



# HOUSE BILL No. 4128

January 17, 1995, Introduced by Rep. Varga and referred to the Committee on Judiciary and Civil Rights.

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 public health or his  
10 or her representative.

1 (d) The director of the department of social services or his  
2 or 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 advice  
14 and consent of the senate, representing the interests of alterna-  
15 tive education professionals.

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

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

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

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

1 (m) One individual appointed by the president or chairperson  
2 of the Detroit urban league, Detroit national association for the  
3 advancement of colored people, and wolverine bar association and  
4 the chief judge of Detroit's recorder's court and chief judge of  
5 Wayne county court juvenile division.

6 (2) The individuals described in subsection (1)(e) to (m)  
7 shall be appointed within the expiration of 30 days after the  
8 effective date of this act. Their terms of office are 2 years.  
9 A vacancy shall be filled in the same manner as an original  
10 appointment. The governor may remove the individuals appointed  
11 under subsection (1)(e) to (m) from the juvenile gang board for  
12 good cause.

13 (3) The attorney general or his or her representative shall  
14 chair the juvenile gang board. The juvenile gang board may elect  
15 from its members other officers as it considers necessary or  
16 appropriate.

17 (4) The juvenile gang board shall conduct its first meeting  
18 within the expiration of 60 days after the effective date of this  
19 act. A majority of the members constitutes a quorum for trans-  
20 acting business.

21 (5) The business of the juvenile gang board shall be con-  
22 ducted at public meetings of the juvenile gang board. The meet-  
23 ings shall be held in compliance with the open meetings act, Act  
24 No. 267 of the Public Acts of 1976, being sections 15.261 to  
25 15.275 of the Michigan Compiled Laws.

26 (6) A writing prepared, owned, used, in possession of, or  
27 retained by the juvenile gang board is subject to the freedom of

1 information act, Act No. 442 of the Public Acts of 1976, being  
2 sections 15.231 to 15.246 of the Michigan Compiled Laws.

3 (7) Members of the juvenile gang board shall serve without  
4 compensation. However, members of the juvenile gang board may be  
5 reimbursed for their actual and necessary expenses in performing  
6 their official duties as members of the juvenile gang board.

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

9 Sec. 3. The juvenile gang board shall do all of the  
10 following:

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

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

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

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

22 (e) Accept applications from public and private entities for  
23 funding programs to address juvenile gang violence in this  
24 state.

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

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

4 Sec. 4. (1) The juvenile gang fund is created as a separate  
5 fund in the state treasury. The state treasurer shall credit to  
6 the fund all amounts received pursuant to this act. The state  
7 treasurer shall invest fund money in the same manner as surplus  
8 funds are invested under section 143 of Act No. 105 of the Public  
9 Acts of 1855, being section 21.143 of the Michigan Compiled  
10 Laws. Earnings from the fund shall be credited to the fund.

11 (2) The fund shall be expended only as provided in this  
12 act.

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

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

24 (a) Whether the program will effectively address a cause of  
25 juvenile gang violence.

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

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

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

5       (e) Other criteria considered relevant by the juvenile gang  
6 board.