

ASIAN PACIFIC AMERICAN AFFAIRS COMMISSION

BYLAWS

ARTICLE I

Name

The name of this organization shall be the Asian Pacific American Affairs Commission hereafter referred to as the Commission.

ARTICLE II

Purpose

The purpose of the Commission shall be to carry out the duties set forth in section 11 of the Commission Act, consistent with Executive Order 2009-21.

ARTICLE III

Membership

- 3.1 The Commission may recommend that the Governor remove a member if:
- a. a member engages in activities, which represent a conflict of interest with the Commission work; and/or
 - b. a member is absent for 3 meetings in a one-year period unless the absence is due to extenuating circumstances as approved by the Executive Committee: and/or
 - c. a member acts in an unprofessional or unethical manner with respect to the mission, the purpose, or the goals of the Commission.

Members appointed by the Governor are subject to disapproval by the Michigan Senate as provided under Section 6 of Article V of the Michigan Constitution of 1963. The recommendation to the Governor for removal of a member requires 2/3 vote of the full Commission.

- 3.2 The Commission Chair and/or the Governor may appoint ex officio members to the Commission.

ARTICLE IV

Officers

- 4.1 The elected officers of the Commission shall be a Vice Chairperson, a Secretary, and a Trustee. The Chairperson is designated by the Governor.
- 4.2 The Chairperson serves at the will of the Governor in that capacity. The term of the other officers shall be one year.
- 4.3 The elected officers shall be elected for a calendar year, by vote of the Commissioners at its November-December meeting.
- 4.4 Duties of officers, collectively the Executive Committee:
 - a. **Chairperson.** The Chairperson shall preside at all Commission meetings; serve as ex-officio member of all committees; appoint the chairpersons and the members of all standing and ad-hoc committees; and, designate individual Commissioners or groups of Commissioners to represent the Commission. The Chairperson shall vote only to break ties. The Chairperson shall sign the minutes of meetings after approval by the Commission.
 - b. **Vice Chairperson.** The Vice Chairperson shall preside at any Commission meeting in the absence of the Chairperson and shall have all the powers of the Chairperson at such meetings. The Vice Chairperson shall preside at any meeting of the Executive Committee in the absence of the Chairperson.
 - c. **Secretary.** The Secretary shall preside at any Commission meeting in the absence of the Chairperson and the Vice Chairperson, and shall have all the powers of the Chairperson at such meetings. The Secretary shall sign the minutes of meetings after approval by the Commission.
 - d. **Trustee:** The trustee, in the absence of the Chairperson, Vice Chairperson, and Secretary, s/he shall have all the powers of the Chairperson at Commission meetings. The duties of the trustee shall also include assisting the Chair in developing the Commission meeting agendas and ensuring observance of Roberts Rules of Order during Commission meetings.¹

¹ 4.4d - Trustee

The duties of the trustee shall be two (2) part; Task and Maintenance. Task - Trustee shall assist the Chair in developing the Board agenda and providing input on issues needed to address. Maintenance - Trustee shall assist the Chair in maintaining a smooth focused

- 4.5 Vacancies in any office shall be filled by election by the full Commission to complete the unexpired term.
- 4.6 Officers may be removed from office, on a 2/3 vote of the full Commission, for (a) engaging in any activity constituting a conflict of interest according to the Attorney General's opinion; or, (b) failure to carry out the duties imposed by these bylaws.

ARTICLE V

Commission Meetings

- 5.1 Notices of meetings shall state the time, date, and place, and shall be made public at least ten working days prior to the meeting. A schedule of each year's meetings shall be posted in the Office of Asian Pacific American Affairs. The Commission shall adhere to the provisions of the Michigan Open Meetings Act, Act 267 of the Public Act of 1976.
- 5.2 The Commission shall meet not less than four (4) times per year, at times and places predetermined by vote.
- 5.3 Special meetings of the Commission may be called by:
 - a. The Chairperson, or upon written request of eight (8) members of the Commission to the Chair. All members of the Commission shall receive 3 business days' notice in advance of special meetings, and such notice shall designate the purpose of the meeting.
 - b. Emergency meetings may be called by the Chairperson.
- 5.4 Regular meetings may be held in various parts of the state as approved by the Commission.

meeting, and keeping the meeting on track and on time. There may be more than one (1) trustee.

ARTICLE VI

The Committee Structure

6.1 General Information:

The Chair of the Commission appoints the chairperson and the members of each committee based on the appropriateness in terms of expertise, experience, and availability to serve by individual members of the Commission to specific committees. Vacancies are filled as needed throughout the year.

6.2 Committees

The Commission may create Standing Committees and Ad-hoc Committees by majority vote of the Commission at a scheduled Commission meeting.

6.2.1 Executive Committee. This Committee shall be composed of the Chair, Vice-chair, and Secretary, and a Trustee. The duties of this Committee shall be:

- a. To act on behalf of the Commission in between regular meetings, and these actions will be subject to ratification by the full Commission at the next regularly scheduled meeting.
- b. To conduct an initial review of the Commission budget, present the proposed budget to the full Commission, receive approval for proposed budget by the full Commission, and forward budget recommendation to the Department and the Governor.
- c. To set, monitor and evaluate the annual goals and objectives for review and approval by the full Commission.

6.3 Standing Committees and Ad-hoc Committees

The Standing Committees and Ad-hoc Committees and their ~~its~~ chairpersons and membership are appointed by the Chairperson of the Commission.

The Ad-hoc committees are established to pursue topics or issues of special interest to the Commission and assist the Commission to reach its goals and objectives. These ~~special~~ Ad-hoc committees are intended to be short-term committees for the purpose of specific intervention.

Any Ad-hoc committee established shall perform the function delegated by the Commission and any decision of such a ~~special~~ committee shall be deemed advisory to the Commission. In this advisory capacity, this type of committee maintains the responsibility to recommend solutions and/or actions to be implemented by the full Commission.

Ad-hoc Committees will have at least two Commissioners appointed by the Commission Chair, and may allow for outside experts and community consultants to participate as ex-officio members. Since this committee is assigned the responsibility of dealing with a specific matter exclusively, it will give progress reports to the full Commission on a routine predetermined basis.

Ad-Hoc Committees will be dissolved by the Chairperson of the Commission following the completion of their review and submission of reports and recommendations as required.

6.3.1 Bylaws and Elections Committee. An Ad-hoc Committee will convene once a year to oversee the procedure of officer elections. Moreover, this committee will convene in the event of a need to examine specific Commission policies, procedures, or questions pertaining to the Commission Bylaws.

ARTICLE VII

General Provisions

7.1 Executive Director [upon selection by the Commission with concurrence by the Department, and in compliance with Civil Service procedures]

- a. The Executive Director's responsibility is to implement the policies and programs adopted by the Commission.
- b. The Executive Director is responsible for the day-to-day administration of the Office of Asian Pacific American Affairs and assignments to staff members.
- c. The Executive Director shall present a written report to the members of the Commission at each Commission Meeting.
- d. The Executive Director shall designate appropriate staff to each standing committees and Ad-hoc committees as needed.

7.2 Office of Asian Pacific American Affairs [creation upon approval by statute contingent upon appropriations]

7.2.1 The staff of the Office of Asian Pacific American Affairs shall implement the policies and programs of the Commission; shall prepare the necessary resource materials; shall conduct the appropriate research, and handle such other business as requested by the Executive Director.

7.3 Agendas for the Commission meetings and for the Executive Committee meetings shall be prepared by the Executive Director with the advice and consent of the Commission Chair and postmarked or e-mailed at least 5

calendar days prior to the Commission meeting. The Commission is subject to the Open Meetings Act, and agendas and documents are subject to the Freedom of Information Act.

- 7.4 Minutes of Commission meetings shall be prepared by the Executive Director and shall be provided to the Commission members within 10 calendar days following the meeting.
- 7.5 The Commission may retain a position of Coordinator as a civil service position or on a contractual basis.

ARTICLE VIII

Quorum. Voting Procedures

A quorum shall consist of a majority of the voting members appointed and serving. A quorum is required before voting shall occur. A majority vote of those members present and voting is needed for official action. The presiding officer of the Commission and any of its committees shall vote in accordance with parliamentary procedure (Robert's Rules of Order, latest edition). E-voting is permissible at the discretion of the Chairperson.

ARTICLE IX

Rules of Order

Except as otherwise provided by these bylaws, Robert's Rules of Order (latest edition) shall govern the conduct of business of the Commission, the meetings of the Executive Committee, and all committees.

ARTICLE X

Amendments to Bylaws

These Bylaws may be amended by a majority of the voting members of the Commission after the Commission members have been given at least one regular meeting in advance to consider the proposed amendments in written form.

ARTICLE XI

Correspondence. Publicity. Expenses. Legislation

11.1 Correspondence. Commission letterhead shall be used only for authorized business.

11.2 Publicity

- a. No Commissioner may represent the Commission or make public statements on behalf of the Commission unless duly authorized by the Chairperson and/or the Communication Director of the Department of Civil Rights.
- b. Releases to the press and other mass media are issued in the name of the Commission by the Chairperson of the Commission or the Executive Director with the approval of the Chairperson of the Commission.

11.3 Expenses

11.3.1 Travel Expenses. The travel expenses of the Commission incurred in the performance of approved official duties shall be paid pursuant to the latest standardized travel regulations of the State of Michigan, as budget allows.

11.3.2 Per Diem. Per diem compensation of the members of the Commission shall be as provided by the Legislature in the annual appropriation. There shall be no per diem compensation unless funds are available, budgeted or allocated.

11.4 Legislation

11.4.1 The Commission shall make policy statements with regard to issues of concern to Asian Pacific Americans, and shall take positions on specific pieces of legislation in line with these policy statements, consistent with Executive Directive 2003-4. Legislative activity shall have a designated lead agency for each piece of legislation not assigned to the Department of Civil Rights.

11.4.2 The Chair and the Commission shall communicate Commission positions on legislation in accordance with Executive Directive 2003-4.

11.5 Records. It shall be the responsibility of the Executive Director of the Office of Asian Pacific American Affairs to preserve essential records, which shall be maintained within the Office of Asian Pacific American Affairs. Until such time that the Office of Asian Pacific American Affairs is created, it shall be the responsibility of the Chairperson to preserve essential records.

11.5.1 The Commission shall adhere to the provisions of the Michigan Freedom of Information Act 1976, No 442, Eff. April 13, 1997.

These Bylaws shall be effective upon adoption by the Asian Pacific American Affairs Commission.