



# House of Representatives

**File No. 743**

General Assembly

February Session, 2008

**(Reprint of File No. 9)**

House Bill No. 5321  
As Amended by House Amendment Schedule  
"A"

Approved by the Legislative Commissioner  
April 28, 2008

**AN ACT ESTABLISHING AN ASIAN PACIFIC AMERICAN AFFAIRS  
COMMISSION.**

Be it enacted by the Senate and House of Representatives in General  
Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2009*) (a) There is established an  
2 Asian Pacific American Affairs Commission. The commission shall  
3 consist of thirteen members, appointed as follows: (1) Three by the  
4 Governor, one of whom shall serve for a term of one year from July 1,  
5 2009, and have expertise in the field of education, one of whom shall  
6 serve for a term of two years from July 1, 2009, and have expertise in  
7 the field of human services, and one of whom shall serve for a term of  
8 three years from July 1, 2009, and have expertise in the fields of small  
9 business and economic development, and each of whom thereafter  
10 shall serve for terms of three years from July first in the year of their  
11 appointment and have expertise in the field of the member's  
12 predecessor; (2) two by the president pro tempore of the Senate, one of  
13 whom shall have expertise in the field of children and youth  
14 development and one of whom shall have expertise in the field of  
15 health; (3) one by the majority leader of the Senate, who shall be a

16 member of the public; (4) two by the minority leader of the Senate, one  
17 of whom shall have expertise in the field of environment and one of  
18 whom shall have expertise in the field of arts and culture; (5) two by  
19 the speaker of the House of Representatives, one of whom shall have  
20 expertise in the field of housing and one of whom shall have expertise  
21 in the field of public safety; (6) one by the majority leader of the House  
22 of Representatives, who shall be a member of the public; and (7) two  
23 by the minority leader of the House of Representatives, one of whom  
24 shall have expertise in the field of transportation and one of whom  
25 shall be a member of the public. All members appointed under this  
26 subsection shall have experience in the field of Asian Pacific American  
27 affairs. All members appointed under subdivision (2), (3), (4), (5), (6) or  
28 (7) of this subsection shall serve for terms of two years from July first  
29 in the year of their appointment. The commission shall elect a  
30 chairperson and a vice-chairperson from among its members. Any  
31 person absent from (A) three consecutive meetings of the commission,  
32 or (B) fifty per cent of such meetings during any calendar year shall be  
33 deemed to have resigned from the commission, effective immediately.  
34 Vacancies on the commission shall be filled by the appointing  
35 authority. Members of the commission shall serve without  
36 compensation but shall, within the limits of available funds, be  
37 reimbursed for expenses necessarily incurred in the performance of  
38 their duties. The commission shall meet as often as deemed necessary  
39 by the chairperson or a majority of the commission.

40 (b) The commission, within available appropriations, shall:

41 (1) Develop a plan prior to the beginning of each legislative session  
42 that outlines the commission's priorities for the session and strategies  
43 to accomplish each priority;

44 (2) Work in consultation with the respective state agency to develop  
45 plans and programs that address each of the following areas as they  
46 affect the Asian Pacific American community including, but not  
47 limited to: (A) Access to health care, (B) housing, (C) job training, (D)  
48 access to the legal system, (E) mental health and addiction services, (F)

49 economic development, (G) workplace justice and equality, (H)  
50 immigration, (I) education, (J) English language instruction, (K)  
51 international trade, and (L) economic cooperation with Asian  
52 countries;

53 (3) In consultation with the joint committee of the General Assembly  
54 having cognizance of matters relating to legislative management,  
55 establish a plan of short-term and long-term initiatives based on the  
56 needs of the community of Asian Pacific descent;

57 (4) Review, comment and testify on any proposed state legislation  
58 and regulations that would affect the Asian Pacific American  
59 population in the state;

60 (5) Advise and provide information to the Governor and the  
61 General Assembly on the state's policies concerning the Asian Pacific  
62 American communities;

63 (6) Advise the Governor and the General Assembly concerning the  
64 coordination and administration of state programs serving the Asian  
65 Pacific American population;

66 (7) Maintain a liaison between the Asian Pacific American  
67 communities and governmental entities, including, but not limited to,  
68 the General Assembly;

69 (8) Promote the political empowerment of the Asian Pacific  
70 American community through voter registration, voting rights and  
71 citizenship training;

72 (9) Support the state's efforts to develop international trade and  
73 cross-border economic cooperation with the countries of Asia and the  
74 Pacific Rim;

75 (10) Support state efforts to develop effective foreign language and  
76 cultural programs for educational and economic development  
77 purposes;

78 (11) Encourage Asian Pacific American representation at all levels of  
 79 state government, including state boards and commissions, and  
 80 support the development of such representatives in addition to  
 81 maintaining an accessible list of prospective appointees who are  
 82 members of the Asian Pacific American community;

83 (12) Secure appropriate recognition of the accomplishments and  
 84 contributions of the Asian Pacific American population of the state;  
 85 and

86 (13) Prepare and submit to the Governor and General Assembly an  
 87 annual report concerning its activities with any appropriate  
 88 recommendations concerning the Asian Pacific American population  
 89 of the state.

90 (c) The commission may use such funds as may be available from  
 91 federal, state or other sources and may enter into contracts to carry out  
 92 the purposes of this section.

93 (d) The commission may, subject to the provisions of chapter 67 of  
 94 the general statutes, employ any necessary staff within available  
 95 appropriations.

96 (e) The commission shall be part of the Legislative Department.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2008	New section

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

**OFA Fiscal Note**

**State Impact:**

Agency Affected	Fund-Effect	FY 09 \$	FY 10 \$
Asian Pacific American Affairs Comm.	GF - Cost	None	205,000
Comptroller Misc. Accounts (Fringe Benefits) <sup>1</sup>	GF - Cost	None	38,040

Note: GF=General Fund

**Municipal Impact:** None

**Explanation**

The bill establishes an Asian Pacific American Affairs Commission, effective July 1, 2009. Since the commission is not established until FY 10, there is no fiscal impact in FY 09. In FY 10, to carry out the commission’s duties and responsibilities will require two full-time positions; an executive director (\$100,000 salary) and an administrative assistant (\$50,000 salary). Additionally, the commission will need \$50,000 in Other Expenses and \$5,000 in Equipment.

It should be noted that sHB 5021, the budget bill as favorably reported by the Appropriations Committee, includes \$155,000 for the Asian Pacific American Affairs Commission in FY 09.

House “A” changed the bill’s effective date to July 1, 2009 from October 1, 2008. This shifts the costs described in the underlying bill from FY 09 to FY 10.

<sup>1</sup> The fringe benefit costs for state employees are budgeted centrally in the Miscellaneous Accounts administered by the Comptroller. The first year fringe benefit costs for new positions do not include pension costs. The estimated first year fringe benefit rate as a percentage of payroll is 25.36%. The state's pension contribution is based upon the prior year's certification by the actuary for the State

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**OLR Bill Analysis****HB 5321 (as amended by House "A")\******AN ACT ESTABLISHING AN ASIAN PACIFIC AMERICAN AFFAIRS COMMISSION.*****SUMMARY:**

This bill establishes a 13-member Asian Pacific American Affairs Commission within the Legislative Department.

\*House Amendment "A" (1) changes, from October 1, 2008 to July 1, 2009, the bill's effective date and the date the governor's initial appointees begin their terms; (2) changes, from October 1 to July 1, the day subsequent gubernatorial and legislative appointees begin their terms; and (3) specifies that the commission perform its duties within available appropriations.

EFFECTIVE DATE: July 1, 2009

**DUTIES**

The bill requires the 13-member commission, within available appropriations, to:

1. develop a plan before each legislative session that outlines the commission's priorities for the session and strategies for accomplishing them;
2. work with state agencies to develop plans and programs for addressing areas that affect the Asian Pacific American community, including health care access, housing, job training, access to the legal system, mental health and addiction services,

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Employees Retirement System (SERS). The SERS fringe benefit rate is 33.27%, which when combined with the rate for non-pension fringe benefits totals 58.63%.

economic development, workplace justice and equality, immigration, education, English language instruction, international trade, and economic cooperation with Asian countries;

3. work with the Legislative Management Committee to establish a plan of short- and long-term initiatives based on the needs of people of Asian Pacific descent;
4. review, comment, and testify on any proposed state legislation and regulations that would affect the state's Asian Pacific American population;
5. advise and provide information to the governor and legislature on the state's policies concerning Asian Pacific American communities;
6. advise the governor and legislature on the coordination and administration of state programs that serve these communities;
7. maintain a liaison between the communities and governmental entities;
8. promote the political empowerment of the communities through voter registration, voting rights, and citizenship training;
9. encourage the communities' representation at all levels of state government, including state boards and commissions, and help develop these representatives, including by maintaining an accessible list of prospective appointees;
10. secure appropriate recognition of their accomplishments and contributions to the state;
11. support the state's efforts to develop international trade and cross-border economic cooperation with Asia and the Pacific Rim;

- 12. support state efforts to develop effective foreign language and cultural programs for education and economic development; and
- 13. prepare and submit to the governor and legislature an annual report on the commission’s activities with any appropriate recommendations concerning the state’s Asian Pacific American population.

The bill authorizes the commission to (1) use any available funds and enter into contracts to carry out its purposes and (2) employ necessary staff in compliance with the State Personnel Act.

**MEMBERS AND MEETINGS**

The governor appoints three members, the Senate president pro tempore and minority leader and the House speaker and minority leader each appoint two members, and the Senate and House majority leaders each appoint one member. The members must have experience in Asian Pacific American affairs and either represent the public or have expertise in the following areas:

<i>Appointing Authority</i>	<i>Areas of Expertise</i>
Governor	Education Human services Small business and economic development
Senate president pro tempore	Children and youth development Health
Senate majority leader	Public
Senate minority leader	Environment Arts and culture
House speaker	Housing Public safety
House majority leader	Public



House minority leader	Transportation Public
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The governor’s initial appointees serve staggered terms beginning July 1, 2009 (one year for the education expert; two for the human services expert; and three for the small business and economic development expert). Thereafter, all gubernatorial appointees serve three-year terms beginning on July 1 and must have expertise in the same fields as their predecessors. All legislative appointees serve two-year terms beginning on July 1 in the appointment year. The appointing authority fills vacancies.

The commission elects its own chairperson and vice-chairperson from its members and meets as often as the chairperson or a commission majority deems necessary. Members are considered to have resigned if they miss three consecutive meetings or half the meetings in a calendar year.

Commission members are not paid; however, they may be reimbursed for necessary expenses they incur while performing their duties.

**COMMITTEE ACTION**

Government Administration and Elections Committee

Joint Favorable  
 Yea 11 Nay 0 (02/25/2008)

Appropriations Committee

Joint Favorable  
 Yea 40 Nay 10 (03/28/2008)

Joint Committee on Legislative Management

Joint Favorable  
 Yea 20 Nay 5 (04/14/2008)