

Accompanying the fourth recommendation of the Executive Office of Human Services (House, No. 132). State Administration.

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**The Commonwealth of Massachusetts**

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In the Year One Thousand Nine Hundred and Eighty-Nine.

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AN ACT TRANSFERRING THE DIVISION OF IMMIGRATION AND AMERICANIZATION IN THE DEPARTMENT OF EDUCATION TO THE OFFICE FOR REFUGEES AND IMMIGRANTS.

1     *Whereas*, the deferred operation of this act would tend to  
2 defeat its purpose, which is to make the provisions contained  
3 therein immediately effective, therefore it is hereby declared to be  
4 an emergency law, necessary for the immediate preservation of  
5 the public convenience.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1     SECTION 1. All the rights, powers, duties and obligations of  
2 Section eleven of chapter sixty-nine of the General Laws, as ap-  
3 pearing in the nineteen hundred eighty-six Official Edition are  
4 hereby appealed.

1     SECTION 2. Chapter 6 of the General Laws is hereby  
2 amended by adding after Section 199 under the caption Office of  
3 Refugees and Immigrants, the following sections:

4     Section 200. There is hereby established an Office for Refugees  
5 and Immigrants under the exclusive supervision and control of  
6 a commissioner who shall be appointed by the Secretary of  
7 Human Services, with the approval by the Governor. The purpose  
8 of this office is to foster cooperation and helpful relations between  
9 the Commonwealth and its residents of foreign origin. The  
10 position of commissioner shall be classified in accordance with  
11 section forty-five of Chapter thirty and the salary shall be  
12 determined in accordance with section forty-six C of said chapter

13 thirty and the commissioner shall devote his full time during  
14 business hours to the duties of his office. He shall appoint and  
15 may remove such assistant commissioners and such other  
16 employees and consultants as he shall deem necessary to perform  
17 the functions of the office. The provisions of Chapter thirty-one  
18 and sections nine-A, nine B and nine D of chapter thirty shall not  
19 apply to the commissioner, to such assistant commissioners as he  
20 may appoint, or to other supervisory positions as he may create.

21 The commissioner shall be the State Refugee Coordinator  
22 pursuant to the federal Refugee Act of 1980 (P.L. 9996-21, March  
23 17, 1980), as it may be amended, and the single point of contact  
24 responsible for the administration of programs and services  
25 pursuant to the Immigration Reform and Control Act of 1986  
26 (P.L. 99-603, November 6, 1986).

27 Section 210. POWERS AND DUTIES

28 The office shall have the following powers and duties:

29 (a) to advocate the interests and rights of refugees and  
30 immigrants;

31 (b) to promote effective resettlement and ease the transition into  
32 American society for refugees and immigrants.

33 (c) to encourage refugees and immigrants to acquire the skills  
34 needed for full participation as self-sufficient individuals in the  
35 economic, cultural, social and political life of the Commonwealth;

36 (d) to improve understanding of American government and  
37 institutions by refugees and immigrants and their rights and  
38 responsibilities as residents and citizens;

39 (e) to encourage those who wish to remain in the United States  
40 to become citizens;

41 (f) to strengthen community development and empowerment  
42 and encourage the preservation of native languages and cultures;

43 (g) to coordinate the work of all state agencies in this area and  
44 ensure the accessibility of the services they provide.

45 (h) to increase public understanding of the needs and  
46 contributions of refugees and immigrants;

47 (i) to investigate the exploitation or abuse of refugees and  
48 immigrants and require the attendance and testimony of witnesses  
49 and the production of books and documents relating to the matter  
50 under investigation;

- 51 (j) to promulgate, pursuant to the provisions of chapter thirty  
52 A, rules and regulations to carry out the purpose of this chapter;  
53 (k) to enter into agreements or contracts with other public or  
54 private agencies to carry out any of its functions and purposes;  
55 (l) to receive and administer federal monies given to the  
56 Commonwealth for refugees and immigrants;  
57 (m) to seek and receive gifts and grants from private sources;  
58 (n) to impose reasonable charges for any services rendered or  
59 materials furnished.

60 Section 202. There shall be a Council, known as the Governor's  
61 Advisory Council on Refugees and Immigrants, to consist of not  
62 less than fifteen members and not more than thirty members who  
63 shall serve without compensation. The members of the Council  
64 shall be appointed by the Governor for a period of two years. The  
65 terms of office shall be staggered. In the first Council, half of all  
66 members shall serve a one-year term and half shall serve a two-  
67 year term. Thereafter all members shall serve for two years.

68 The membership of the Advisory Council shall consist of  
69 representatives who live in the Commonwealth and shall include:

- 70 (a) refugees and immigrants;  
71 (b) representatives from local government, voluntary  
72 resettlement organizations, service provider, and other private  
73 organizations and individuals.

74 From the membership, the Governor shall designate a  
75 chairperson who shall serve for a one-year term. No chairman may  
76 serve in the office longer than four years.

77 The Council shall consist of the following ex-officio members  
78 or their designees: the secretaries of the executive office of  
79 communities and development, the executive office of human  
80 services, the executive office of public safety and the executive  
81 office of economic affairs, the chancellor of the board of regents;  
82 the commissioners of the office of refugees and immigrants, the  
83 department of public welfare, the department of public health, the  
84 department of social services, the department of education, the  
85 department of employment and training, the department of  
86 mental health and the office for children; the directors of the  
87 governor's office of human resources, and the commonwealth  
88 literacy campaign, and the governor's special assistant for  
89 education.

90 The goals of the advisory Council shall include but not be  
91 limited to:

92 (a) Identifying and advising the Governor on policy, planning  
93 and priorities for refugees and immigrants in the Commonwealth;

94 (b) Assisting the commissioner in coordinating the efforts of all  
95 public agencies concerned with services to refugees and  
96 immigrants;

97 (c) Increasing communication, mutual understanding and  
98 willingness to cooperate among the representatives of groups and  
99 organizations within the community that serve the refugee and  
100 immigrant population.

101 The Council shall submit an annual written report to the  
102 Governor of its findings and recommendations.

103 Section 203. No resident of Massachusetts shall be denied  
104 access to services provided by the Commonwealth because of  
105 citizenship or residency status unless so required by statute,  
106 regulation or court decision. The Commissioner shall convene an  
107 inter-agency task force made up of the ex officio members of the  
108 Governor's advisory council on refugees and immigrants and  
109 anyone else the commissioner deems appropriate. The goal of the  
110 task force shall be to ensure the accessibility of state services to  
111 foreign-born residents of the Commonwealth.

112 Section 604. All state agencies shall upon request and within  
113 a reasonable time, provide to the office any assistance or  
114 information it may require to perform its functions.