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**HOUSE BILL 256**

**43RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1998**

**INTRODUCED BY**

**EDDIE CORLEY**

**AN ACT**

**RELATING TO AFRICAN AMERICANS; CREATING THE COMMISSION ON  
AFRICAN AMERICAN AFFAIRS; CREATING AN OFFICE; PRESCRIBING  
POWERS AND DUTIES; MAKING AN APPROPRIATION.**

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:**

**Section 1. SHORT TITLE.--This act may be cited as the  
"African American Affairs Act".**

**Section 2. DEFINITIONS.--As used in the African American  
Affairs Act:**

**A. "commission" means the commission on African  
American affairs;**

**B. "fund" means the office on African American  
affairs fund; and**

**C. "office" means the office on African American  
affairs.**

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1           Section 3.   COMMISSION--CREATED--MEMBERSHIP--TERMS--  
2   COMPENSATION--MEETINGS.--

3           A.   The "commission on African American affairs" is  
4   created.   The commission shall consist of nine members  
5   appointed by the governor to represent all fields of interest  
6   to African Americans.   Members shall be appointed for  
7   staggered terms.   Of the initial board, the terms of three  
8   members expire June 30, 1999, the terms of three members  
9   expire June 30, 2000 and the terms of three members expire  
10   June 30, 2001; thereafter, appointments shall be for terms of  
11   three years or less made in such manner that the terms of five  
12   members expire on June 30 of each year.   Members shall be  
13   appointed so as to represent all areas of the state.   No more  
14   than five members shall belong to any one political party.

15           B.   A majority of the commission's members  
16   constitutes a quorum for the transaction of business.   The  
17   governor shall designate a chairman and vice chairman from  
18   among the membership.   The commission may elect other officers  
19   as it deems necessary.

20           C.   The commission shall meet as often as it deems  
21   necessary, but at least quarterly.   Meetings shall be held at  
22   the call of the chairman or a majority of the commission.

23           D.   Members of the commission may be reimbursed as  
24   nonsalaried public officials as provided in the Per Diem and  
25   Mileage Act and shall receive no other compensation,

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1       perquisite or allowance.

2               Section 4.   **COMMISSION-- POWERS AND DUTIES. --**

3                       A.   **The commission shall:**

4                               (1)   **study issues important to African**  
5       **Americans, including history and culture; education,**  
6       **scholarships and other financial assistance for education and**  
7       **career development; economic and social problems and issues**  
8       **such as jobs, housing, discrimination, family support, youth**  
9       **idleness and crime; and health care, maternal and child**  
10       **health, teen pregnancy, access and other health issues;**

11                              (2)   **secure recognition of African Americans'**  
12       **accomplishments and contributions to New Mexico and the United**  
13       **States;**

14                              (3)   **cooperate with and assist public and**  
15       **private entities dealing with issues important to African**  
16       **Americans;**

17                              (4)   **direct the operations of the office; and**

18                              (5)   **otherwise act as an advocate for African**  
19       **American citizens of New Mexico.**

20                       B.   **The commission may:**

21                              (1)   **conduct periodic conferences throughout**  
22       **the state to inform African Americans of the opportunities**  
23       **available to them through state and private sources, to**  
24       **encourage them to share their history and culture with other**  
25       **New Mexicans and participate in the social and political**

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1 processes of their communities and to learn from conference  
2 participants their needs and problems; and

3 (2) perform such other actions as necessary  
4 to carry out its powers and duties pursuant to the African  
5 American Affairs Act.

6 Section 5. OFFICE--CREATED--POWERS AND DUTIES.--

7 A. The "office on African American affairs" is  
8 created. The office shall carry out the directions of the  
9 commission.

10 B. The commission shall appoint the director, who  
11 shall work at the pleasure of the commission. The director,  
12 with the advice of the commission, shall employ other  
13 necessary employees who shall be subject to the provisions of  
14 the Personnel Act.

15 C. The office shall:

16 (1) act as a clearinghouse for information  
17 important to the African American community;

18 (2) function as the coordinating office for  
19 all services and activities of state agencies and programs  
20 pertaining to African Americans;

21 (3) encourage funding and implementation of  
22 training programs and other opportunities for African  
23 Americans;

24 (4) promote and develop programs about  
25 community resources designed to meet the needs of African

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1 Americans;

2 (5) serve as staff for the commission;

3 (6) prepare and submit a budget for the  
4 office and commission; and

5 (7) publish an annual report on the  
6 activities and services of the office and commission.

7 D. The office may:

8 (1) adopt and promulgate rules in accordance  
9 with the State Rules Act to carry out the duties of the office  
10 and the commission;

11 (2) accept gifts, grants, donations, bequests  
12 and devises from any source to be used to carry out its  
13 duties; and

14 (3) enter into contracts.

15 Section 6. ~~FUND- -CREATED- -ADMINISTRATION. -~~The "office  
16 on African American affairs fund" is created in the state  
17 treasury. The fund shall consist of appropriations, gifts,  
18 grants, donations and bequests. Money in the fund at the end  
19 of any fiscal year shall not revert. The fund shall be  
20 administered by the office, and disbursements from the fund  
21 shall be made on warrant drawn by the secretary of finance and  
22 administration pursuant to vouchers signed by the director of  
23 the office or his authorized representative. Expenditures of  
24 general fund and other state fund appropriations shall be  
25 subject to appropriation by the legislature and pursuant to a

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1 budget approved by the state budget division of the department  
2 of finance and administration.

3 Section 7. APPROPRIATION. --Two hundred thousand dollars  
4 (\$200,000) is appropriated from the general fund to the office  
5 on African American affairs fund for expenditure in fiscal  
6 year 1999 to carry out the provisions of the African American  
7 Affairs Act. Any unexpended or unencumbered balance remaining  
8 at the end of fiscal year 1999 shall not revert to the general  
9 fund.

10 Section 8. EFFECTIVE DATE. --The effective date of the  
11 provisions of this act is July 1, 1998.

1 FORTY-THIRD LEGISLATURE  
2 SECOND SESSION, 1998  
3  
4  
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6 February 3, 1998  
7

8 Mr. Speaker:  
9

10 Your LABOR AND RESOURCES COMMITTEE, to whom has  
11 been referred  
12

13 HOUSE BILL 256  
14

15 has had it under consideration and reports same with  
16 recommendation that it DO PASS, and thence referred to the  
17 APPROPRIATIONS AND FINANCE COMMITTEE.

18 Respectfully submitted,  
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22 \_\_\_\_\_  
23 Sheryl M. Williams, Chairman  
24  
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1 FORTY-THIRD LEGISLATURE  
2 SECOND SESSION, 1998

3 Page 8

4 Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_

5  
6 (Chief Clerk)

(Chief Clerk)

7  
8 Date \_\_\_\_\_

9  
10 The roll call vote was 7 For 0 Against

11 Yes: 7

12 Excused: None

13 Absent: Marquardt

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1 FORTY-THIRD LEGISLATURE  
2 SECOND SESSION, 1998  
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4 February 14, 1998  
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7 Mr. Speaker:  
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9 Your APPROPRIATIONS AND FINANCE COMMITTEE, to  
10 whom has been referred

11 HOUSE BILL 256  
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13 has had it under consideration and reports same with  
14 recommendation that it DO PASS, amended as follows:  
15

- 16 1. On page 1, line 13, strike “; MAKING AN  
17 APPROPRIATION”.
- 18 2. On page 6, strike Section 7 in its entirety.  
19
- 20 3. Renumber the succeeding section accordingly.  
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FORTY-THIRD LEGISLATURE  
SECOND SESSION, 1998

Respectfully submitted,

\_\_\_\_\_  
Max Coll, Chairman

Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_

(Chief Clerk)

(Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 12 For 2 Against

Yes: 12

No: Bird, Buffett

Excused: Heaton, Pearce, Picraux, Vigil

Absent: None

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