

# HOUSE BILL No. 4450

March 15, 1989, Introduced by Rep. Hertel and referred to the Committee on Appropriations.

A bill to create a neighborhood crime prevention assistance program; to prescribe the powers and duties of the neighborhood crime prevention commission; to create a fund; and to require certain reports.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 1. This act shall be known and may be cited as the  
2 "neighborhood crime prevention assistance act".

3       Sec. 2. As used in this act:

4       (a) "Commission" means the neighborhood crime prevention  
5 commission.

6       (b) "Crime prevention" means activities which aid in the  
7 reduction of crime in an eligible neighborhood.

8       (c) "Eligible neighborhood" means an area located within a  
9 city, township, or village with boundaries clearly identified  
10 within the project application and certified by the commission.

1 (d) "Fund" means the neighborhood crime prevention  
2 assistance fund created in section 4.

3 (e) "Local unit of government" means a city, township, or  
4 village in which a project will be located.

5 (f) "Neighborhood organization" means any nongovernmental  
6 organization serving an area with geographically definable bound-  
7 aries, having elected officials, adopted bylaws, and a minimum  
8 membership of 50 households or 10% of the households within its  
9 boundaries.

10 Sec. 3. (1) The Michigan neighborhood crime prevention com-  
11 mission is created within the department of management and  
12 budget. The commission shall consist of the following members:

13 (a) The director of the department of state police or his or  
14 her designee.

15 (b) The attorney general or his or her designee.

16 (c) One individual appointed by the governor representing  
17 the interests of neighborhood organizations.

18 (d) One individual appointed by the governor, from a list of  
19 individuals provided by the speaker of the house of representa-  
20 tives, representing the interests of neighborhood organizations.

21 (e) One individual appointed by the governor, from a list of  
22 individuals provided by the senate majority leader, representing  
23 the interests of neighborhood organizations.

24 (2) The members of the commission shall be reimbursed for  
25 actual expenses, including travel expenses, from the fund.

26 (3) The business which the commission may perform shall be  
27 conducted at a public meeting of the commission held in

1 compliance with the open meetings act, Act No. 267 of the Public  
2 Acts of 1976, being sections 15.261 to 15.275 of the Michigan  
3 Compiled Laws. Public notice of the time, date, and place of the  
4 meeting shall be given in the manner required by Act No. 267 of  
5 the Public Acts of 1976.

6 (4) A writing prepared, owned, used, in the possession of,  
7 or retained by the commission in the performance of an official  
8 function shall be made available to the public in compliance with  
9 the freedom of information act, Act No. 442 of the Public Acts of  
10 1976, being sections 15.231 to 15.246 of the Michigan Compiled  
11 Laws.

12 Sec. 4. A neighborhood crime prevention assistance fund is  
13 created in the state treasury. The purpose of the fund is to  
14 encourage neighborhood organizations to engage in neighborhood  
15 crime prevention projects.

16 Sec. 5. (1) A neighborhood organization may request the  
17 approval of a project by submitting a project application to the  
18 commission. The application shall contain all of the following  
19 information:

20 (a) Proof and certification that the neighborhood meets the  
21 eligibility criteria established by rule pursuant to section 9.

22 (b) Proof and certification that the organization meets the  
23 definition of neighborhood organization.

24 (c) A detailed project work plan, including all of the fol-  
25 lowing information:

26 (i) An assessment of the needs and objectives addressed by  
27 the project.

1       (ii) A description of how the project will meet the stated  
2 objectives.

3       (iii) Other project details as required by the commission.

4       (d) A detailed project budget, including all of the follow-  
5 ing information:

6       (i) Total project costs.

7       (ii) Project expenses by category of expense item.

8       (iii) Justification of administrative costs.

9       (iv) Other budget details as required by the commission.

10       (2) A project application may be for a project life of more  
11 than 1 year.

12       Sec. 6. (1) Upon receipt of an application, the commission  
13 shall provide a copy of the project application to the local unit  
14 of government and the county in which the project will be located  
15 for review and comments.

16       (2) The local unit of government or county in which a  
17 project will be located may respond to an application received  
18 pursuant to subsection (1) within 30 days after the local unit of  
19 government or county receives the application. Comments by the  
20 local unit of government or county may include any of the  
21 following:

22       (a) Whether the project would affect an existing or future  
23 program or project of the local unit of government or county.

24       (b) Information concerning the neighborhood organization  
25 submitting the project application.

26       (c) Any other comments considered appropriate by the local  
27 unit of government or county.

1 (3) The commission may provide a copy of the project  
2 application to any other person, group, community action agency,  
3 or division of federal, state, or local unit of government for  
4 review and comment.

5 (4) The commission may approve a project application 60 days  
6 after receiving the project application whether or not comments  
7 have been received from a local unit of government, county, or  
8 any person, group, community action agency, or division of feder-  
9 al, state, or local unit of government who received copies of the  
10 project application.

11 (5) The commission shall approve or disapprove a project  
12 application within 90 days after receiving the application. The  
13 decision, and the detailed reasons for the approval or disap-  
14 proval of the project, shall be in writing.

15 Sec. 7. A neighborhood organization whose project is  
16 approved by the commission shall submit an annual report of the  
17 project to the commission. The report shall be submitted not  
18 later than 90 days after the project year for each year in which  
19 the project is certified. The report shall contain all of the  
20 following information:

21 (a) An assessment of how the project is attaining the  
22 project objectives.

23 (b) An independent audit of project expenditures.

24 (c) Any other information required by the commission.

25 Sec. 8. The commission shall submit an annual report to the  
26 legislature not later than 90 days after the close of each fiscal

1 year. The report shall contain all of the following  
2 information:

3 (a) A description of each project approved by the  
4 commission.

5 (b) A status report of each project approved by the  
6 commission.

7 (c) An assessment of the effectiveness of each project  
8 approved by the commission.

9 (d) The total disbursements authorized and the total dis-  
10 bursements paid for each project approved by the commission.

11 Sec. 9. The commission shall promulgate rules pursuant to  
12 the administrative procedures act of 1969, Act No. 306 of the  
13 Public Acts of 1969, being sections 24.201 to 24.328 of the  
14 Michigan Compiled Laws, to implement this act, including criteria  
15 to certify eligible neighborhoods.