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State of Minnesota  
**HOUSE OF REPRESENTATIVES**

EIGHTY-SIXTH  
SESSION

**HOUSE FILE No. 3842**

May 13, 2010

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The bill was read for the first time and referred to the Committee on State and Local Government Operations Reform, Technology and Elections

1.1 A bill for an act  
1.2 relating to families; creating a Council on East African Minnesotans; creating  
1.3 an ombudsperson for East African Minnesotans; amending Minnesota Statutes  
1.4 2008, sections 257.0755, subdivision 1; 257.076, subdivision 3; 257.0768,  
1.5 subdivision 1; 257.0769, subdivision 1; proposing coding for new law in  
1.6 Minnesota Statutes, chapter 3.

1.7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.8 Section 1. **[3.9228] COUNCIL ON EAST AFRICAN MINNESOTANS.**

1.9 Subdivision 1. **Creation.** A state Council on East African Minnesotans consists of  
1.10 13 members, six appointed by the governor and seven appointed by the legislature. The  
1.11 members of the council must be broadly representative of the East African community of  
1.12 the state. Membership terms, compensation, removal of members, and filling of vacancies  
1.13 for nonlegislative members are as provided in section 15.0575. Because the council  
1.14 performs functions that are not purely advisory, the council is not subject to the expiration  
1.15 date in section 15.059. Two members of the house of representatives appointed by the  
1.16 speaker and two members of the senate appointed by the Subcommittee on Committees  
1.17 of the Committee on Rules and Administration shall serve as nonvoting members of the  
1.18 council. The council shall annually elect from its membership a chair and other officers  
1.19 it deems necessary.

1.20 Subd. 2. **Definition.** For purposes of this section, "East African" means the eastern  
1.21 region of the continent of Africa, comprising areas occupied by the countries of Burundi,  
1.22 Kenya, Rwanda, Tanzania, Uganda, and Somalia.

1.23 Subd. 3. **Duties.** The council shall:

1.24 (1) advise the governor and the legislature on the nature of the issues confronting  
1.25 East African people in this state;

2.1 (2) advise the governor and the legislature on statutes or rules necessary to ensure  
2.2 that East African people have access to benefits and services provided to people in this  
2.3 state;

2.4 (3) recommend to the governor and the legislature any revisions in the state's  
2.5 affirmative action program and other steps that are necessary to eliminate underutilization  
2.6 of East Africans in the state's work force;

2.7 (4) recommend to the governor and the legislature legislation to improve the  
2.8 economic and social conditions of East African people in this state;

2.9 (5) serve as a conduit to state government for organizations of East African people  
2.10 in this state;

2.11 (6) serve as a referral agency to assist East African people to secure access to state  
2.12 agencies and programs;

2.13 (7) serve as a liaison with the federal government, local government units, and  
2.14 private organizations on matters relating to the East African people of this state;

2.15 (8) perform or contract for the performance of studies designed to suggest solutions  
2.16 to problems of East African people in the areas of education, employment, human rights,  
2.17 health, housing, social welfare, and other related issues;

2.18 (9) implement programs designed to solve problems of East Africans when  
2.19 authorized by other statute, rule, or order; and

2.20 (10) implement programs designed to provide early identification and treatment,  
2.21 interventions, and assistance in accessing services for children who have, or are thought to  
2.22 have, an autism spectrum disorder.

2.23 Subd. 4. **Review of grant applications.** All applications by a state department or  
2.24 agency for the receipt of federal funds which will have their primary effect on East African  
2.25 Minnesotans shall be submitted to the council for review and recommendation at least 30  
2.26 days before submission to a federal agency.

2.27 Subd. 5. **Powers.** The council may contract in its own name, but no money shall be  
2.28 accepted or received as a loan nor indebtedness incurred except as otherwise provided  
2.29 by law. Contracts shall be approved by a majority of the members of the council and  
2.30 executed by the chair and the executive director. The council may apply for, receive, and  
2.31 expend in its own name grants and gifts of money consistent with the powers and duties  
2.32 specified in subdivisions 1 to 7.

2.33 The council shall appoint an executive director who is experienced in administrative  
2.34 activities and familiar with the problems and needs of East African people. The council  
2.35 may delegate to the executive director powers and duties under subdivisions 1 to 7 which  
2.36 do not require council approval. The executive director serves in the unclassified service

3.1 and may be removed at any time by the council. The executive director shall recommend  
 3.2 to the council, and the council may appoint, the appropriate staff necessary to carry  
 3.3 out its duties. Staff members serve in the unclassified service. The commissioner of  
 3.4 administration shall provide the council with necessary administrative services.

3.5 Subd. 6. **State agency assistance.** Other state agencies shall supply the council  
 3.6 upon request with advisory staff services on matters relating to the jurisdiction of the  
 3.7 council. The council shall cooperate and coordinate its activities with other state agencies  
 3.8 to the highest possible degree.

3.9 Subd. 7. **Report.** The council shall prepare and distribute a report to the governor  
 3.10 and legislature by November 15 of each even-numbered year. The report shall summarize  
 3.11 the activities of the council since its last report, list receipts and expenditures, identify the  
 3.12 major problems and issues confronting East African people, and list the specific objectives  
 3.13 which the council seeks to attain during the next biennium.

3.14 Sec. 2. Minnesota Statutes 2008, section 257.0755, subdivision 1, is amended to read:

3.15 Subdivision 1. **Creation.** One ombudsperson shall operate independently from but  
 3.16 in collaboration with each of the following groups: the Indian Affairs Council, the Council  
 3.17 on Affairs of Chicano/Latino people, the Council on Black Minnesotans, ~~and~~ the Council  
 3.18 on Asian-Pacific Minnesotans, and the Council for East African Minnesotans.

3.19 Sec. 3. Minnesota Statutes 2008, section 257.076, subdivision 3, is amended to read:

3.20 Subd. 3. **Communities of color.** "Communities of color" means the following:  
 3.21 American Indian, Hispanic-Latino, Asian-Pacific, African, ~~and~~ African-American, and  
 3.22 East African communities.

3.23 Sec. 4. Minnesota Statutes 2008, section 257.0768, subdivision 1, is amended to read:

3.24 Subdivision 1. **Membership.** ~~Four~~ Five community-specific boards are created.  
 3.25 Each board consists of five members. The chair of each of the following groups shall  
 3.26 appoint the board for the community represented by the group: the Indian Affairs Council;  
 3.27 the Council on Affairs of Chicano/Latino people; the Council on Black Minnesotans; ~~and~~  
 3.28 the Council on Asian-Pacific Minnesotans; and the Council on East African Minnesotans.  
 3.29 In making appointments, the chair must consult with other members of the council.

3.30 Sec. 5. Minnesota Statutes 2008, section 257.0769, subdivision 1, is amended to read:

4.1 Subdivision 1. **Appropriations.** (a) Money is appropriated from the special fund  
4.2 authorized by section 256.01, subdivision 2, clause (15), to the Indian Affairs Council for  
4.3 the purposes of sections 257.0755 to 257.0768.

4.4 (b) Money is appropriated from the special fund authorized by section 256.01,  
4.5 subdivision 2, clause (15), to the council on affairs of Chicano/Latino people for the  
4.6 purposes of sections 257.0755 to 257.0768.

4.7 (c) Money is appropriated from the special fund authorized by section 256.01,  
4.8 subdivision 2, clause (15), to the Council of Black Minnesotans for the purposes of  
4.9 sections 257.0755 to 257.0768.

4.10 (d) Money is appropriated from the special fund authorized by section 256.01,  
4.11 subdivision 2, clause (15), to the Council on Asian-Pacific Minnesotans for the purposes  
4.12 of sections 257.0755 to 257.0768.

4.13 (e) Money is appropriated from the special fund authorized by section 256.01,  
4.14 subdivision 2, clause (15), to the Council on East African Minnesotans for the purposes of  
4.15 sections 257.0755 to 257.0768.