Review and approve grants to be made from state, federal, or private funds that are administered or subcontracted by the Office of New African Immigrant Affairs.
- Review and approve the annual report prepared by the Office of New African Immigrant Affairs.

**Creation and duties of the Office of New African Immigrant Affairs**

(R.C. 4112.33)

The bill creates the Office of New African Immigrant Affairs, which is accountable to the New African Immigrants Commission. The Commission must appoint the chief administrator for the Office, who serves at the Commission's pleasure. The Office's Director, with the Commission's approval, must appoint such employees as are necessary to carry out the Office's duties. These employees serve at the Director's pleasure.

The Office must compile and provide information to the Commission about, and advise it on, solutions to the problems of sub-Saharan African people. The Office is responsible for executing the tasks the Commission assigns. These tasks must include, but are not limited to:

- Serving as a clearinghouse to review and comment on all proposals to meet the needs of sub-Saharan African people that are submitted to it by public and private agencies.
- Applying for and accepting grants and gifts from governmental and private sources to be administered by the Office or subcontracted to local agencies.
- Monitoring and evaluating all programs subcontracted to local agencies by the Commission.
- Endeavoring to assure that sub-Saharan African people have access to decision-making bodies in all state and local governmental departments and agencies.
- Submitting a full written annual report of its activities, accomplishments, and recommendations to the Commission.
- Establishing advisory committees on special subjects as needed to facilitate and maximize community participation in the Commission's operation. These advisory committees must be composed of persons representing community organizations and charitable institutions, public officials, and such other persons as the Office determines.
- Establishing with state and local governments and private business and industry relationships that promote and assure equal opportunity for sub-Saharan African people in government, education, and employment.

**Creation and duties of the Interagency Council**

(R.C. 4112.31(J))

The bill requires the Commission to create an Interagency Council to provide and coordinate the exchange of information relative to the needs of sub-Saharan African people and to promote the delivery of state services to them. The Council consists of the following persons or their authorized representatives:

- One Senator appointed by the President of the Senate and one Representative appointed by the Speaker of the House.
- The Directors of Administrative Services, Agriculture, Education, Development, Health, Highway Safety, Job and Family Services,

Liquor Control, Mental Health, Mental Retardation and Developmental Disabilities, Natural Resources, Rehabilitation and Correction, Youth Services, Transportation, Environmental Protection, and Budget and Management.<sup>1</sup>

- The Chairperson of the Ohio Civil Rights Commission.
- The Administrators of the Bureau of Workers' Compensation and of the Rehabilitation Services Commission.
- An additional member of the Governor's cabinet appointed by the Governor.
- Other state officers or their representatives designated by Commission rule.
- The Director of the Commission, who serves as Council chairperson.<sup>2</sup>

The Council meets at the chairperson's call.

**Composition and operation of the New African Immigrants Commission and compensation of its members**

(R.C. 4112.32)

The New African Immigrants Commission members are to be appointed by the Governor with the advice and consent of the Senate. Of the 11 members to be appointed, the Speaker and President must each recommend to the Governor two persons for appointment to the Commission, and the House and Senate Minority Leaders must each recommend to the Governor one such person.

Of the initial appointments to the Commission, three must be for terms ending October 7, 2009, four must be for terms ending October 7, 2010, and four must be for terms ending October 7, 2011. Thereafter, terms of each member is

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<sup>1</sup> While the bill refers to the Directors of Highway Safety, Education, and Liquor Control, the relevant administrators are the Director of Public Safety, the Superintendent of Public Instruction, and the Superintendent of Liquor Control, respectively. A technical amendment may be needed to correct this.

<sup>2</sup> The bill refers to Director of the Commission. The intended reference may have been to the Director of the Office of New African Immigration Affairs. A technical amendment may be necessary to make the correction.

for three years, with each term ending on the same day of the same month of the year as did the term which it succeeds. At the Commission's first organizational meeting, the original 11 members must draw lots to determine the length of each member's term.

All Commission members must be of sub-Saharan African origin, and also must be American citizens or lawful, permanent resident aliens. Members must be from urban, suburban, and rural geographical areas representative of sub-Saharan African people with a numerical and geographic balance of the sub-Saharan African population throughout Ohio.

Each member must be compensated for each day the member is actually engaged in the performance of work as a member. But, no member may be compensated for more than one day each month. Each member must be reimbursed for all actual and necessary expenses incurred in the performance of official business.

The Commission must meet not less than six times per calendar year.

The Commission must elect a chairperson, vice-chairperson, and may elect other officers from among its members.

Six members constitute a quorum, and the Commission's actions are only valid with the concurrence of six members. The Commission must adopt rules governing its procedures.

Each Commission member holds office from the date of appointment until the end of the term for which the member was appointed. Vacancies must be filled in the same manner as the original appointment. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which the member's predecessor was appointed holds office for the remainder of that term. Any member continues in office subsequent to the expiration date of the member's term until the member's successor takes office, or until a period of 60 days has elapsed, whichever occurs first.

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## **HISTORY**

<b>ACTION</b>	<b>DATE</b>
Introduced	01-15-08

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