

**SENATE BILL NO. 1183**

June 4, 1998, Introduced by Senator GEAKE and referred to the  
Committee on Families, Mental Health and Human Services.

A bill to amend 1939 PA 280, entitled  
"The social welfare act,"  
by amending sections 55, 115b, 116, 117a, and 117c (MCL 400.55,  
400.115b, 400.116, 400.117a, and 400.117c), section 55 as amended  
by 1987 PA 266, sections 115b and 117a as amended by 1988 PA 75,  
and section 117c as amended by 1988 PA 223, and by adding  
sections 115o and 117g.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 55. The county department shall administer a public  
2 welfare program, as follows:

3       (a) To grant general assistance, including medical care as  
4 defined in this section and care in the county medical care  
5 facility, but not including hospitalization and infirmary care  
6 except for care in the county medical care facility or a county  
7 infirmary existing on January 1, 1981, to any person domiciled in

1 the county who has a legal settlement in this state. General  
2 assistance may also be granted to a person who has a legal set-  
3 tlement in this state but no domicile in the county and a recoup-  
4 ment may be made when appropriate in the manner provided in cases  
5 of emergency hospitalization under this act. In a temporary  
6 emergency, general assistance may be given to indigents without a  
7 settlement in this state as the county department considers nec-  
8 essary, including, if other funds are not available for the pur-  
9 pose, all necessary expenses in transporting an indigent to his  
10 or her domicile in this state, or in another state or nation,  
11 when information reasonably tends to show that the person has a  
12 home available in his or her place of domicile in this state or a  
13 legal residence in another state or nation. A legal settlement  
14 in this state is acquired by an emancipated person who has lived  
15 continuously in this state for 1 year with the intent to make it  
16 his or her home and who, during the 1-year period has not  
17 received public assistance, other than assistance received during  
18 and as a direct result of a civil defense emergency, or support  
19 from relatives. Time spent in a public institution shall not be  
20 counted in determining settlement. A legal settlement shall be  
21 lost by remaining away from this state for an uninterrupted  
22 period of 1 year except that absence from this state for labor or  
23 other special or temporary purpose shall not occasion loss of  
24 settlement.

25 (b) To administer categorical assistance including medical  
26 care.

1 (c) To supervise and be responsible for the operation of the  
2 county infirmary and county medical care facility. In a county  
3 having a population of 1,000,000 or more which maintains a county  
4 infirmary or county hospital or a joint infirmary and hospital  
5 providing for mental patients, the institution and the admissions  
6 to the institution shall be subject to the control of a board to  
7 be known as the board of county institutions. The board shall  
8 consist of 5 members appointed by the county board of commission-  
9 ers, except that in a county having a board of county auditors, 3  
10 members of the board of county institutions shall be appointed by  
11 the county board of commissioners and 2 members shall be  
12 appointed by the board of county auditors. Each member of the  
13 board shall hold office for a term and receive compensation as  
14 the county board of commissioners provides by ordinance. In  
15 relation to the administration of the institutions the board  
16 shall have and succeed to all powers and duties formerly vested  
17 by law, general, local or special, in the superintendents of the  
18 poor in the county and the board of county institutions as con-  
19 stituted on April 13, 1943. The board of county institutions of  
20 the county may also maintain outpatient facilities for the treat-  
21 ment of needy persons suffering from mental disorders. The board  
22 shall also have the same powers as are given to the county board  
23 in section 78.

24 (d) To furnish in all cases, insofar as practicable, care  
25 and treatment which will tend to restore needy persons to a con-  
26 dition of financial and social independence.

1 (e) To require that each applicant shall furnish proof  
2 satisfactory to the county board that the applicant is entitled  
3 to the aid, assistance, or benefit sought.

4 (f) To investigate, in respect to each application for any  
5 form of public aid or assistance, the circumstances of the appli-  
6 cant, both at the time of application and periodically during the  
7 receipt of aid or assistance.

8 (g) To maintain adequate social and financial records per-  
9 taining to each recipient of aid or assistance and so far as is  
10 practicable engage in the prevention of social disabilities.

11 (h) ~~To~~ EXCEPT AS OTHERWISE PROVIDED IN THIS SUBDIVISION,  
12 TO investigate, when requested by the probate court OR THE FAMILY  
13 DIVISION OF CIRCUIT COURT, matters pertaining to dependent,  
14 neglected, and delinquent children and wayward minors ~~—~~ under  
15 the COURT'S jurisdiction, ~~of the probate court~~ to provide  
16 supervision and foster care as provided by court order, and to  
17 furnish the court, on request, investigational service in respect  
18 to the hospitalization of children under the program of services  
19 for crippled children established under part 58 of the public  
20 health code, ~~Act No. 368 of the Public Acts of 1978, being sec-~~  
21 ~~tions 333.5801 to 333.5879 of the Michigan Compiled Laws 1978 PA~~  
22 368, MCL 333.5801 TO 333.5879, which services shall include the  
23 follow-up investigation and continuing observations. IF THE  
24 COUNTY IS A COUNTY JUVENILE AGENCY AS DEFINED IN SECTION 2 OF THE  
25 COUNTY JUVENILE AGENCY ACT, THE COUNTY DEPARTMENT'S OBLIGATIONS  
26 UNDER THIS SUBDIVISION ARE LIMITED TO PUBLIC WARDS WITHIN THE  
27 COUNTY'S JURISDICTION UNDER THE YOUTH REHABILITATION SERVICES

1 ACT, 1974 PA 150, MCL 803.301 TO 803.309, AND COUNTY JUVENILE  
2 AGENCY SERVICES AS DEFINED IN SECTION 117A.

3 (i) To assist other departments, agencies, and institutions  
4 of the federal, state, and county governments, when so requested,  
5 in performing services in conformity with the purposes of this  
6 act.

7 (j) To assist in the development of sound programs and stan-  
8 dards of child welfare, and promote programs and policies looking  
9 toward the prevention of dependency, neglect, and delinquency and  
10 other conditions affecting adversely the welfare of families and  
11 children.

12 (k) To create within the county department a division of  
13 medical care. The county board may appoint a properly qualified  
14 and licensed doctor of medicine as the head of the division and  
15 an advisory committee. The advisory committee shall consist of 1  
16 doctor of medicine, nominated by the county medical society; 1  
17 dentist, nominated by the district dental society; and 1 pharma-  
18 cist, nominated by the district pharmaceutical association, to  
19 assist in formulating policies of medical care and auditing and  
20 reviewing bills. "Medical care" as used in this act means medi-  
21 cal care rendered under the supervision of a licensed physician  
22 in an organized out-patient department of a hospital licensed by  
23 the department of public health under article 17 of the public  
24 health code, ~~Act No. 368 of the Public Acts of 1978, being sec-~~  
25 ~~tions 333.20101 to 333.22181 of the Michigan Compiled Laws 1978~~  
26 PA 368, MCL 333.20101 TO 333.22260, or home and office attendance  
27 by a physician, osteopathic physician and surgeon, or podiatrist

1 licensed under article 15 of the public health code, ~~Act No. 368~~  
2 ~~of the Public Acts of 1978, being sections 333.16101 to 333.18838~~  
3 ~~of the Michigan Compiled Laws~~ 1978 PA 368, MCL 333.16101 TO  
4 333.18838; and when prescribed by the physician, osteopathic phy-  
5 sician and surgeon, or podiatrist, diagnostic services requiring  
6 the use of equipment not available in his or her offices, if the  
7 services do not require overnight care, dental service, optomet-  
8 ric service, bedside nursing service in the home, or pharmaceuti-  
9 cal service. The private physician-patient relationship shall be  
10 maintained. The normal relationships between the recipients of  
11 dental, optometric, nursing, and pharmaceutical services, and the  
12 services furnished by a physician, osteopathic physician and sur-  
13 geon, podiatrist, or a chiropractor licensed under article 15 of  
14 the public health code, ~~Act No. 368 of the Public Acts of 1978,~~  
15 ~~being sections 333.16101 to 333.18838 of the Michigan Compiled~~  
16 ~~Laws~~ 1978 PA 368, MCL 333.16101 TO 333.18838, and the persons  
17 furnishing these services shall be maintained. This section  
18 shall not affect the office of a city physician or city pharma-  
19 cist established under a city charter, a county health officer,  
20 or the medical superintendent of a county hospital. This section  
21 shall permit the use of a case management system, a patient care  
22 management system, or other alternative system for providing med-  
23 ical care.

24 (1) To cause to be suitably buried the body of a deceased  
25 indigent person who has a domicile in the county, when requested  
26 by the person's relative or friend, or of a stranger, when  
27 requested by a public official following an inquest.

1 (m) To administer additional welfare functions as are vested  
2 in the department, including hospitalization.

3 (n) To act as an agent for the state department in matters  
4 requested by the state department under the rules of the state  
5 department.

6 (o) To provide temporary general assistance for each family  
7 found ineligible for aid to dependent children assistance by  
8 reason of unsuitable family home as provided in section 56.

9 Sec. 115b. (1) The ~~office~~ DEPARTMENT shall assume respon-  
10 sibility for all children committed to ~~the state department~~ IT  
11 by the juvenile division of the probate court, THE FAMILY DIVI-  
12 SION OF CIRCUIT COURT, or the court of general criminal jurisdic-  
13 tion under the youth rehabilitation services act, ~~Act No. 150 of~~  
14 ~~the Public Acts of 1974, being sections 803.301 to 803.309 of the~~  
15 ~~Michigan Compiled Laws; and Act No. 220 of the Public Acts of~~  
16 ~~1935, as amended, being sections 400.201 to 400.214 of the~~  
17 ~~Michigan Compiled Laws~~ 1974 PA 150, MCL 803.301 TO 803.309, AND  
18 1935 PA 220, MCL 400.201 TO 400.214. ~~Upon the recommendation of~~  
19 ~~the office, the~~ THE department may provide institutional care,  
20 supervision in the community, boarding care, halfway house care,  
21 and other children and youth services and programs necessary to  
22 meet the needs of those children ~~—~~ or may obtain appropriate  
23 services from other state agencies, local public agencies, or  
24 private agencies, SUBJECT TO SECTION 115o. If the program of  
25 another state agency is considered to best serve the needs of the  
26 child, the other state agency shall give priority to the child.

1           (2) The department ~~, acting in compliance with policies and~~  
2 ~~standards developed by the office,~~ shall study and act upon a  
3 request for service as to, or a report received of, neglect,  
4 exploitation, abuse, cruelty, or abandonment of a child by a  
5 parent, guardian, custodian, or person serving in loco parentis,  
6 or a report concerning a child in need of protection. On the  
7 basis of the findings of the study, the department shall assure,  
8 ~~where~~ IF necessary, the provision of appropriate social serv-  
9 ices to the child, parent, guardian, custodian, or person serving  
10 in loco parentis, to reinforce and supplement the parental capa-  
11 bilities, so that the behavior or situation causing the problem  
12 is corrected or the child is otherwise protected. ~~The depart-~~  
13 ~~ment in~~ IN assuring the provision of services ~~,~~ and ~~in~~ pro-  
14 viding the services, THE DEPARTMENT shall encourage participation  
15 by other existing governmental units or licensed agencies and may  
16 contract with those agencies for the purchase of any service  
17 within the scope of this subsection. The department shall initi-  
18 ate action in an appropriate court if the conduct of a parent,  
19 guardian, or custodian requires. The department ~~, in conjunc-~~  
20 ~~tion with the office,~~ shall promulgate rules necessary for  
21 implementing the services authorized in this subsection. The  
22 rules shall include provision for local citizen participation in  
23 the program to assure local understanding, coordination, and  
24 cooperative action with other community resources. In the provi-  
25 sion of services, there shall be maximum utilization of other  
26 public, private, and voluntary resources available within a  
27 community.



1           (3) When an agency or organization proposes to place for  
 2 adoption, with a person domiciled in this state, a child who is a  
 3 citizen of or resides in, a country other than the United States  
 4 or Canada, the department shall conduct, within 180 days after  
 5 receipt of the request from the agency or organization, the  
 6 investigation prescribed by section 46 of chapter X of ~~Act~~  
 7 ~~No. 288 of the Public Acts of 1939, being section 710.46 of the~~  
 8 ~~Michigan Compiled Laws— 1939 PA 288, MCL 710.46.~~ In a county  
 9 ~~where~~ IN WHICH the ~~office~~ DEPARTMENT determines it to be more  
 10 feasible both geographically and economically, the department may  
 11 purchase the adoption services up to the actual cost of providing  
 12 those services. The department shall charge parent fees pre-  
 13 scribed by the legislature.

14           (4) The office shall be responsible for the development,  
 15 interpretation, and dissemination of policy regarding departmen-  
 16 tal investigations requested or ordered by the probate court  
 17 under section 55(h) and the provision of foster care services  
 18 authorized by this act. Foster care services shall include  
 19 foster care of state wards, aid to dependent children foster  
 20 care, foster care of wards of the ~~juvenile~~ FAMILY division of  
 21 ~~the probate~~ CIRCUIT court placed under the care and supervision  
 22 of the department by order of the court, and voluntary parental  
 23 placement of children in foster care.

24           SEC. 115o. (1) BOTH OF THE FOLLOWING APPLY TO RESIDENTIAL  
 25 CARE BED SPACE FOR JUVENILES WHO ARE WITHIN OR LIKELY TO COME  
 26 WITHIN THE COURT'S JURISDICTION UNDER SECTION 2(A) OR (D) OF  
 27 CHAPTER XIIIA OF 1939 PA 288, MCL 712A.2, OR COMMITTED TO THE

1 DEPARTMENT UNDER THE YOUTH REHABILITATION SERVICES ACT, 1974 PA  
2 150, MCL 803.301 TO 803.309:

3 (A) IF 1 OR MORE APPROPRIATE JUVENILE RESIDENTIAL CARE PRO-  
4 VIDERS LOCATED OR DOING BUSINESS IN THIS STATE HAVE BED SPACE  
5 AVAILABLE, THE DEPARTMENT SHALL USE THAT SPACE RATHER THAN A  
6 SPACE AVAILABLE BY A PROVIDER LOCATED OR DOING BUSINESS IN  
7 ANOTHER STATE. THIS REQUIREMENT DOES NOT APPLY IF THE PROVIDER  
8 LOCATED OR DOING BUSINESS IN ANOTHER STATE OFFERS A PROGRAM THAT  
9 IS NOT AVAILABLE IN THIS STATE.

10 (B) IF AN EXCESS OF BED SPACES IS AVAILABLE WITHIN A SECUR-  
11 ITY LEVEL, THE DEPARTMENT SHALL USE THE BED SPACES OF PRIVATE  
12 PROVIDERS WITH WHOM IT HAS CONTRACTED AND ALLOW STATE OWNED BED  
13 SPACES TO GO UNUSED FIRST. HOWEVER, IN APPLYING THIS SUBDIVI-  
14 SION, A BED SPACE THAT IS AVAILABLE BECAUSE A FACILITY REFUSED TO  
15 ACCEPT A JUVENILE DOES NOT COUNT TOWARD A SURPLUS.

16 (2) AS USED IN THIS SECTION, "APPROPRIATE JUVENILE RESIDEN-  
17 TIAL CARE PROVIDER" MEANS A PRIVATE NONPROFIT ENTITY DOMICILED IN  
18 THIS STATE THAT IS LICENSED BY THE DEPARTMENT OF CONSUMER AND  
19 INDUSTRY SERVICES AND THAT ENTERED INTO 1 OR MORE CONTRACTS WITH  
20 THE FAMILY INDEPENDENCE AGENCY TO PROVIDE RESIDENTIAL CARE SERV-  
21 ICES FOR JUVENILES ON OR BEFORE OCTOBER 1, 1997.

22 Sec. 116. (1) With respect to juvenile court probation  
23 staff IN A COUNTY THAT IS NOT A COUNTY JUVENILE AGENCY, the  
24 ~~office~~ DEPARTMENT shall DO ALL OF THE FOLLOWING:

25 (a) Develop and recommend to the supreme court standards and  
26 qualifications for employment and other criteria designed to  
27 develop an adequate career service.

1 (b) Maintain information as to court employment needs and  
2 assist in ~~recruitment of~~ RECRUITING qualified personnel.

3 (c) Provide, with legislative approval, a statewide system  
4 of preservice and inservice training, which may include full  
5 ~~and~~ OR part-time scholarships.

6 (d) Develop recommendations regarding the functions of the  
7 office of county juvenile officer.

8 (2) The ~~office~~ DEPARTMENT may provide consultation and  
9 assistance services to the juvenile probation service of the  
10 ~~probate~~ court IN A COUNTY THAT IS NOT A COUNTY JUVENILE  
11 AGENCY.

12 (3) The ~~office~~ DEPARTMENT shall develop a plan ~~which~~  
13 THAT permits the voluntary transfer of county juvenile court pro-  
14 bation staff IN A COUNTY THAT IS NOT A COUNTY JUVENILE AGENCY to  
15 the department by the joint concurrence of the county board of  
16 commissioners OR COUNTY EXECUTIVE, AS APPLICABLE, and the  
17 ~~presiding~~ CHIEF judge of the ~~probate~~ FAMILY DIVISION OF  
18 CIRCUIT court. The plan shall include procedures for negotia-  
19 tions between the state, as represented by the ~~office~~  
20 DEPARTMENT, and the affected county board of commissioners OR  
21 COUNTY EXECUTIVE, the county FAMILY INDEPENDENCE AGENCY board,  
22 ~~of social services,~~ and the ~~presiding~~ CHIEF judge of the  
23 ~~probate~~ FAMILY DIVISION OF CIRCUIT court for that county. The  
24 plan shall afford ~~persons employed as~~ juvenile court probation  
25 staff ~~, who are~~ transferred ~~pursuant to~~ UNDER the plan ~~,~~  
26 the opportunity to be employed in the state classified civil  
27 service in compliance with procedures established by the Michigan

1 civil service commission. The plan shall enable the court to  
2 maintain sufficient staff to enforce court orders and to perform  
3 the preliminary inquiry and monitoring of court wards required by  
4 chapter ~~12A of Act No. 288 of the Public Acts of 1939, as~~  
5 ~~amended, being sections 712A.1 to 712A.28 of the Michigan~~  
6 ~~Compiled Laws~~ XIIIA OF 1939 PA 288, MCL 712A.1 TO 712A.32. The  
7 plan shall be submitted to the legislature not later than 18  
8 months after the effective date of this subsection.

9 (4) AS USED IN THIS SECTION, "COUNTY JUVENILE AGENCY" MEANS  
10 THAT TERM AS DEFINED IN SECTION 2 OF THE COUNTY JUVENILE AGENCY  
11 ACT.

12 Sec. 117a. (1) As used in sections 117a to ~~117f,~~  
13 ~~"juvenile"~~ 117G:

14 (A) "COUNTY JUVENILE AGENCY" MEANS THAT TERM AS DEFINED IN  
15 SECTION 2 OF THE COUNTY JUVENILE AGENCY ACT.

16 (B) "COUNTY JUVENILE AGENCY SERVICES" MEANS ALL JUVENILE  
17 JUSTICE SERVICES FOR A JUVENILE WHO IS WITHIN THE COURT'S JURIS-  
18 DICTION UNDER SECTION 2(A) OR (D) OF CHAPTER XIIIA OF 1939 PA 288,  
19 MCL 712A.2, OR WITHIN THE JURISDICTION OF THE COURT OF GENERAL  
20 JURISDICTION UNDER SECTION 606 OF THE REVISED JUDICATURE ACT OF  
21 1961, 1961 PA 236, MCL 600.606, IF THAT COURT COMMITS THE JUVE-  
22 NILE TO A COUNTY OR COURT JUVENILE FACILITY UNDER SECTION 27A OF  
23 CHAPTER IV OF THE CODE OF CRIMINAL PROCEDURE, 1927 PA 175,  
24 MCL 764.27A. IF A JUVENILE WHO COMES WITHIN THE COURT'S JURIS-  
25 DICTION UNDER SECTION 2(A) OR (D) OF CHAPTER XIIIA OF 1939 PA 288,  
26 MCL 712A.2, IS AT THAT TIME SUBJECT TO A COURT ORDER IN  
27 CONNECTION WITH A PROCEEDING FOR WHICH THE COURT ACQUIRED

1 JURISDICTION UNDER SECTION 2(B) OR (C) OF CHAPTER XIIIA OF 1939  
2 PA 288, MCL 712A.2, JUVENILE JUSTICE SERVICES PROVIDED TO THE  
3 JUVENILE BEFORE THE COURT ENTERS AN ORDER IN THE SUBSEQUENT PRO-  
4 CEEDING ARE NOT COUNTY JUVENILE AGENCY SERVICES, EXCEPT FOR JUVE-  
5 NILE JUSTICE SERVICES RELATED TO DETENTION.

6 (C) "JUVENILE justice service" means a service, exclusive of  
7 judicial functions, provided by a county for juveniles who are  
8 within ~~—~~ or ~~are~~ likely to come within ~~—~~ the COURT'S juris-  
9 diction ~~of the juvenile division of the probate court~~ under  
10 section 2 of chapter XIIIA of ~~Act No. 288 of the Public Acts of~~  
11 ~~1939, as amended, being section 712A.2 of the Michigan Compiled~~  
12 ~~Laws~~ 1939 PA 288, MCL 712A.2, or within the jurisdiction of the  
13 court of general criminal jurisdiction under section 606 of the  
14 revised judicature act of 1961, ~~Act No. 236 of the Public Acts~~  
15 ~~of 1961, being section 600.606 of the Michigan Compiled Laws~~  
16 1961 PA 236, MCL 600.606, ~~or section 10a(1)(c) of Act No. 369 of~~  
17 ~~the Public Acts of 1919, being section 725.10a of the Michigan~~  
18 ~~Compiled Laws,~~ if ~~the~~ THAT court ~~of general criminal~~  
19 ~~jurisdiction~~ commits the juvenile to a county or court juvenile  
20 facility under section 27a of chapter IV of the code of criminal  
21 procedure, ~~Act No. 175 of the Public Acts of 1927, being section~~  
22 ~~764.27a of the Michigan Compiled Laws~~ 1927 PA 175, MCL 764.27A.  
23 A service includes intake, detention, detention alternatives,  
24 probation, foster care, diagnostic evaluation and treatment,  
25 shelter care, or any other service approved by the office OR  
26 COUNTY JUVENILE AGENCY, AS APPLICABLE, including preventive,  
27 diversionary, or protective care services.

1 (2) A juvenile justice funding system FOR COUNTIES THAT ARE  
2 NOT COUNTY JUVENILE AGENCIES, including a child care fund, is  
3 established and shall be administered under the DEPARTMENT'S  
4 superintending control. ~~of the office.~~

5 (3) The department ~~, in conjunction with the office,~~ shall  
6 promulgate rules ~~pursuant to~~ UNDER the administrative proce-  
7 dures act of 1969, ~~Act No. 306 of the Public Acts of 1969, as~~  
8 ~~amended, being sections 24.201 to 24.328 of the Michigan Compiled~~  
9 ~~Laws~~ 1969 PA 306, MCL 24.201 TO 24.328, to monitor juvenile jus-  
10 tice services money and to prescribe child care fund accounting,  
11 reporting, and authorization controls and procedures ~~, and~~  
12 child care fund expenditure classifications. ~~The office~~ FOR  
13 COUNTIES REQUIRED TO HAVE A CHILD CARE FUND, THE DEPARTMENT shall  
14 fund services that conform to the child care rules promulgated  
15 under this act.

16 (4) The ~~office~~ DEPARTMENT shall provide for the distribu-  
17 tion of money appropriated by the legislature to counties for the  
18 ~~foster care of children.~~ The COST OF JUVENILE JUSTICE SERVICES  
19 AS FOLLOWS:

20 (A) FOR A COUNTY THAT IS NOT A COUNTY JUVENILE AGENCY, THE  
21 amount distributed ~~to each county~~ shall equal 50% of the annual  
22 expenditures from the child care fund of the county established  
23 ~~in~~ UNDER section 117c, ~~of this act,~~ except that ~~neither~~  
24 expenditures ~~made pursuant to~~ UNDER section 117c(3) ~~nor~~ AND  
25 expenditures that exceed the amount of a budget approved under  
26 section 117c shall NOT be included. A distribution UNDER THIS  
27 SUBDIVISION shall not be made to a county ~~which~~ THAT does not

1 comply with the requirements of this act. The ~~office~~  
2 DEPARTMENT may reduce the amount distributed to ~~each~~ A county  
3 by the amount owed to the state for care received in a state  
4 operated facility ~~—~~ OR for care received ~~pursuant to Act~~  
5 ~~No. 220 of the Public Acts of 1935, as amended, being sections~~  
6 ~~400.201 to 400.214 of the Michigan Compiled Laws, or pursuant to~~  
7 UNDER 1935 PA 220, MCL 400.201 TO 400.214, OR UNDER the youth  
8 rehabilitation services act, ~~Act No. 150 of the Public Acts of~~  
9 ~~1974, being sections 803.301 to 803.309 of the Michigan Compiled~~  
10 ~~Laws~~ 1974 PA 150, MCL 803.301 TO 803.309. The distribution may  
11 be reduced by the amount of uncontested liability.

12 (B) FOR A COUNTY THAT IS A COUNTY JUVENILE AGENCY, THE  
13 COUNTY'S BLOCK GRANT AMOUNT AS DETERMINED UNDER SECTION 117G IN  
14 EQUAL DISTRIBUTIONS ON OCTOBER 1, JANUARY 1, APRIL 1, AND JULY 1  
15 OF EACH STATE FISCAL YEAR.

16 (5) THE DEPARTMENT IS LIABLE FOR THE COSTS OF ALL JUVENILE  
17 JUSTICE SERVICES IN A COUNTY THAT IS A COUNTY JUVENILE AGENCY  
18 OTHER THAN COUNTY JUVENILE AGENCY SERVICES.

19 (6) ~~(5)~~ The ~~office~~ DEPARTMENT shall establish guidelines  
20 for the development of county juvenile justice service plans IN  
21 COUNTIES THAT ARE NOT COUNTY JUVENILE AGENCIES.

22 (7) ~~(6)~~ A county ~~receiving~~ THAT IS NOT A COUNTY JUVENILE  
23 AGENCY AND RECEIVES state funds for in-home or out-of-home care  
24 of children shall submit reports to the department at least quar-  
25 terly or as THE DEPARTMENT otherwise ~~required by the office~~  
26 REQUIRES. The reports shall be submitted on forms provided by  
27 the executive director and shall include the number of children

1 receiving foster care services and the number of days of care  
2 ~~that were~~ provided.

3 (8) ~~(7)~~ The ~~office~~ DEPARTMENT shall develop a reporting  
4 system ~~which shall provide~~ PROVIDING that reimbursement UNDER  
5 SUBSECTION (4)(A) shall be made only on submission of billings  
6 based on care given to a specific, individual child. The system  
7 shall be implemented not later than October 1, 1982.

8 Sec. 117c. (1) The county treasurer is designated as the  
9 custodian of all money provided for the use of the county  
10 ~~department of social services,~~ FAMILY INDEPENDENCE AGENCY, the  
11 ~~juvenile~~ FAMILY division of ~~the probate~~ CIRCUIT court, and  
12 the agency designated by the county board of commissioners or,  
13 ~~the chief~~ IF A COUNTY HAS A COUNTY executive, ~~officer for~~  
14 ~~Wayne county~~ CHIEF ADMINISTRATIVE OFFICER, OR COUNTY MANAGER,  
15 THAT INDIVIDUAL to provide juvenile justice services. The COUNTY  
16 treasurer shall create and maintain a child care fund. The fol-  
17 lowing money shall be deposited in the child care fund:

18 (a) All money raised by the county for the use of the county  
19 ~~department of social services~~ FAMILY INDEPENDENCE AGENCY for  
20 the foster care of children with respect to whom the ~~juvenile~~  
21 FAMILY division of ~~the probate~~ CIRCUIT court has not taken  
22 jurisdiction.

23 (b) Money for the foster care of children under the juris-  
24 diction of the ~~juvenile~~ FAMILY division of ~~the probate~~  
25 CIRCUIT court raised by the county with the view of receiving  
26 supplementary funds for this purpose from the state government as  
27 provided in section 117a.



1 (c) All funds made available by the state government for  
2 foster care of children.

3 (d) All payments made in respect to support orders issued by  
4 the ~~probate~~ FAMILY DIVISION OF CIRCUIT court for the reimburse-  
5 ment of government for expenditures made or to be made from the  
6 child care fund for the foster care of children.

7 (e) All prepayments and refunds for reimbursement of county  
8 ~~departments of social services~~ FAMILY INDEPENDENCE AGENCIES for  
9 the foster care of children.

10 (f) All funds made available to the county for the foster  
11 care of children from any other source, ~~whatsoever,~~ except  
12 gifts that are conditioned on a different disposition or reim-  
13 bursements of the general fund.

14 (g) Money for the foster care of children under the juris-  
15 diction of the court of general criminal jurisdiction committed  
16 to a county facility or a ~~juvenile division of the probate~~  
17 court facility FOR JUVENILES in the county in which the court of  
18 general criminal jurisdiction is located.

19 (h) All payments made in respect to support orders issued by  
20 the court of general criminal jurisdiction for the reimbursement  
21 of government for expenditures made or to be made from the child  
22 care fund for the foster care of children.

23 (2) The child care fund shall be used for the costs of pro-  
24 viding foster care for children under sections 18c and 117a and  
25 under the jurisdiction of the ~~probate~~ FAMILY DIVISION OF  
26 CIRCUIT court ~~and the~~ OR court of general criminal  
27 jurisdiction.

1           (3) The child care fund may be used ~~for payment of~~ TO PAY  
2 the county's share of the cost of maintaining children at the  
3 Michigan children's institute ~~pursuant to Act No. 220 of the~~  
4 ~~Public Acts of 1935, as amended, being sections 400.201 to~~  
5 ~~400.214 of the Michigan Compiled Laws, or state~~ UNDER 1935 PA  
6 220, MCL 400.201 TO 400.214, OR PUBLIC wards ~~pursuant to~~ UNDER  
7 the youth rehabilitation services act, ~~Act No. 150 of the Public~~  
8 ~~Acts of 1974, being sections 803.301 to 803.309 of the Michigan~~  
9 ~~Compiled Laws~~ 1974 PA 150, MCL 803.301 TO 803.309.

10           (4) The account for the child care fund shall be maintained  
11 separate and apart from all other accounts of county funds. The  
12 fund shall be used exclusively for carrying out the purposes  
13 authorized by this act. The county board of commissioners shall  
14 distinguish in its appropriations for the child care fund the  
15 sums of money to be used by the ~~juvenile~~ FAMILY division of  
16 ~~the probate~~ CIRCUIT court, the county ~~department of social~~  
17 ~~services~~ FAMILY INDEPENDENCE AGENCY, and the agency designated  
18 by the county board of commissioners or the ~~chief~~ COUNTY execu-  
19 tive ~~officer for Wayne county~~ to provide juvenile justice  
20 services. The COUNTY treasurer shall keep these segregated in  
21 proper subaccounts.

22           (5) A county annually shall develop and submit a plan and  
23 budget for the funding of foster care services to the office for  
24 approval. Funds shall not be distributed under section 117a  
25 except for reimbursement of expenditures made ~~pursuant to~~ UNDER  
26 an approved plan and budget. The office shall not approve plans

1 and budget ~~which~~ THAT exceed the amount appropriated by the  
2 legislature.

3 (6) A county shall make and preserve accurate records of its  
4 juvenile justice services and expenditures. Upon the  
5 DEPARTMENT'S request, ~~of the office~~ the information contained  
6 in the records shall be available to the office.

7 (7) THIS SECTION DOES NOT APPLY TO A COUNTY THAT IS A COUNTY  
8 JUVENILE AGENCY.

9 SEC. 117G. (1) THE BASE AMOUNT OF THE BLOCK GRANT FOR A  
10 COUNTY THAT IS A COUNTY JUVENILE AGENCY EQUALS THE AMOUNT DETER-  
11 MINED UNDER SUBDIVISION (A) MINUS THE AMOUNT DETERMINED UNDER  
12 SUBDIVISION (B):

13 (A) THE TOTAL OF ALL DISTRIBUTIONS OR EXPENDITURES FROM  
14 STATE OR FEDERAL FUNDS FOR THE STATE FISCAL YEAR BEGINNING  
15 OCTOBER 1, 1996 FOR THAT COUNTY RELATED TO COUNTY JUVENILE AGENCY  
16 SERVICES, INCLUDING THE FOLLOWING:

17 (i) THAT PORTION OF THE DISTRIBUTION TO THE COUNTY UNDER  
18 SECTION 117A FOR COUNTY JUVENILE AGENCY SERVICES CALCULATED WITH-  
19 OUT REGARD TO ANY EXCLUSION OF EXPENDITURE ON THE BASIS THAT THE  
20 EXPENDITURE EXCEEDED THE AMOUNT OF A BUDGET APPROVED UNDER SEC-  
21 TION 117C.

22 (ii) DETENTION AND ASSESSMENT COSTS.

23 (iii) COMMUNITY-BASED PROGRAMS, INCLUDING HALFWAY HOUSE OR  
24 DAY TREATMENT.

25 (iv) STAFF COSTS, INCLUDING SALARIES AND FRINGE BENEFITS,  
26 FOR ALL EMPLOYEES EMPLOYED TO ADMINISTER OR DELIVER PROGRAMS  
27 PROVIDING COUNTY JUVENILE AGENCY SERVICES, INCLUDING COUNTY

1 JUVENILE OFFICERS, DELINQUENCY OR SERVICE WORKERS, AND RELATED  
2 SUPERVISORY, CLERICAL, AND ADMINISTRATIVE STAFF SUPPORT. THE  
3 STAFF COSTS OF STATE EMPLOYEES SHALL BE CALCULATED USING STAFF  
4 LEVELS ON MARCH 30, 1997 AS THE STAFF LEVELS FOR THE ENTIRE STATE  
5 FISCAL YEAR.

6 (v) OPERATIONAL EXPENSES RELATED TO PROGRAMS PROVIDING  
7 COUNTY JUVENILE AGENCY SERVICES, INCLUDING SUPPLIES, EQUIPMENT,  
8 BUILDINGS, RENT, TRAINING COSTS, AND COSTS OF THE MANAGEMENT  
9 INFORMATION SYSTEM.

10 (vi) THE TOTAL COST OF CARE FOR PUBLIC WARDS UNDER THE YOUTH  
11 REHABILITATION SERVICES ACT, 1974 PA 150, MCL 803.301 TO  
12 803.309.

13 (B) ONE-HALF OF THE AMOUNT OF EXPENDITURES CHARGED TO THE  
14 COUNTY'S CHILD CARE FUND FOR JUVENILE JUSTICE SERVICES PROVIDED  
15 IN THE STATE FISCAL YEAR BEGINNING OCTOBER 1, 1996 THAT WERE NOT  
16 COUNTY JUVENILE AGENCY SERVICES.

17 (2) FOR THE STATE FISCAL YEAR BEGINNING OCTOBER 1, 1997, THE  
18 BASE AMOUNT FOR A COUNTY SHALL BE ADJUSTED BY BOTH MULTIPLIERS  
19 CALCULATED UNDER SUBSECTION (3) TO DETERMINE THE BLOCK GRANT  
20 AMOUNT FOR THAT STATE FISCAL YEAR. THE BLOCK GRANT AMOUNT FOR  
21 EACH SUBSEQUENT STATE FISCAL YEAR IS CALCULATED BY ADJUSTING THE  
22 BLOCK GRANT AMOUNT FOR THE PREVIOUS STATE FISCAL YEAR BY THE  
23 MULTIPLIERS CALCULATED UNDER SUBSECTION (3).

24 (3) FOR EACH STATE FISCAL YEAR, THE FOLLOWING MULTIPLIERS  
25 SHALL BE CALCULATED:

26 (A) THE PERCENTAGE CHANGE APPROPRIATED IN THE STATE FISCAL  
27 YEAR TO CHANGE THE RATE OF PAYMENTS TO VENDORS PROVIDING

1 PLACEMENTS FOR JUVENILES FOR THAT STATE FISCAL YEAR FROM THE  
2 PREVIOUS STATE FISCAL YEAR.

3 (B) THE PERCENTAGE CHANGE IN THE COUNTY'S JUVENILE POPULA-  
4 TION FROM THE COUNTY'S JUVENILE POPULATION FOR THE PREVIOUS  
5 FISCAL YEAR AS DETERMINED FROM THE UNITED STATES DECENNIAL CENSUS  
6 OR PROJECTIONS BY THE UNITED STATES CENSUS BUREAU. AS USED IN  
7 THIS SUBDIVISION, "COUNTY'S JUVENILE POPULATION" MEANS THE NUMBER  
8 OF INDIVIDUALS RESIDING IN THE COUNTY WHO ARE 10 OR MORE YEARS OF  
9 AGE BUT LESS THAN 18 YEARS OF AGE.

10 (4) THE CALCULATIONS UNDER SUBSECTIONS (2) AND (3) APPLY  
11 REGARDLESS OF THE STATE FISCAL YEAR IN WHICH A COUNTY BECOMES A  
12 COUNTY JUVENILE AGENCY.

13 (5) A BLOCK GRANT FOR A COUNTY DETERMINED UNDER SUBSECTIONS  
14 (1) TO (4) FOR A STATE FISCAL YEAR SHALL BE REDUCED BY THE AMOUNT  
15 CALCULATED BY SUBTRACTING THE AMOUNT DETERMINED UNDER SUBDIVISION  
16 (A) FROM THE AMOUNT DETERMINED UNDER SUBDIVISION (B) AND MULTI-  
17 PLYING THAT DIFFERENCE BY 50% OF THE EXPENDITURES FOR EDUCATIONAL  
18 SERVICES TO STATE WARDS IN STATE OPERATED TRAINING SCHOOLS AND  
19 TREATMENT AND DETENTION FACILITIES DURING THE STATE FISCAL YEAR  
20 BEGINNING OCTOBER 1, 1997:

21 (A) THE AVERAGE DAILY POPULATION OF PUBLIC WARDS IN STATE  
22 OPERATED TRAINING SCHOOLS AND TREATMENT AND DETENTION FACILITIES  
23 FOR WHOM THE COUNTY HAS ASSUMED RESPONSIBILITY AS A COUNTY JUVE-  
24 NILE AGENCY.

25 (B) THE AVERAGE DAILY POPULATION OF PUBLIC WARDS FOR THE  
26 COUNTY.

1 (6) THE AMOUNT OF BLOCK GRANT FUNDS EXPENDED DURING THE  
2 STATE FISCAL YEAR FOR EDUCATIONAL SERVICES TO PUBLIC WARDS FOR  
3 WHOM THE COUNTY HAS ASSUMED RESPONSIBILITY AS A COUNTY JUVENILE  
4 AGENCY SHALL BE DEDUCTED FROM THE AMOUNT CALCULATED UNDER SUBSEC-  
5 TION (5).

6 (7) THE ACCOUNT FOR A COUNTY JUVENILE AGENCY'S BLOCK GRANT  
7 SHALL BE MAINTAINED SEPARATELY FROM ALL OTHER ACCOUNTS OF THE  
8 COUNTY'S FUNDS. EXPENDITURES OF THOSE FUNDS SHALL BE SHOWN AS  
9 SEPARATE LINE ITEMS OR APPROPRIATIONS IN THE COUNTY'S BUDGET.

10 Enacting section 1. This amendatory act does not take  
11 effect unless all of the following bills of the 89th Legislature  
12 are enacted into law:

13 (a) Senate Bill No. 1184.

14

15 (b) Senate Bill No. 1185.

16

17 (c) Senate Bill No. 1186.

18

19 (d) Senate Bill No. 1187.

20

21 (e) Senate Bill No. 1196.

22

23 (f) Senate Bill No. 1197.

24