

HOUSE BILL No. 4736

May 27, 1999, Introduced by Reps. Garza, Garcia, Thomas, Hardman, Reeves, Sheltrown, Clark, Gielegem, Dennis, Clarke, Schauer, Stallworth, Hale, Daniels, Jellema, Howell, Ehardt, Voorhees, Kowall, Richner, Caul, DeWeese, Pumford, Mead, Faunce, Jelinek, Kukuk, Kuipers and Lemmons and referred to the Committee on Criminal Law and Corrections.

A bill to create the juvenile gang board; to prescribe the powers and duties of the board; to create the juvenile gang fund; and to provide for the distribution of money from the juvenile gang fund.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "juvenile gang act".

3 Sec. 2. (1) The juvenile gang board is created in the
4 department of attorney general. The juvenile gang board shall
5 consist of the following members:

6 (a) The attorney general or his or her representative.

7 (b) The director of the department of state police or his or
8 her representative.

9 (c) The director of the department of community health or
10 his or her representative.

1 (d) The director of the family independence agency or his or
2 her representative.

3 (e) Two individuals 21 years of age or older appointed by
4 the governor, with the advice and consent of the senate, repre-
5 senting the interests of the public.

6 (f) One individual less than 21 years of age appointed by
7 the governor, with the advice and consent of the senate, repre-
8 senting the interests of the public.

9 (g) One individual appointed by the governor, with the
10 advice and consent of the senate, who is a police officer who
11 performs patrol or investigative functions and who is not a
12 supervisor.

13 (h) One individual appointed by the governor, with the
14 advice and consent of the senate, representing the interests of
15 alternative education professionals.

16 (i) One individual appointed by the governor, with the
17 advice and consent of the senate, representing the interests of
18 the Michigan probate judges association.

19 (j) One individual appointed by the governor, with the
20 advice and consent of the senate, representing the interests of
21 the Michigan council on crime and delinquency.

22 (k) One individual appointed by the governor, with the
23 advice and consent of the senate, representing the interests of
24 the university of Michigan center for the study of youth policy.

25 (l) One individual appointed by the governor, with the
26 advice and consent of the senate, representing the interests of
27 the boys and girls clubs of America--midwest region.

1 (m) One individual appointed by the governor, with the
2 advice and consent of the senate, who is a county prosecuting
3 attorney.

4 (n) One individual appointed by the president or chairperson
5 of the Detroit urban league.

6 (o) One individual appointed by the president or chairperson
7 of the Detroit national association for the advancement of col-
8 ored people.

9 (p) One individual appointed by the president or chairperson
10 of the wolverine bar association.

11 (q) The chief judge of the recorder's court of the city of
12 Detroit.

13 (r) The chief judge of the juvenile division of Wayne county
14 probate court.

15 (2) The individuals described in subsection (1)(e) to (p)
16 shall be appointed within 30 days after the effective date of
17 this act. Their terms of office are 2 years. A vacancy shall be
18 filled in the same manner as an original appointment. The gover-
19 nor may remove the individuals appointed under subsection (1)(e)
20 to (p) from the juvenile gang board for good cause.

21 (3) The attorney general or his or her representative shall
22 chair the juvenile gang board. The juvenile gang board may elect
23 from its members other officers as it considers necessary or
24 appropriate.

25 (4) The juvenile gang board shall conduct its first meeting
26 within 60 days after the effective date of this act. A majority
27 of the members constitutes a quorum for transacting business.

1 (5) The business of the juvenile gang board shall be
2 conducted at public meetings of the juvenile gang board. The
3 meetings shall be held in compliance with the open meetings act,
4 1976 PA 267, MCL 15.261 to 15.275.

5 (6) A writing prepared, owned, used, in possession of, or
6 retained by the juvenile gang board is subject to the freedom of
7 information act, 1976 PA 442, MCL 15.231 to 15.246.

8 (7) Members of the juvenile gang board shall serve without
9 compensation. However, members of the juvenile gang board may be
10 reimbursed for their actual and necessary expenses in performing
11 their official duties as members of the juvenile gang board.

12 (8) The juvenile gang board shall be funded as provided by
13 appropriation.

14 Sec. 3. The juvenile gang board shall do all of the
15 following:

16 (a) Collect data regarding the incidence of juvenile gang
17 violence in this state.

18 (b) Investigate the causes of juvenile gang violence in this
19 state and determine whether programs exist or can be developed to
20 address those causes.

21 (c) Determine whether funding sources other than the juve-
22 nile gang fund exist to support public and private efforts to
23 address juvenile gang violence and notify public and private
24 entities that inquire about the availability of those funds.

25 (d) Solicit funds from public and private entities for con-
26 tribution to the juvenile gang fund.

1 (e) Accept applications from public and private entities for
2 funding programs to address juvenile gang violence in this
3 state.

4 (f) Distribute money from the juvenile gang fund to entities
5 that qualify as provided under section 6.

6 (g) Before January 1 of each year, provide a written report
7 of its activities and findings to the governor, the secretary of
8 the senate, and the clerk of the house of representatives.

9 Sec. 4. (1) The juvenile gang fund is created as a separate
10 fund in the state treasury. The state treasurer shall credit to
11 the fund all amounts received pursuant to this act. The state
12 treasurer shall invest fund money in the same manner as surplus
13 funds are invested under section 143 of 1855 PA 105, MCL 21.143.
14 Earnings from the fund shall be credited to the fund.

15 (2) The fund shall be expended only as provided in this
16 act.

17 Sec. 5. A public or private entity may apply to the juve-
18 nile gang board for funds to operate 1 or more programs that
19 address juvenile gang violence in this state. The application
20 shall be on a form prescribed by the juvenile gang board.

21 Sec. 6. The juvenile gang board may direct the state trea-
22 surer in writing to disburse funds from the juvenile gang fund,
23 in the form of grants or loans to entities that properly apply
24 under section 5 to receive those funds, as is determined appro-
25 priate by the juvenile gang board. In determining whether to
26 disburse funds pursuant to this section, the juvenile gang board
27 shall consider all of the following:

1 (a) Whether the program will effectively address a cause of
2 juvenile gang violence.

3 (b) Whether the entity that is applying for the funds can
4 effectively carry out the program.

5 (c) Whether other programs exist or can be created that also
6 address or will more effectively address the cause of juvenile
7 gang violence set forth in subdivision (a).

8 (d) The likelihood of success of the program.

9 (e) Other criteria considered relevant by the juvenile gang
10 board.

11 Sec. 7. This act takes effect January 1, 2000.