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State of Minnesota  
**HOUSE OF REPRESENTATIVES**

EIGHTY-NINTH SESSION

**H. F. No. 1418**

03/04/2015 Authored by Murphy, M.; Carlson; Clark; Metsa; Murphy, E., and others

The bill was read for the first time and referred to the Committee on Government Operations and Elections Policy

1.1 A bill for an act  
1.2 relating to state government; expanding duties and powers of the Council on  
1.3 Black Minnesotans; amending Minnesota Statutes 2014, section 3.9225.  
1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2014, section 3.9225, is amended to read:

1.6 **3.9225 COUNCIL ON BLACK MINNESOTANS.**

1.7 Subdivision 1. **Creation.** A state Council on Black Minnesotans (COBM) consists  
1.8 of ~~13~~ 15 members appointed by the governor. The members of the council must be broadly  
1.9 representative of the Black community of the state and include at least five males and at  
1.10 least five females. ~~One member of the council must be a person whose ethnic heritage is~~  
1.11 ~~from West Africa, and one member of the council must be a person whose ethnic heritage~~  
1.12 ~~is from East Africa.~~ There must be equal representation of African Americans, East  
1.13 Africans, and West Africans on the council. Membership terms, compensation, removal of  
1.14 members, and filling of vacancies for nonlegislative members are as provided in section  
1.15 15.0575. Because the council performs functions that are not purely advisory, the council  
1.16 is not subject to the expiration date in section 15.059. Two members of the house of  
1.17 representatives appointed by the speaker and two members of the senate appointed by  
1.18 the Subcommittee on Committees of the Committee on Rules and Administration shall  
1.19 serve as nonvoting members of the council. The council shall annually elect from its  
1.20 membership a chair and other officers it deems necessary.

1.21 Subd. 2. **Definitions.** For the purpose of this section:

1.22 (1) "Black" describes persons who consider themselves as having origin in any of  
1.23 the Black racial groups of Africa;

(2) "East Africa" means the eastern region of the continent of Africa, comprising areas occupied by the countries of Burundi, Kenya, Rwanda, Tanzania, Uganda, and Somalia; ~~and~~

(3) "West Africa" means the western region of the continent of Africa comprising areas occupied by the countries of Mauritania, Senegal, The Gambia, Guinea-Bissau, Guinea, Sierra Leone, Liberia, Cote d'Ivoire, Ghana, Togo, Benin, Nigeria, Burkina Faso, and those parts of Mali and Niger south of the Sahara; and

(4) "Caribbean" means Afro-Jamaican, Trinidadian, Bahamian, Barbadian, Cuban, Costa Rican, Haitian, Puerto Rican, Grenadian, and Vincentian.

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

(a) ~~advise brief~~ the governor and ~~the legislature~~ legislative leaders on the nature of the issues confronting Black people in this state policy and administrative matters of concern to Minnesotans of African heritage and the council;

(b) advise the governor and the legislature on statutes or rules necessary to ensure that ~~Black people~~ Minnesotans of African heritage have access to benefits and services provided to people in this state;

(c) recommend to the governor and the legislature any revisions in the state's affirmative action program and other steps that are necessary to eliminate underutilization of ~~Blacks~~ Minnesotans of African heritage in the state's work force;

(d) recommend to the governor and the legislature legislation to improve the economic and social condition of ~~Black people~~ Minnesotans of African heritage in this state;

(e) serve as a conduit to state government for organizations of ~~Black people~~ Minnesotans of African heritage in the state;

(f) serve as a referral agency to assist ~~Black people~~ Minnesotans of African heritage to secure access to state agencies and programs;

(g) serve as a liaison with the federal government, local government units, and private organizations on matters relating to ~~the Black people of this state~~ Minnesotans of African heritage;

(h) perform or contract for the performance of studies designed to suggest solutions to problems of ~~Black people~~ Minnesotans of African heritage in the areas of education, employment, human rights, health, housing, social welfare, and other related areas;

(i) have a community membership base;

~~(i)~~ (j) implement programs designed to solve problems of ~~Black people~~ Minnesotans of African heritage when authorized by other statute, rule, or order;

(k) have its annual legislative agenda ratified by its membership base;

(j) (l) review data provided by the commissioner of human services under section 260C.215, subdivision 5, and present recommendations on the out-of-home placement of ~~Black~~ children of African heritage. Recommendations must be presented to the commissioner and the legislature by February 1, 1990; November 1, 1990; and November 1 of each year thereafter; ~~and~~

(m) be the first contact for legislators and the governor's office on matters concerning the African heritage community;

~~(k)~~ (n) publicize the accomplishments of ~~Black people~~ Minnesotans of African heritage and their contributions to this state;

(o) be available to political caucuses on matters relating to African heritage communities;

(p) develop a strategic plan to achieve outcomes related to the council's statutory duties;

(q) use an outside source to conduct periodic strategic plan outcome reviews;

(r) operate satellite offices in Mankato, Rochester, Duluth, and St. Cloud;

(s) testify before legislative committees on legislation affecting Minnesotans of African heritage; and

(t) recommend bonding initiatives that benefit Minnesotans of African heritage.

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

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

(b) The council may solicit and accept payments for advertising, use of exhibition space, or commemorative videos or other items in connection with publications, events, media productions, and informational programs that are sponsored by the council. These revenues must be deposited in an account in the special revenue fund and are appropriated to the council to defray costs of publications, events, media productions, or informational programs consistent with the powers and duties specified in subdivisions 1 to 7. The council may not publish advertising or provide exhibition space for any elected official or candidate for elective office. The council must report by January 15 each year to the

4.1 chairs and ranking minority members of the house of representatives and senate funding  
4.2 divisions with jurisdiction over the council on the amount and source of each payment  
4.3 received under this paragraph in the prior fiscal year.

4.4 (c) The council shall appoint an executive director who is experienced in  
4.5 administrative activities and familiar with the problems and needs of ~~Black people~~  
4.6 Minnesotans of African heritage. The council may delegate to the executive director  
4.7 powers and duties under subdivisions 1 to 7 which do not require council approval.  
4.8 The executive director serves in the unclassified service and may be removed at any  
4.9 time by the council. The executive director shall recommend to the council, and the  
4.10 council may appoint the appropriate staff necessary to carry out its duties. Staff members  
4.11 serve in the unclassified service. The commissioner of administration shall provide the  
4.12 council with necessary administrative services. The council shall partner with state  
4.13 agencies and departments to develop African heritage business recruitment to the state  
4.14 and increase international trade relations with African nations. The council shall make  
4.15 recommendations on legacy appropriations for conservation, clean water, and arts and  
4.16 cultural heritage projects in Minnesota communities of African heritage.

4.17 (d) The council shall partner with state agencies and departments to develop African  
4.18 heritage business recruitment to the state and increase international trade relations with  
4.19 African nations.

4.20 (e) The council may receive legacy funds to provide grants for conservation, clean  
4.21 water, and arts and cultural heritage projects in the African heritage community.

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

4.26 Subd. 7. **Report.** The council shall prepare and submit a report to the governor and  
4.27 legislature by November 15 of each year. The report shall summarize the activities of the  
4.28 council since its last report, list receipts and expenditures, identify the major problems and  
4.29 issues confronting ~~Black people~~ Minnesotans of African heritage, make recommendations  
4.30 to address issues, and list the specific objectives which the council seeks to attain during  
4.31 the next biennium. The council shall report on outcome measures.

4.32 Sec. 2. **REVISOR'S INSTRUCTION.**

4.33 The revisor shall change the term "Council on Black Minnesotans" to "Council  
4.34 for Minnesotans of African Heritage" whenever the term appears in Minnesota Statutes  
4.35 or Minnesota Rules.