

Senate Fiscal Agency
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SFA



BILL ANALYSIS

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Senate Bill 1123 (Substitute S-2 as reported)
Sponsor: Senator Leon Stille
Committee: Families, Mental Health and Human Services

Date Completed: 6-1-98

RATIONALE

Reportedly, the number of missing children is staggering, but there is no statewide coordinated effort to investigate why children are missing. Although the Department of State Police maintains a clearinghouse of children who have been reported missing, that clearinghouse apparently functions solely as a data-gathering mechanism. The data include such information as a child's name, the date he or she was reported missing, the child's physical description. Information as to why a child is missing is not kept. It has been suggested, therefore, that a task force should be formed to look into the causes of missing children and recommend programs that would reduce the incidence of missing children.

- A judge of the family division of circuit court appointed by the Governor.
- The Michigan Children's Ombudsman or the Ombudsman's designee.
- Two members of the general public, appointed by the Governor, with one member having training in child psychology.
- One member of the Senate appointed by the Senate Majority Leader.
- One member of the House of Representatives appointed by the Speaker of the House.
- The executive director of the Michigan Association of Chiefs of Police or his or her designee.
- The executive director of the Michigan Sheriffs' Association or his or her designee.

CONTENT

The bill would create the "Missing Children Task Force Act", which would establish a missing children's task force within the Department of State Police. The proposed Act would be repealed on December 31, 1999, and the task force would have to submit a final report to the Senate Committee on Families, Mental Health and Human Services and the House Committee on Human Services and Children before that date.

Task force members would have to be appointed within 30 days after the bill's effective date, and would serve for the duration of the task force. If a vacancy occurred, the officer making the original appointment would have to make an appointment for the unexpired term in the same manner as the original appointment. The Governor, Senate Majority Leader, or Speaker of the House could remove members they appointed to the task force for incompetency; dereliction of duty; malfeasance, misfeasance, or nonfeasance in office; or any other good cause.

Membership

The task force would consist of the following members:

- The Director of the Department of State Police or the Director's designee.
- The Director of the Family Independence Agency or the Director's designee.
- The Director of the Department of Community Health or the Director's designee.

Operation

The task force's first meeting would have to be called by the Director of the Department of State Police. At that first meeting, a chairperson would have to be elected by a majority vote of the members attending. A majority of the members would constitute a quorum for the transaction of business at a task force meeting. A majority of the members present and serving would be required

for official action of the task force. The task force would have to comply with the Open Meetings Act and the Freedom of Information Act.

Members of the task force would serve without compensation. The public members appointed by the Governor, however, could be reimbursed for their actual and necessary expenses incurred in the performance of their official duties. The bill states that the money to pay those expenses would be appropriated in the Department of State Police's discretionary fund.

Powers and Duties

The missing children task force would have to do all of the following:

- Review the primary causes of missing children.
- Review the prevalence of voluntary disappearance, spousal abduction, and kidnapping of children, and explore and recommend a strategy to address that information.
- Recommend legislation to: improve procedures or programs to reduce the number of incidents of missing children, and ensure timely and accurate entry of missing children information into the Law Enforcement Information Network governed under the LEIN Policy Council Act.

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

The proposed task force could gather statewide data on the causes of missing children and explore the entire process of missing children investigations. Members of the task force would represent the law enforcement community, the judicial system, affected State departments, lawmakers, and the public. The task force would have until the end of 1999 to accomplish its responsibilities, which would include making recommendations for legislation. The Legislature then could use the information acquired by the task force to develop a meaningful program across the State to reduce the incidence of missing children.

Supporting Argument

According to the Department of State Police, out of all of the missing children recorded in the Department's clearinghouse, only five are not runaways or missing voluntarily. An accurate total of the children missing is not presently known, however, and additional information about *why* children are missing is needed. The proposed task force would complement the Department's existing program.

Legislative Analyst: S. Lowe

FISCAL IMPACT

The bill would have a minimal fiscal impact on the State. Under the bill, task force members could receive expenses incurred in the performance of their responsibilities and it is assumed that the State would bear the cost of preparing the task force report. The bill specifies that funds for these expenses would be appropriated by the Department of State Police.

Fiscal Analyst: B. Baker

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.