

HOUSE BILL No. 4267

February 21, 1989, Introduced by Reps. Hunter, DeMars, Brown, Berman, Ciaramitaro, Joe Young, Jr., Gire, Scott, Honigman, Jondahl, Wallace, Webb, Kilpatrick, Bankes, Stabenow, Saunders, Martin, Leland, Barns and Hollister and referred to the Committee on Social Services and Youth.

A bill to amend the title and sections 1, 2, and 9 of Act No. 214 of the Public Acts of 1963, entitled

"An act to authorize the establishment of regional facilities for the diagnosis and custody of delinquent and neglected minors; powers and duties of board of supervisors and department of social welfare; create board of trustees, powers and duties of; to authorize taxation for such facilities; to provide penalties; and to repeal certain acts and parts of acts,"

section 1 as amended by Act No. 77 of the Public Acts of 1988, being sections 720.651, 720.652, and 720.659 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. The title and sections 1, 2, and 9 of Act
2 No. 214 of the Public Acts of 1963, section 1 as amended by Act
3 No. 77 of the Public Acts of 1988, being sections 720.651,
4 720.652, and 720.659 of the Michigan Compiled Laws, are amended
5 to read as follows:

TITLE

1

2 An act to authorize the establishment of regional facilities
3 for the diagnosis and custody of delinquent and neglected minors;
4 TO PROVIDE FOR THE powers and duties of board of supervisors and
5 ~~department of social welfare;~~ CHILDREN AND FAMILY SERVICES
6 AGENCY; TO create board of trustees, AND THE powers and duties
7 ~~of~~ THEREOF; to authorize taxation for ~~such~~ REGIONAL facili-
8 ties; to provide penalties; and to repeal certain acts and parts
9 of acts.

10 Sec. 1. A county or 2 or more contiguous counties, after
11 approval of the ~~state department of social services~~ CHILDREN
12 AND FAMILY SERVICES AGENCY, may combine together to construct and
13 operate regional facilities for the diagnosis and custody of
14 minors detained under section 14, 15, or 16 of chapter XIIA of
15 Act No. 288 of the Public Acts of 1939, as amended, being sec-
16 tions 712A.14, 712A.15, and 712A.16 of the Michigan Compiled
17 Laws, or under section 27a of chapter IV of the code of criminal
18 procedure, Act No. 175 of the Public Acts of 1927, being section
19 764.27a of the Michigan Compiled Laws.

20 Sec. 2. ~~The board of supervisors of any county or any con-~~
21 ~~tiguous counties, by resolution, may authorize the judge of pro-~~
22 ~~bate of the county or of the contiguous counties to request the~~
23 ~~state department of social welfare to survey the situation and~~
24 ~~determine the need for a detention home in the area, or whenever~~
25 ~~the judge of probate shall be requested, in writing, by 1% but~~
26 ~~not less than 25 electors of the county to initiate proceedings~~
27 ~~for the organization of~~ (1) THE JUDGE OF THE PROBATE COURT OF A

1 COUNTY OR OF CONTIGUOUS COUNTIES IS AUTHORIZED TO REQUEST THE
2 CHILDREN AND FAMILY SERVICES AGENCY TO INVESTIGATE AND DETERMINE
3 THE NEED FOR A DETENTION HOME IN THE COUNTY OR COUNTIES IN EITHER
4 OF THE FOLLOWING CIRCUMSTANCES:

5 (A) THE BOARD OF COMMISSIONERS OF THE COUNTY OR THE BOARDS
6 OF COMMISSIONERS OF THE CONTIGUOUS COUNTIES PASS A RESOLUTION OR
7 RESOLUTIONS REQUESTING THE INVESTIGATION AND DETERMINATION.

8 (B) ONE PERCENT, OR 25 OF THE ELECTORS OF THE COUNTY OR
9 COUNTIES, WHICHEVER IS LESS, REQUESTS THE COURT IN WRITING TO
10 INITIATE PROCEEDINGS TO ORGANIZE the district for the operation
11 of a regional detention home. ~~In either event the judge of pro-~~
12 ~~bate shall be authorized to refer the question to the state~~
13 ~~department of social welfare for its recommendations and approval~~
14 ~~relative to.~~

15 (2) THE CHILDREN AND FAMILY SERVICES AGENCY, IF REQUESTED BY
16 THE COURT UNDER SUBSECTION (1), SHALL DETERMINE ALL OF THE
17 FOLLOWING:

18 (1) The size of the district or number of counties to be
19 served. ~~—~~

20 (2) The size and type of buildings to be erected. ~~—, and—~~

21 (3) The facilities and operating program to be provided in
22 ~~—such—~~ THE home.

23 Sec. 9. The ~~state department of social welfare~~ CHILDREN
24 AND FAMILY SERVICES AGENCY shall supervise and inspect local and
25 regional facilities and places of detention for juveniles for the
26 purpose of obtaining facts ~~in a manner pertaining to~~ CONCERNING
27 the usefulness and proper management of ~~—such—~~ THE facilities AND

1 PLACES OF DETENTION, and in promoting proper, efficient, and
2 humane administration ~~thereof~~ OF THE FACILITIES AND PLACES OF
3 DETENTION, and shall promulgate rules and standards ~~with rela-~~
4 ~~tion thereto~~ CONCERNING THE FACILITIES AND PLACES OF DETENTION.
5 Any reasonable order with respect to such facility may be
6 enforced through mandamus or injunction by the circuit court of
7 the county where the facility is located, through proper proceed-
8 ings instituted by the attorney general on behalf of the
9 ~~department~~ CHILDREN AND FAMILY SERVICES AGENCY. Any superin-
10 tendent or employee of any facility subject to inspection under
11 the provisions of this act ~~—~~ who shall refuse to admit any duly
12 authorized representative of the ~~department of social welfare~~
13 CHILDREN AND FAMILY SERVICES AGENCY for the purpose of visitation
14 and inspection, or who shall refuse or neglect to furnish the
15 information required by the ~~said department,~~ CHILDREN AND
16 FAMILY SERVICES AGENCY or its duly authorized representative ~~—~~
17 shall be guilty of a misdemeanor. The superintendent and staff
18 of each place of detention for juveniles shall keep ~~such~~ THE
19 records with respect to the operation of ~~such~~ THE place of
20 detention as ~~shall be~~ prescribed by the ~~department of social~~
21 ~~welfare~~ CHILDREN AND FAMILY SERVICES AGENCY.

22 Section 2. This amendatory act shall take effect October 1,
23 1990.

24 Section 3. This amendatory act shall not take effect unless
25 all of the following bills of the 85th Legislature are enacted
26 into law:

- 1 (a) Senate Bill No. _____ or House Bill No. 4251 (request
2 no. 00593'89^{*}).
3 (b) Senate Bill No. _____ or House Bill No. 4252 (request
4 no. 00593'89 a).
5 (c) Senate Bill No. _____ or House Bill No. 4253 (request
6 no. 00593'89 b).
7 (d) Senate Bill No. _____ or House Bill No. 4254 (request
8 no. 00593'89 c).
9 (e) Senate Bill No. _____ or House Bill No. 4255 (request
10 no. 00593'89 d).
11 (f) Senate Bill No. _____ or House Bill No. 4256 (request
12 no. 00593'89 e).
13 (g) Senate Bill No. _____ or House Bill No. 4257 (request
14 no. 00593'89 f).
15 (h) Senate Bill No. _____ or House Bill No. 4258 (request
16 no. 00593'89 g).
17 (i) Senate Bill No. _____ or House Bill No. 4259 (request
18 no. 00593'89 h).
19 (j) Senate Bill No. _____ or House Bill No. 4260 (request
20 no. 00593'89 i).
21 (k) Senate Bill No. _____ or House Bill No. 4261 (request
22 no. 00593'89 j).
23 (l) Senate Bill No. _____ or House Bill No. 4262 (request
24 no. 00593'89 k).
25 (m) Senate Bill No. _____ or House Bill No. 4263 (request
26 no. 00593'89 l).

1 (n) Senate Bill No. _____ or House Bill No. 4264 (request
2 no. 00593'89 m).

3 (o) Senate Bill No. _____ or House Bill No. 4265 (request
4 no. 00593'89 n).

5 (p) Senate Bill No. _____ or House Bill No. 4266 (request
6 no. 00593'89 o).

7 (q) Senate Bill No. _____ or House Bill No. 4268 (request
8 no. 00593'89 q).

9 (r) Senate Bill No. _____ or House Bill No. 4269 (request
10 no. 00593'89 r).

11 (s) Senate Bill No. _____ or House Bill No. 4270 (request
12 no. 00593'89 s).