

HOUSE BILL No. 5333

October 30, 1997, Introduced by Reps. Bankes, Law, Leland, Hale and Kelly and referred to the Committee on Appropriations.

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

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
8 the county who has a legal settlement in this state. General

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

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

26 (c) To supervise and be responsible for the operation of the
27 county infirmary and county medical care facility. In a county

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

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

25 (e) To require that each applicant shall furnish proof sat-
26 isfactory to the county board that the applicant is entitled to
27 the aid, assistance, or benefit sought.

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

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

8 (h) ~~To~~ EXCEPT AS OTHERWISE PROVIDED IN THIS SUBDIVISION,
9 TO investigate, when requested by the probate court OR THE FAMILY
10 DIVISION OF CIRCUIT COURT, matters pertaining to dependent,
11 neglected, and delinquent children and wayward minors ~~,~~ under
12 the COURT'S jurisdiction, ~~of the probate court~~ to provide
13 supervision and foster care as provided by court order, and to
14 furnish the court, on request, investigational service in respect
15 to the hospitalization of children under the program of services
16 for crippled children established under part 58 of the public
17 health code, ~~Act No. 368 of the Public Acts of 1978, being sec-~~
18 ~~tions 333.5801 to 333.5879 of the Michigan Compiled Laws 1978 PA~~
19 368, MCL 333.5801 TO 333.5879, which services shall include the
20 follow-up investigation and continuing observations. IF THE
21 COUNTY IS A COUNTY JUVENILE AGENCY AS DEFINED IN SECTION 2 OF THE
22 COUNTY JUVENILE AGENCY ACT, THE COUNTY DEPARTMENT'S OBLIGATIONS
23 UNDER THIS SUBDIVISION ARE LIMITED TO PUBLIC WARDS WITHIN THE
24 COUNTY'S JURISDICTION UNDER THE YOUTH REHABILITATION SERVICES
25 ACT, 1974 PA 150, MCL 803.301 TO 803.309, AND COUNTY JUVENILE
26 AGENCY SERVICES AS DEFINED IN SECTION 117A.

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

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

10 (k) To create within the county department a division of
11 medical care. The county board may appoint a properly qualified
12 and licensed doctor of medicine as the head of the division and
13 an advisory committee. The advisory committee shall consist of 1
14 doctor of medicine, nominated by the county medical society; 1
15 dentist, nominated by the district dental society; and 1 pharma-
16 cist, nominated by the district pharmaceutical association, to
17 assist in formulating policies of medical care and auditing and
18 reviewing bills. "Medical care" as used in this act means medi-
19 cal care rendered under the supervision of a licensed physician
20 in an organized out-patient department of a hospital licensed by
21 the department of public health under article 17 of the public
22 health code, ~~Act No. 368 of the Public Acts of 1978, being sec-~~
23 ~~tions 333.20101 to 333.22181 of the Michigan Compiled Laws 1978~~
24 PA 368, MCL 333.20101 TO 333.22260, or home and office attendance
25 by a physician, osteopathic physician and surgeon, or podiatrist
26 licensed under article 15 of the public health code, ~~Act No. 368~~
27 ~~of the Public Acts of 1978, being sections 333.16101 to 333.18838~~

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

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

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

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

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

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

10 (a) Develop and recommend to the supreme court standards and
11 qualifications for employment and other criteria designed to
12 develop an adequate career service.

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

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

18 (d) Develop recommendations regarding the functions of the
19 office of county juvenile officer.

20 (2) The ~~office~~ DEPARTMENT may provide consultation and
21 assistance services to the juvenile probation service of the
22 ~~probate~~ court IN A COUNTY THAT IS NOT A COUNTY JUVENILE
23 AGENCY.

24 (3) The ~~office~~ DEPARTMENT shall develop a plan ~~which~~
25 THAT permits the voluntary transfer of county juvenile court pro-
26 bation staff IN A COUNTY THAT IS NOT A COUNTY JUVENILE AGENCY to
27 the department by the joint concurrence of the county board of

1 commissioners OR COUNTY EXECUTIVE, AS APPLICABLE, and the
2 ~~presiding~~ CHIEF judge of the ~~probate~~ FAMILY DIVISION OF
3 CIRCUIT court. The plan shall include procedures for negotia-
4 tions between the state, as represented by the ~~office~~
5 DEPARTMENT, and the affected county board of commissioners OR
6 COUNTY EXECUTIVE, the county FAMILY INDEPENDENCE AGENCY board,
7 ~~of social services,~~ and the ~~presiding~~ CHIEF judge of the
8 ~~probate~~ FAMILY DIVISION OF CIRCUIT court for that county. The
9 plan shall afford ~~persons employed as~~ juvenile court probation
10 staff ~~, who are transferred pursuant to~~ UNDER the plan ~~,~~
11 the opportunity to be employed in the state classified civil
12 service in compliance with procedures established by the Michigan
13 civil service commission. The plan shall enable the court to
14 maintain sufficient staff to enforce court orders and to perform
15 the preliminary inquiry and monitoring of court wards required by
16 chapter ~~12A of Act No. 288 of the Public Acts of 1939, as~~
17 ~~amended, being sections 712A.1 to 712A.28 of the Michigan~~
18 ~~Compiled Laws~~ XIIIA OF 1939 PA 288, MCL 712A.1 TO 712A.32. The
19 plan shall be submitted to the legislature not later than 18
20 months after the effective date of this subsection.

21 (4) AS USED IN THIS SECTION, "COUNTY JUVENILE AGENCY" MEANS
22 THAT TERM AS DEFINED IN SECTION 2 OF THE COUNTY JUVENILE AGENCY
23 ACT.

24 Sec. 117a. (1) As used in sections 117a to ~~117f,~~
25 ~~juvenile~~ 117H:

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

1 (B) "COUNTY JUVENILE AGENCY SERVICES" MEANS ALL JUVENILE
2 JUSTICE SERVICES FOR A JUVENILE WHO IS WITHIN THE COURT'S JURIS-
3 DICTION UNDER SECTION 2(A) OR (D) OF CHAPTER XIIIA OF 1939 PA 288,
4 MCL 712A.2, OR WITHIN THE JURISDICTION OF THE COURT OF GENERAL
5 JURISDICTION UNDER SECTION 606 OF THE REVISED JUDICATURE ACT OF
6 1961, 1961 PA 236, MCL 600.606, OR SECTION 10A(1)(C) OF 1919
7 PA 369, MCL 725.10A, IF THAT COURT COMMITS THE JUVENILE TO A
8 COUNTY OR COURT JUVENILE FACILITY UNDER SECTION 27A OF CHAPTER IV
9 OF THE CODE OF CRIMINAL PROCEDURE, 1927 PA 175, MCL 764.27A. IF
10 A JUVENILE WHO COMES WITHIN THE COURT'S JURISDICTION UNDER
11 SECTION 2(A) OR (D) OF CHAPTER XIIIA OF 1939 PA 288, MCL 712A.2,
12 IS AT THAT TIME SUBJECT TO A COURT ORDER IN CONNECTION WITH A
13 PROCEEDING FOR WHICH THE COURT ACQUIRED JURISDICTION UNDER
14 SECTION 2(B) OR (C) OF CHAPTER XIIIA OF 1939 PA 288, MCL 712A.2,
15 JUVENILE JUSTICE SERVICES PROVIDED TO THE JUVENILE BEFORE THE
16 COURT ENTERS AN ORDER IN THE SUBSEQUENT PROCEEDING ARE NOT COUNTY
17 JUVENILE AGENCY SERVICES, EXCEPT FOR JUVENILE JUSTICE SERVICES
18 RELATED TO DETENTION.

19 (C) "JUVENILE justice service" means a service, exclusive of
20 judicial functions, provided by a county for juveniles who are
21 within ~~—~~, or ~~are~~ likely to come within ~~—~~, the COURT'S juris-
22 diction ~~of the juvenile division of the probate court~~ under
23 section 2 of chapter XIIIA of ~~Act No. 288 of the Public Acts of~~
24 ~~1939, as amended, being section 712A.2 of the Michigan Compiled~~
25 ~~Laws~~ 1939 PA 288, MCL 712A.2, or within the jurisdiction of the
26 court of general criminal jurisdiction under section 606 of the
27 revised judicature act of 1961, ~~Act No. 236 of the Public Acts~~

1 of 1961, being section 600.606 of the Michigan Compiled Laws
2 1961 PA 236, MCL 600.606, or section 10a(1)(c) of ~~Act No. 369 of~~
3 ~~the Public Acts of 1919, being section 725.10a of the Michigan~~
4 ~~Compiled Laws~~ 1919 PA 369, MCL 725.10A, if the court of general
5 criminal jurisdiction commits the juvenile to a county or court
6 juvenile facility under section 27a of chapter IV of the code of
7 criminal procedure, ~~Act No. 175 of the Public Acts of 1927,~~
8 ~~being section 764.27a of the Michigan Compiled Laws~~ 1927 PA 175,
9 MCL 764.27A. A service includes intake, detention, detention
10 alternatives, probation, foster care, diagnostic evaluation and
11 treatment, shelter care, or any other service approved by the
12 office OR COUNTY JUVENILE AGENCY, AS APPLICABLE, including pre-
13 ventive, diversionary, or protective care services.

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

18 (3) The department ~~, in conjunction with the office,~~ shall
19 promulgate rules ~~pursuant to~~ UNDER the administrative proce-
20 dures act of 1969, ~~Act No. 306 of the Public Acts of 1969, as~~
21 ~~amended, being sections 24.201 to 24.328 of the Michigan Compiled~~
22 ~~Laws~~ 1969 PA 306, MCL 24.201 TO 24.328, to monitor juvenile jus-
23 tice services money and to prescribe child care fund accounting,
24 reporting, and authorization controls and procedures ~~, and~~
25 child care fund expenditure classifications. ~~The office~~ FOR
26 COUNTIES REQUIRED TO HAVE A CHILD CARE FUND, THE DEPARTMENT shall

1 fund services that conform to the child care rules promulgated
2 under this act.

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

7 (A) FOR A COUNTY THAT IS NOT A COUNTY JUVENILE AGENCY, THE
8 amount distributed ~~to each county~~ shall equal 50% of the annual
9 expenditures from the child care fund of the county established
10 ~~in~~ UNDER section 117c, ~~of this act,~~ except that ~~neither~~
11 expenditures ~~made pursuant to~~ UNDER section 117c(3) ~~nor~~ AND
12 expenditures that exceed the amount of a budget approved under
13 section 117c shall NOT be included. A distribution UNDER THIS
14 SUBDIVISION shall not be made to a county ~~which~~ THAT does not
15 comply with the requirements of this act. The ~~office~~
16 DEPARTMENT may reduce the amount distributed to ~~each~~ A county
17 by the amount owed to the state for care received in a state
18 operated facility ~~,~~ OR for care received ~~pursuant to Act~~
19 ~~No. 220 of the Public Acts of 1935, as amended, being sections~~
20 ~~400.201 to 400.214 of the Michigan Compiled Laws, or pursuant to~~
21 UNDER 1935 PA 220, MCL 400.201 TO 400.214, OR UNDER the youth
22 rehabilitation services act, ~~Act No. 150 of the Public Acts of~~
23 ~~1974, being sections 803.301 to 803.309 of the Michigan Compiled~~
24 ~~Laws~~ 1974 PA 150, MCL 803.301 TO 803.309. The distribution may
25 be reduced by the amount of uncontested liability.

26 (B) FOR A COUNTY THAT IS A COUNTY JUVENILE AGENCY, THE
27 COUNTY'S BLOCK GRANT AMOUNT AS DETERMINED UNDER SECTION 117G IN

1 EQUAL DISTRIBUTIONS ON OCTOBER 1, JANUARY 1, APRIL 1, AND JULY 1
2 OF EACH STATE FISCAL YEAR.

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

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

9 (7) ~~(6)~~ A county ~~receiving~~ THAT IS NOT A COUNTY JUVENILE
10 AGENCY AND RECEIVES state funds for in-home or out-of-home care
11 of children shall submit reports to the department at least quar-
12 terly or as THE DEPARTMENT otherwise ~~required by the office~~
13 REQUIRES. The reports shall be submitted on forms provided by
14 the executive director and shall include the number of children
15 receiving foster care services and the number of days of care
16 ~~that were~~ provided.

17 (8) ~~(7)~~ The ~~office~~ DEPARTMENT shall develop a reporting
18 system ~~which shall provide~~ PROVIDING that reimbursement UNDER
19 SUBSECTION (4)(A) shall be made only on submission of billings
20 based on care given to a specific, individual child. The system
21 shall be implemented not later than October 1, 1982.

22 Sec. 117c. (1) The county treasurer is designated as the
23 custodian of all money provided for the use of the county
24 ~~department of social services,~~ FAMILY INDEPENDENCE AGENCY, the
25 ~~juvenile~~ FAMILY division of ~~the probate~~ CIRCUIT court, and
26 the agency designated by the county board of commissioners or,
27 ~~the chief~~ IF A COUNTY HAS A COUNTY executive, ~~officer for~~

1 ~~Wayne county~~ CHIEF ADMINISTRATIVE OFFICER, OR COUNTY MANAGER,
2 THAT INDIVIDUAL to provide juvenile justice services. The COUNTY
3 treasurer shall create and maintain a child care fund. The fol-
4 lowing money shall be deposited in the child care fund:

5 (a) All money raised by the county for the use of the county
6 ~~department of social services~~ FAMILY INDEPENDENCE AGENCY for
7 the foster care of children with respect to whom the ~~juvenile~~
8 FAMILY division of ~~the probate~~ CIRCUIT court has not taken
9 jurisdiction.

10 (b) Money for the foster care of children under the jurisdic-
11 tion of the ~~juvenile~~ FAMILY division of ~~the probate~~
12 CIRCUIT court raised by the county with the view of receiving
13 supplementary funds for this purpose from the state government as
14 provided in section 117a.

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

17 (d) All payments made in respect to support orders issued by
18 the probate court OR FAMILY DIVISION OF CIRCUIT COURT for the
19 reimbursement of government for expenditures made or to be made
20 from the child care fund for the foster care of children.

21 (e) All prepayments and refunds for reimbursement of county
22 ~~departments of social services~~ FAMILY INDEPENDENCE AGENCIES for
23 the foster care of children.

24 (f) All funds made available to the county for the foster
25 care of children from any other source, ~~whatsoever,~~ except
26 gifts that are conditioned on a different disposition or
27 reimbursements of the general fund.

1 (g) Money for the foster care of children under the
2 jurisdiction of the court of general criminal jurisdiction com-
3 mitted to a county facility or a ~~juvenile division of the~~
4 ~~probate~~ court facility FOR JUVENILES in the county in which the
5 court of general criminal jurisdiction is located.

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

10 (2) The child care fund shall be used for the costs of pro-
11 viding foster care for children under sections 18c and 117a and
12 under the jurisdiction of the ~~probate~~ FAMILY DIVISION OF
13 CIRCUIT court ~~and the~~ OR court of general criminal
14 jurisdiction.

15 (3) The child care fund may be used ~~for payment of~~ TO PAY
16 the county's share of the cost of maintaining children at the
17 Michigan children's institute ~~pursuant to Act No. 220 of the~~
18 ~~Public Acts of 1935, as amended, being sections 400.201 to~~
19 ~~400.214 of the Michigan Compiled Laws, or state~~ UNDER 1935 PA
20 220, MCL 400.201 TO 400.214, OR PUBLIC wards ~~pursuant to~~ UNDER
21 the youth rehabilitation services act, ~~Act No. 150 of the Public~~
22 ~~Acts of 1974, being sections 803.301 to 803.309 of the Michigan~~
23 ~~Compiled Laws~~ 1974 PA 150, MCL 803.301 TO 803.309.

24 (4) The account for the child care fund shall be maintained
25 separate and apart from all other accounts of county funds. The
26 fund shall be used exclusively for carrying out the purposes
27 authorized by this act. The county board of commissioners shall

1 distinguish in its appropriations for the child care fund the
2 sums of money to be used by the ~~juvenile~~ FAMILY division of
3 ~~the probate~~ CIRCUIT court, the county ~~department of social~~
4 ~~services~~ FAMILY INDEPENDENCE AGENCY, and the agency designated
5 by the county board of commissioners or the ~~chief~~ COUNTY execu-
6 tive ~~officer for Wayne county~~ to provide juvenile justice
7 services. The COUNTY treasurer shall keep these segregated in
8 proper subaccounts.

9 (5) A county annually shall develop and submit a plan and
10 budget for the funding of foster care services to the office for
11 approval. Funds shall not be distributed under section 117a
12 except for reimbursement of expenditures made ~~pursuant to~~ UNDER
13 an approved plan and budget. The office shall not approve plans
14 and budget ~~which~~ THAT exceed the amount appropriated by the
15 legislature.

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

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

22 SEC. 117G. (1) THE BASE AMOUNT OF THE BLOCK GRANT FOR A
23 COUNTY THAT IS A COUNTY JUVENILE AGENCY EQUALS THE AMOUNT DETER-
24 MINED UNDER SUBDIVISION (A) MINUS THE AMOUNT DETERMINED UNDER
25 SUBDIVISION (B):

26 (A) THE TOTAL OF ALL DISTRIBUTIONS OR EXPENDITURES FROM
27 STATE OR FEDERAL FUNDS FOR THE STATE FISCAL YEAR BEGINNING

1 OCTOBER 1, 1996 FOR THAT COUNTY RELATED TO COUNTY JUVENILE AGENCY
2 SERVICES, INCLUDING THE FOLLOWING:

3 (i) THAT PORTION OF THE DISTRIBUTION TO THE COUNTY UNDER
4 SECTION 117A FOR COUNTY JUVENILE AGENCY SERVICES.

5 (ii) DETENTION AND ASSESSMENT COSTS.

6 (iii) COMMUNITY-BASED PROGRAMS, INCLUDING HALFWAY HOUSE OR
7 DAY TREATMENT.

8 (iv) STAFF COSTS, INCLUDING SALARIES AND FRINGE BENEFITS,
9 FOR ALL EMPLOYEES EMPLOYED TO ADMINISTER OR DELIVER PROGRAMS PRO-
10 VIDING COUNTY JUVENILE AGENCY SERVICES, INCLUDING COUNTY JUVENILE
11 OFFICERS, DELINQUENCY OR SERVICE WORKERS, AND RELATED SUPERVISO-
12 RY, CLERICAL, AND ADMINISTRATIVE STAFF SUPPORT. THE STAFF COSTS
13 OF STATE EMPLOYEES SHALL BE CALCULATED USING STAFF LEVELS ON
14 MARCH 30, 1997 AS THE STAFF LEVELS FOR THE ENTIRE STATE FISCAL
15 YEAR.

16 (v) OPERATIONAL EXPENSES RELATED TO PROGRAMS PROVIDING
17 COUNTY JUVENILE AGENCY SERVICES, INCLUDING SUPPLIES, EQUIPMENT,
18 BUILDINGS, RENT, TRAINING COSTS, AND COSTS OF THE MANAGEMENT
19 INFORMATION SYSTEM.

20 (vi) THE TOTAL COST OF CARE FOR PUBLIC WARDS UNDER THE YOUTH
21 REHABILITATION SERVICES ACT, 1974 PA 150, MCL 803.301 TO
22 803.309.

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

1 (2) FOR THE STATE FISCAL YEAR BEGINNING OCTOBER 1, 1997, THE
2 BASE AMOUNT FOR A COUNTY SHALL BE ADJUSTED BY BOTH MULTIPLIERS
3 CALCULATED UNDER SUBSECTION (3) TO DETERMINE THE BLOCK GRANT
4 AMOUNT FOR THAT STATE FISCAL YEAR. THE BLOCK GRANT AMOUNT FOR
5 EACH SUBSEQUENT STATE FISCAL YEAR IS CALCULATED BY ADJUSTING THE
6 BLOCK GRANT AMOUNT FOR THE PREVIOUS STATE FISCAL YEAR BY THE
7 MULTIPLIERS CALCULATED UNDER SUBSECTION (3).

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

10 (A) THE PERCENTAGE CHANGE IN THE DEPARTMENT'S AVERAGE DAILY
11 REIMBURSEMENT RATE PAID TO VENDORS PROVIDING PLACEMENTS FOR JUVE-
12 NILES FOR THAT STATE FISCAL YEAR FROM THE PREVIOUS STATE FISCAL
13 YEAR.

14 (B) THE PERCENTAGE CHANGE IN THE COUNTY'S JUVENILE POPULA-
15 TION FROM THE COUNTY'S JUVENILE POPULATION FOR THE PREVIOUS
16 FISCAL YEAR AS DETERMINED FROM THE UNITED STATES DECENNIAL CENSUS
17 OR PROJECTIONS BY THE UNITED STATES CENSUS BUREAU. AS USED IN
18 THIS SUBDIVISION, "COUNTY'S JUVENILE POPULATION" MEANS THE NUMBER
19 OF INDIVIDUALS RESIDING IN THE COUNTY WHO ARE 10 OR MORE YEARS OF
20 AGE BUT LESS THAN 18 YEARS OF AGE.

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

24 SEC. 117H. A DEPARTMENT EMPLOYEE WHO IS DISPLACED AS A
25 RESULT OF THE CREATION AND OPERATION OF A COUNTY JUVENILE AGENCY
26 OR A BLOCK GRANT UNDER SECTION 117A TO A COUNTY THAT IS A COUNTY
27 JUVENILE AGENCY AND WHO IS TRANSFERRED TO A NEW POSITION WITHIN

1 THE DEPARTMENT OR ANOTHER STATE DEPARTMENT OR AGENCY SHALL NOT BY
 2 REASON OF THE TRANSFER BE PLACED IN A WORSE POSITION WITH RESPECT
 3 TO WORKER'S COMPENSATION, PENSION, SENIORITY, WAGES, SICK LEAVE,
 4 VACATION, HEALTH AND WELFARE INSURANCE, OR ANY OTHER TERMS OR
 5 CONDITIONS OF EMPLOYMENT THAT HE OR SHE ENJOYED AS A DEPARTMENT
 6 EMPLOYEE IMMEDIATELY BEFORE THE TRANSFER.

7 Enacting section 1. This amendatory act does not take
 8 effect unless the United States department of health and human
 9 services grants part 3 of the family independence agency's waiver
 10 filed under the child welfare demonstration project to permit a
 11 transfer of title IV-E funding from the state to 1 or more coun-
 12 ties and the family independence agency files with the secretary
 13 of state a certification that the necessary waiver was granted.

14 Enacting section 2. This amendatory act does not take
 15 effect unless all of the following bills of the 89th Legislature
 16 are enacted into law:

17 (a) Senate Bill No. _____ or House Bill No. _____ (request
 18 no. 03598'97 *).

19 (b) Senate Bill No. _____ or House Bill No. _____ (request
 20 no. 03598'97 a *).

21 (c) Senate Bill No. _____ or House Bill No. _____ (request
 22 no. 03598'97 b *).

23 (d) Senate Bill No. _____ or House Bill No. _____ (request
 24 no. 03599'97 *).

25 (e) Senate Bill No. _____ or House Bill No. _____ (request
 26 no. 03644'97 *).

1 (f) Senate Bill No. _____ or House Bill No. _____ (request
2 no. 03917'97 *).