



Senate Fiscal Agency
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BILL ANALYSIS



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House Bill 4128 (Substitute H-1 as passed by the House)

Sponsor: Representative Ilona Varga

House Committee: Judiciary and Civil Rights

Senate Committee: Judiciary

Date Completed: 6-4-96

CONTENT

The bill would create the “Juvenile Gang Act”, which would establish the Juvenile Gang Board, within the Department of Attorney General, and the Juvenile Gang Fund. The Board would have distribute money from the Fund in the form of grants and loan to entities that applied for funding to operate one or more programs addressing juvenile gang violence in Michigan.

The bill would take effect on January 1, 1997.

Juvenile Gang Board

The Board would consist of the following:

- The Attorney General, or his or her representative.
- The Director of the Department of State Police, or the Director’s representative.
- The Director of the Department of Community Health, or the Director’s representative.
- The Director of the Family Independence Agency, or the Director’s representative.
- The chief judge of the Detroit Recorder’s Court.
- The chief judge of the juvenile division of the Wayne County Probate Court.
- One person appointed by the president or chairperson of the Detroit chapter of the Urban League.
- One person appointed by the president or chairperson of the Detroit chapter of the National Association for the Advancement of Colored People.
- One individual appointed by the president or chairperson of the Wolverine Bar Association.

The Board also would include the following members, who would have to be appointed by the governor with the advice and consent of the Senate:

- Two people, 21 years of age or older, representing the interests of the public.
- One person, less than 21 years of age, representing the interests of the public.
- One police officer who performed patrol or investigative functions and who was not a supervisor.
- One person representing the interests of alternative education professionals.
- One member representing the interest of the Michigan Probate Judges Association.
- One member representing the interest of the Michigan Council on Crime and Delinquency.

- One person representing the interests of the University of Michigan Center for the Study of Youth Policy.
- One person representing the interests of the Midwest Region of the Boys and Girls Clubs of America.
- One individual who was a county prosecuting attorney.

The appointed members of the Board would have to be appointed within 30 days after the bill's effective date. Their term of office would be two years, and a vacancy would have to be filled in the same manner as an original appointment. The Governor could remove appointed individuals from the Board for good cause.

The Attorney General, or his or her representative, would serve as chair of the Juvenile Gang Board. The Board could elect from its members other officers that it considered necessary or appropriate. The Board would have to hold its first meeting within 60 days after the bill's effective date. A majority of the members would constitute a quorum for transacting business. The Board would have to comply with the Open Meetings Act and the Freedom of Information Act.

Members of the Board would serve without compensation, but could be reimbursed for their actual and necessary expenses in performing official duties as Board members. The Board would be funded as provided by appropriation.

Powers and Duties

The Juvenile Gang Board would have to do all of the following:

- Collect data regarding the incidence of juvenile gang violence in Michigan.
- Investigate the causes of juvenile gang violence in Michigan, and determine whether programs existed or could be developed to address those causes.
- Determine whether funding sources, other than the proposed Juvenile Gang Fund, existed to support public and private efforts to address juvenile gang violence, and notify public and private entities that inquired about the availability of those funds.
- Solicit funds from public and private entities for contribution to the proposed Juvenile Gang Fund.
- Accept applications from public and private entities for funding programs to address juvenile gang violence in Michigan.
- Distribute money from the Juvenile Gang Fund to entities that qualified under the bill.
- Before January 1 of each year, provide to the Governor, the Secretary of the Senate, and the Clerk of the House a written report of the Board's activities and findings.

Juvenile Gang Fund

The Juvenile Gang Fund would be created as a separate fund in the State Treasury. The State Treasurer would have to credit to the Fund all amounts received pursuant to the bill. The State Treasurer would have to invest Fund money in the same manner as surplus State funds are invested. Earnings from the Fund would have to be credited to it. Money in the Fund could be spent only as provided in the bill.

A public or private entity could apply to the Juvenile Gang Board for funds to operate one or more programs that addressed juvenile gang violence in Michigan. The application would have to be on a form prescribed by the Board. The Board could direct the State Treasurer, in writing, to disburse funds from the Juvenile Gang Fund, in the form of loans or grants, to entities that properly applied

to receive those funds, as determined appropriate by the Board. In determining whether to disburse funds, the Board would have to consider all of the following:

- Whether the program would effectively address a cause of juvenile gang violence.
- Whether the entity could effectively carry out the program.
- Whether there existed or could be created other programs that also would address, or more effectively address, the cause of juvenile gang violence.
- The likelihood of the program's success.
- Other criteria considered relevant by the Juvenile Gang Board.

Legislative Analyst: P. Affholter

FISCAL IMPACT

The bill would have an indeterminate fiscal impact. Costs for reimbursing members of the Juvenile Gang Board for actual and necessary expenses would be minimal. Amounts available for distribution from the Juvenile Gang Fund would depend on funding generated by public and private entities.

Fiscal Analyst: B. Bowerman