

HOUSE BILL No. 4591

April 10, 1989, Introduced by Reps. Terrell, DeMars, Hunter, Stallworth, Honigman, Bennane, Harrison, Leland, Joe Young, Sr., Kilpatrick, Power, Sikkema, Martin, Bandstra and Clack and referred to the Committee on Judiciary.

A bill to amend sections 55, 115, 115b, 115c, 115d, 115e, 116, 117a, 117c, and 121 of Act No. 280 of the Public Acts of 1939, entitled as amended

"The social welfare act,"

section 55 as amended by Act No. 266 of the Public Acts of 1987, sections 115, 115b, 115d, 117a, and 121 as amended by Act No. 75 of the Public Acts of 1988, and section 117c as amended by Act No. 223 of the Public Acts of 1988, being sections 400.55, 400.115, 400.115b, 400.115c, 400.115d, 400.115e, 400.116, 400.117a, 400.117c, and 400.121 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 55, 115, 115b, 115c, 115d, 115e, 116,
2 117a, 117c, and 121 of Act No. 280 of the Public Acts of 1939,
3 section 55 as amended by Act No. 266 of the Public Acts of 1987,
4 sections 115, 115b, 115d, 117a, and 121 as amended by Act No. 75

1 of the Public Acts of 1988, and section 117c as amended by Act
2 No. 223 of the Public Acts of 1988, being sections 400.55,
3 400.115, 400.115b, 400.115c, 400.115d, 400.115e, 400.116,
4 400.117a, 400.117c, and 400.121 of the Michigan Compiled Laws,
5 are amended to read as follows:

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

8 (a) To grant general assistance, including medical care as
9 defined in this section and care in the county medical care
10 facility, but not including hospitalization and infirmary care
11 except for care in the county medical care facility or a county
12 infirmary existing on January 1, 1981, to any person domiciled in
13 the county who has a legal settlement in this state. General
14 assistance may also be granted to a person who has a legal set-
15 tlement in this state but no domicile in the county and a recoup-
16 ment may be made when appropriate in the manner provided in cases
17 of emergency hospitalization under this act. In a temporary
18 emergency, general assistance may be given to indigents without a
19 settlement in this state as the county department considers nec-
20 essary, including, if other funds are not available for the pur-
21 pose, all necessary expenses in transporting an indigent to his
22 or her domicile in this state, or in another state or nation,
23 when information reasonably tends to show that the person has a
24 home available in his or her place of domicile in this state or a
25 legal residence in another state or nation. A legal settlement
26 in this state is acquired by an emancipated person who has lived
27 continuously in this state for 1 year with the intent to make it

1 his or her home and who, during the 1-year period has not
2 received public assistance, other than assistance received during
3 and as a direct result of a civil defense emergency, or support
4 from relatives. Time spent in a public institution shall not be
5 counted in determining settlement. A legal settlement shall be
6 lost by remaining away from this state for an uninterrupted
7 period of 1 year except that absence from this state for labor or
8 other special or temporary purpose shall not occasion loss of
9 settlement.

10 (b) To administer categorical assistance including medical
11 care.

12 (c) To supervise and be responsible for the operation of the
13 county infirmary and county medical care facility. In a county
14 having a population of 1,000,000 or more which maintains a county
15 infirmary or county hospital or a joint infirmary and hospital
16 providing for mental patients, the institution and the admissions
17 to the institution shall be subject to the control of a board to
18 be known as the board of county institutions. The board shall
19 consist of 5 members appointed by the county board of commission-
20 ers, except that in a county having a board of county auditors, 3
21 members of the board of county institutions shall be appointed by
22 the county board of commissioners and 2 members shall be
23 appointed by the board of county auditors. Each member of the
24 board shall hold office for a term and receive compensation as
25 the county board of commissioners provides by ordinance. In
26 relation to the administration of the institutions the board
27 shall have and succeed to all powers and duties formerly vested

1 by law, general, local or special, in the superintendents of the
2 poor in the county and the board of county institutions as con-
3 stituted on April 13, 1943. The board of county institutions of
4 the county may also maintain outpatient facilities for the treat-
5 ment of needy persons suffering from mental disorders. The board
6 shall also have the same powers as are given to the county board
7 in section 78.

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

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

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

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

21 (h) To investigate, when requested by the ~~probate~~ DOMESTIC
22 RELATIONS court, matters pertaining to dependent, neglected, and
23 delinquent children and wayward minors, under the jurisdiction of
24 the ~~probate~~ DOMESTIC RELATIONS court to provide supervision and
25 foster care as provided by court order, and to furnish the court,
26 on request, investigational service in respect to the
27 hospitalization of children under the program of services for

1 crippled children established under part 58 of the public health
2 code, Act No. 368 of the Public Acts of 1978, being sections
3 333.5801 to 333.5879 of the Michigan Compiled Laws, which serv-
4 ices shall include the follow-up investigation and continuing
5 observations.

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

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

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

1 sections 333.20101 to 333.22181 of the Michigan Compiled Laws, or
2 home and office attendance by a physician, osteopathic physician
3 and surgeon, or podiatrist licensed under article 15 of the
4 public health code, Act No. 368 of the Public Acts of 1978, being
5 sections 333.16101 to 333.18838 of the Michigan Compiled Laws;
6 and when prescribed by the physician, osteopathic physician and
7 surgeon, or podiatrist, diagnostic services requiring the use of
8 equipment not available in his or her offices, if the services do
9 not require overnight care, dental service, optometric service,
10 bedside nursing service in the home, or pharmaceutical service.
11 The private physician-patient relationship shall be maintained.
12 The normal relationships between the recipients of dental, opto-
13 metric, nursing, and pharmaceutical services, and the services
14 furnished by a physician, osteopathic physician and surgeon,
15 podiatrist, or a chiropractor licensed under article 15 of the
16 public health code, Act No. 368 of the Public Acts of 1978, being
17 sections 333.16101 to 333.18838 of the Michigan Compiled Laws,
18 and the persons furnishing these services shall be maintained.
19 This section shall not affect the office of a city physician or
20 city pharmacist established under a city charter, a county health
21 officer, or the medical superintendent of a county hospital.
22 This section shall permit the use of a case management system, a
23 patient care management system, or other alternative system for
24 providing medical care.

25 (1) To cause to be suitably buried the body of a deceased
26 indigent person who has a domicile in the county, when requested

1 by the person's relative or friend, or of a stranger, when
2 requested by a public official following an inquest.

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

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

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

11 Sec. 115. Services to children and youth shall include:

12 (a) Operating training schools, the children's institute,
13 halfway houses, youth camps, diagnostic centers, state operated
14 regional detention facilities, regional short-term treatment cen-
15 ters, group homes, and other facilities and programs established
16 with the approval of the legislature to provide an effective pro-
17 gram of out-of-home care for delinquent or neglected children
18 committed to or placed in the care and custody of the department
19 by ~~probate courts~~ THE DOMESTIC RELATIONS COURT, courts of gen-
20 eral criminal jurisdiction, or, where provided by law, the volun-
21 tary action of parents or guardians.

22 (b) Encouraging and assisting in the development and coordi-
23 nation of new programs as well as the coordination of prevailing
24 programs at all levels of government and with those public and
25 private nonprofit agencies and groups providing care or training
26 or supervision for delinquent and neglected children.

1 (c) Devising and making available a system of supervision
2 for juveniles on conditional release from facilities of the
3 department by establishing departmental programs, or, with the
4 approval of the legislature, by agreement with other units of
5 state, regional, or local government or with private agencies.

6 (d) Administering grants, subsidies, incentive payments, and
7 other fiscal programs authorized by the legislature including:

8 (i) Subsidies or incentives to insure adequate locally-based
9 probation and other social services for children under the juris-
10 diction of the ~~juvenile division of the probate~~ DOMESTIC
11 RELATIONS court.

12 (ii) Cost-sharing programs between the state and county con-
13 cerning children's services, including funding prescribed in sec-
14 tions 117c to 117d.

15 (iii) Allocation of funds budgeted to the department for
16 governmental or private organizations operating delinquency pre-
17 vention programs or projects in accordance with standards estab-
18 lished by the office.

19 (e) Establishing, with the approval of the legislature,
20 training programs for delinquent youth by contract with govern-
21 ment and private agencies. The programs may be conducted through
22 camps established by the department or in cooperation with the
23 department of natural resources or with other organizations.

24 (f) Developing a coordinated system of care for delinquent
25 and neglected children committed to the department. The develop-
26 ment of treatment programs and other centers shall be coordinated

1 with locally-operated programs for treatment, detention, and
2 diagnosis.

3 (g) Gathering and making available statistics and informa-
4 tion about the operation of the various state, regional, and
5 local components of the program of neglect and delinquency serv-
6 ices and presenting the information to the legislature and the
7 public through biennial reports.

8 (h) Conducting, or causing to be conducted, research neces-
9 sary to provide effective and adequate children and youth serv-
10 ices and programs throughout the state.

11 (i) Undertaking special studies regarding the development of
12 intensive probation, new probation methods, and other services
13 specifically aimed at reduction of detention and out-of-home
14 care.

15 (j) Evaluating state statutes, court rules, and funding
16 arrangements related to problems of children and youth and recom-
17 mending proposals for appropriate changes to insure equity in the
18 availability of services and the protection of the rights of
19 children and youth.

20 (k) Assisting the legislature in the evaluation of the plan
21 developed under former Act No. 280 of the Public Acts of 1975.

22 (l) Receiving any donation, grant, or gift of money or prop-
23 erty without obligation to the state for the benefit of its pro-
24 grams or for children placed with or committed to its care. The
25 office, on receipt of the donation, grant, or gift, shall remit
26 it immediately to the state treasury to be credited to the youth
27 services trust fund which is created in the state treasury.

1 (m) Services for children and youth authorized in title IV
2 of the social security act, 42 U.S.C. 601 to 603, 604 to 632,
3 633 to 673, 674 to 679 and in title XX of the social security
4 act, 42 U.S.C. 1397 to 1397e.

5 Sec. 115b. (1) The office shall assume responsibility for
6 all children committed to the state department by the ~~juvenile~~
7 ~~division of the probate~~ DOMESTIC RELATIONS court or the court of
8 general criminal jurisdiction under the youth rehabilitation
9 services act, Act No. 150 of the Public Acts of 1974, being sec-
10 tions 803.301 to 803.309 of the Michigan Compiled Laws; and Act
11 No. 220 of the Public Acts of 1935, as amended, being sections
12 400.201 to 400.214 of the Michigan Compiled Laws. Upon the rec-
13 ommendation of the office, the department may provide institu-
14 tional care, supervision in the community, boarding care, halfway
15 house care, and other children and youth services and programs
16 necessary to meet the needs of those children; or may obtain
17 appropriate services from other state agencies, local public
18 agencies, or private agencies. If the program of another state
19 agency is considered to best serve the needs of the child, the
20 other state agency shall give priority to the child.

21 (2) The department, acting in compliance with policies and
22 standards developed by the office, shall study and act upon a
23 request for service as to, or a report received of, neglect,
24 exploitation, abuse, cruelty, or abandonment of a child by a
25 parent, guardian, custodian, or person serving in loco parentis,
26 or a report concerning a child in need of protection. On the
27 basis of the findings of the study, the department shall assure,

1 where necessary, the provision of appropriate social services to
2 the child, parent, guardian, custodian, or person serving in loco
3 parentis, to reinforce and supplement the parental capabilities,
4 so that the behavior or situation causing the problem is cor-
5 rected or the child is otherwise protected. The department in
6 assuring the provision of services, and in providing the serv-
7 ices, shall encourage participation by other existing governmen-
8 tal units or licensed agencies and may contract with those agen-
9 cies for the purchase of any service within the scope of this
10 subsection. The department shall initiate action in an appropri-
11 ate court if the conduct of a parent, guardian, or custodian
12 requires. The department, in conjunction with the office, shall
13 promulgate rules necessary for implementing the services autho-
14 rized in this subsection. The rules shall include provision for
15 local citizen participation in the program to assure local under-
16 standing, coordination, and cooperative action with other commu-
17 nity resources. In the provision of services, there shall be
18 maximum utilization of other public, private, and voluntary
19 resources available within a community.

20 (3) When an agency or organization proposes to place for
21 adoption, with a person domiciled in this state, a child who is a
22 citizen of or resides in, a country other than the United States
23 or Canada, the department shall conduct, within 180 days after
24 receipt of the request from the agency or organization, the
25 investigation prescribed by section ~~46 of chapter X of Act~~
26 ~~No. 288 of the Public Acts of 1939, being section 710.46~~ 9426 OF
27 THE REVISED JUDICATURE ACT OF 1961, ACT NO. 236 OF THE PUBLIC

1 ACTS OF 1961, BEING SECTION 600.9426 of the Michigan Compiled
2 Laws. In a county where the office determines it to be more fea-
3 sible both geographically and economically, the department may
4 purchase the adoption services up to the actual cost of providing
5 those services. The department shall charge parent fees pre-
6 scribed by the legislature.

7 (4) The office shall be responsible for the development,
8 interpretation, and dissemination of policy regarding departmen-
9 tal investigations requested or ordered by the ~~probate~~ DOMESTIC
10 RELATIONS court under section 55(h) and the provision of foster
11 care services authorized by this act. Foster care services shall
12 include foster care of state wards, aid to dependent children
13 foster care, foster care of wards of the ~~juvenile division of~~
14 ~~the probate~~ DOMESTIC RELATIONS court placed under the care and
15 supervision of the department by order of the court, and volun-
16 tary parental placement of children in foster care.

17 Sec. 115c. The office may approve or disapprove the placing
18 of a child in this state in a family home of persons unrelated to
19 the child by a person not a resident of this state or in any
20 family home of this state by an agency or organization which does
21 not have a place of business in this state. Written approval of
22 the proposed placement shall be obtained from the office. The
23 person, agency, or organization shall furnish the office with
24 necessary information regarding the child and the prospective
25 foster parents and a guaranty required by the office to protect
26 the interests of the county in which the child is to be placed.
27 The information shall be forwarded to the county agency of the

1 county in which the prospective home is located, if the judge of
2 ~~probate~~ THE DOMESTIC RELATIONS COURT has given prior general
3 consent to the procedure, or to the director of a licensed
4 child-placing agency, or to an employee of the department who
5 shall investigate the home. If, in the employee's opinion, the
6 placement should be made, the employee shall file an approval
7 with the office. If the proposed placement is or appears to be
8 planned with a view to an adoption of the child under the law of
9 this state by the family with whom the child is to be placed, the
10 prior approval of the proposed placement by the judge of ~~probate~~
11 ~~of~~ THE DOMESTIC RELATIONS COURT FOR the county of residence of
12 the family is also required. When requested, the office may
13 require supervision of the child in the home until the child is
14 legally adopted or otherwise discharged from care.

15 Sec. 115d. (1) The office shall develop a plan for the
16 establishment, maintenance, and operation of regional facilities
17 to detain children concerning whom an order of detention has been
18 issued under section ~~14, 15, or 16 of chapter XIII A of Act~~
19 ~~No. 288 of the Public Acts of 1939, as amended, being sections~~
20 ~~712A.14 to 712A.16~~ 9624, 9625, AND 9626 OF THE REVISED JUDICA-
21 TURE ACT OF 1961, ACT NO. 236 OF THE PUBLIC ACTS OF 1961, BEING
22 SECTIONS 600.9624 TO 600.9626 of the Michigan Compiled Laws, or
23 section 27a of chapter IV of the code of criminal procedure, Act
24 No. 175 of the Public Acts of 1927, being section 764.27a of the
25 Michigan Compiled Laws. The primary focus of the plan shall be
26 on providing a service network to areas of the state which do not
27 have detention facilities.

1 (2) The plan shall include:

2 (a) An assessment of need for secure detention beds, and a
3 proposal for providing and funding the needed beds.

4 (b) An evaluation of detention alternatives and a proposal
5 for caring for children needing custody while awaiting court
6 hearings.

7 (c) Provisions for a transportation network to serve areas
8 at a distance from secure facilities.

9 (3) The plan shall encourage the use of emergency shelter
10 facilities and alternatives to secure detention where
11 appropriate.

12 (4) The plan shall provide that the county from which an
13 order of detention is issued by the ~~juvenile division of the~~
14 ~~probate~~ DOMESTIC RELATIONS court or the court of general crimi-
15 nal jurisdiction shall be liable to the state for 50% of the cost
16 of care of the child.

17 (5) In formulating the plan, the office shall consult with
18 law enforcement agencies, judges of ~~probate and~~ THE DOMESTIC
19 RELATIONS COURT, judges of courts of general criminal jurisdic-
20 tion, public and private agencies which deal with children's
21 services, and other persons concerned with children and youth
22 services.

23 (6) The plan shall be submitted to the legislature ~~not~~
24 ~~later than March 31, 1979,~~ and shall be revised annually.

25 Sec. 115e. (1) The department, to the extent of funds
26 appropriated for that purpose, may assume the administration and
27 operation or the administration, operation, and facilities of a

1 detention home established as an agency of the ~~probate~~ DOMESTIC
2 RELATIONS court under section ~~16 of chapter 12A~~ 9626 of THE
3 REVISED JUDICATURE ACT OF 1961, Act No. ~~288~~ 236 of the Public
4 Acts of ~~1939~~ 1961, being section ~~712A.16~~ 600.9626 of the
5 Michigan Compiled Laws.

6 (2) The department shall not assume the administration and
7 operation nor the administration, operation, and facilities of a
8 detention home unless an agreement is made with the county board
9 of commissioners and the presiding judge of the ~~probate~~
10 DOMESTIC RELATIONS court to transfer the administration and oper-
11 ation or the administration, operation, and facilities of the
12 detention home to the department.

13 (3) The department may offer persons employed at a detention
14 home transferred pursuant to this section, as of the effective
15 date of the transfer, the opportunity to be employed in the state
16 classified service ~~in accordance with~~ PURSUANT TO procedures
17 established by the ~~Michigan~~ civil service commission.

18 Sec. 116. (1) With respect to ~~juvenile court~~ probation
19 staff OF THE DOMESTIC RELATIONS COURT, the office shall:

20 (a) Develop and recommend to the supreme court standards and
21 qualifications for employment and other criteria designed to
22 develop an adequate career service.

23 (b) Maintain information as to court employment needs and
24 assist in recruitment of qualified personnel.

25 (c) Provide, with legislative approval, a statewide system
26 of preservice and inservice training, which may include full and
27 part-time scholarships.

1 (d) Develop recommendations regarding the functions of the
2 office of county juvenile officer.

3 (2) The office may provide consultation and assistance serv-
4 ices to the juvenile probation service of the ~~probate~~ DOMESTIC
5 RELATIONS court.

6 ~~(3) The office shall develop a plan which permits the vol-~~
7 ~~untary transfer of county juvenile court probation staff to the~~
8 ~~department by the joint concurrence of the county board of com-~~
9 ~~missioners and the presiding judge of the probate court. The~~
10 ~~plan shall include procedures for negotiations between the state,~~
11 ~~as represented by the office, and the affected county board of~~
12 ~~commissioners, the county board of social services, and the pre-~~
13 ~~siding judge of the probate court for that county. The plan~~
14 ~~shall afford persons employed as juvenile court probation staff,~~
15 ~~who are transferred pursuant to the plan, the opportunity to be~~
16 ~~employed in the state classified civil service in compliance with~~
17 ~~procedures established by the Michigan civil service commission.~~
18 ~~The plan shall enable the court to maintain sufficient staff to~~
19 ~~enforce court orders and to perform the preliminary inquiry and~~
20 ~~monitoring of court wards required by chapter 12A of Act No. 288~~
21 ~~of the Public Acts of 1939, as amended, being sections 712A.1 to~~
22 ~~712A.28 of the Michigan Compiled Laws. The plan shall be submit-~~
23 ~~ted to the legislature not later than 18 months after the effec-~~
24 ~~tive date of this subsection.~~

25 Sec. 117a. (1) As used in THIS SECTION AND sections ~~117a-~~
26 to 117B to 117f, "juvenile justice service" means a service,
27 exclusive of judicial functions, provided by a county for

1 juveniles who are within, or are likely to come within, the
2 jurisdiction of the ~~juvenile division of the probate~~ DOMESTIC
3 RELATIONS court under section ~~2 of chapter XIII A of Act No. 288~~
4 ~~of the Public Acts of 1939, as amended, being section 712A.2-~~
5 9602 OF THE REVISED JUDICATURE ACT OF 1961, ACT NO. 236 OF THE
6 PUBLIC ACTS OF 1961, BEING SECTION 600.9602 of the Michigan
7 Compiled Laws, or within the jurisdiction of the court of general
8 criminal jurisdiction under section 606 of the revised judicature
9 act of 1961, Act No. 236 of the Public Acts of 1961, being sec-
10 tion 600.606 of the Michigan Compiled Laws, or section 10a(1)(c)
11 of Act No. 369 of the Public Acts of 1919, being section 725.10a
12 of the Michigan Compiled Laws, if the court of general criminal
13 jurisdiction commits the juvenile to a county or court juvenile
14 facility under section 27a of chapter IV of the code of criminal
15 procedure, Act No. 175 of the Public Acts of 1927, being section
16 764.27a of the Michigan Compiled Laws. A service includes
17 intake, detention, detention alternatives, probation, foster
18 care, diagnostic evaluation and treatment, shelter care, or any
19 other service approved by the office, including preventive,
20 diversionary, or protective care services.

21 (2) A juvenile justice funding system, including a child
22 care fund, is established and shall be administered under the
23 superintending control of the office.

24 (3) The department, in conjunction with the office, shall
25 promulgate rules pursuant to the administrative procedures act of
26 1969, Act No. 306 of the Public Acts of 1969, as amended, being
27 sections 24.201 to 24.328 of the Michigan Compiled Laws, to

1 monitor juvenile justice services money and to prescribe child
2 care fund accounting, reporting, and authorization controls and
3 procedures, and child care fund expenditure classifications. The
4 office shall fund services that conform to the child care rules
5 promulgated under this act.

6 (4) The office shall provide for the distribution of money
7 appropriated by the legislature to counties for the foster care
8 of children. The amount distributed to each county shall equal
9 50% of the annual expenditures from the child care fund of the
10 county established in section 117c, ~~of this act,~~ except that
11 neither expenditures made pursuant to section 117c(3) nor expen-
12 ditures that exceed the amount of a budget approved under section
13 117c shall be included. A distribution shall not be made to a
14 county which does not comply with the requirements of this act.
15 The office may reduce the amount distributed to each county by
16 the amount owed to the state for care received in a state oper-
17 ated facility, for care received 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 pursuant to the youth
20 rehabilitation services act, Act No. 150 of the Public Acts of
21 1974, being sections 803.301 to 803.309 of the Michigan Compiled
22 Laws. The distribution may be reduced by the amount of uncon-
23 tested liability.

24 (5) The office shall establish guidelines for the develop-
25 ment of county juvenile justice service plans.

26 (6) A county receiving state funds for in-home or
27 out-of-home care of children shall submit reports to the

1 department at least quarterly or as otherwise required by the
2 office. The reports shall be submitted on forms provided by the
3 executive director and shall include the number of children
4 receiving foster care services and the number of days of care
5 that were provided.

6 (7) The office shall develop a reporting system which shall
7 provide that reimbursement shall be made only on submission of
8 billings based on care given to a specific, individual child.
9 The system shall be implemented not later than October 1, 1982.

10 Sec. 117c. (1) The county treasurer is designated as the
11 custodian of all money provided for the use of the county depart-
12 ment of social services, the ~~juvenile division of the probate~~
13 DOMESTIC RELATIONS court, and the agency designated by the county
14 board of commissioners or the chief executive officer for Wayne
15 county to provide juvenile justice services. The treasurer shall
16 create and maintain a child care fund. The following money shall
17 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 for the foster care of children
20 with respect to whom the ~~juvenile division of the probate~~
21 DOMESTIC RELATIONS court has not taken jurisdiction.

22 (b) Money for the foster care of children under the juris-
23 diction of the ~~juvenile division of the probate~~ DOMESTIC
24 RELATIONS court raised by the county with the view of receiving
25 supplementary funds for this purpose from the state government as
26 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~~ DOMESTIC RELATIONS court for the reimbursement of
5 government for expenditures made or to be made from the child
6 care fund for the foster care of children.

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

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

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

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

22 (2) The child care fund shall be used for the costs of pro-
23 viding foster care for children under sections 18c and 117a and
24 under the jurisdiction of the ~~probate~~ DOMESTIC RELATIONS court
25 and the court of general criminal jurisdiction.

26 (3) The child care fund may be used for payment of the
27 county's share of the cost of maintaining children at the

1 Michigan children's institute pursuant to Act No. 220 of the
2 Public Acts of 1935, as amended, being sections 400.201 to
3 400.214 of the Michigan Compiled Laws, or state wards pursuant to
4 the youth rehabilitation services act, Act No. 150 of the Public
5 Acts of 1974, being sections 803.301 to 803.309 of the Michigan
6 Compiled Laws.

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

18 (5) A county annually shall develop and submit a plan and
19 budget for the funding of foster care services to the office for
20 approval. Funds shall not be distributed under section 117a
21 except for reimbursement of expenditures made pursuant to an
22 approved plan and budget. The office shall not approve plans and
23 budget which exceed the amount appropriated by the legislature.

24 (6) A county shall make and preserve accurate records of its
25 juvenile justice services and expenditures. Upon the request of
26 the office the information contained in the records shall be
27 available to the office.

1 Sec. 121. (1) The parole and review board shall have the
2 following duties:

3 (a) Be responsible for approval of releases from all youth
4 training school facilities of the department, return to the
5 facilities from release status, and discharge from legal delin-
6 quency commitment, except for youth committed as follows:

7 (i) A youth committed to the department under section
8 ~~18(1)(e) of chapter XIII of Act No. 288 of the Public Acts of~~
9 ~~1939, being section 712A.18~~ 9629 OF THE REVISED JUDICATURE ACT
10 OF 1961, ACT NO. 236 OF THE PUBLIC ACTS OF 1961, BEING
11 SECTION 600.9629 of the Michigan Compiled Laws, for an offense
12 which, if committed by an adult, would be punishable by imprison-
13 ment for more than 1 year or an offense expressly designated by
14 law to be a felony.

15 (ii) A youth committed to the department under section 1 of
16 chapter IX of the code of criminal procedure, Act No. 175 of the
17 Public Acts of 1927, being section 769.1 of the Michigan Compiled
18 Laws.

19 (b) Have other duties and responsibilities as authorized by
20 law or by the director.

21 (2) The state department may be represented in any proceed-
22 ing before the youth parole and review board by a duly authorized
23 employee or agent of the state department.

24 (3) The business which the parole and review board may per-
25 form shall be conducted at a public meeting of the parole and
26 review board held in compliance with the open meetings act, Act
27 No. 267 of the Public Acts of 1976, as amended, being sections

1 15.261 to 15.275 of the Michigan Compiled Laws. Public notice of
2 the time, date, and place of the meeting shall be given in the
3 manner required by Act No. 267 of the Public Acts of 1976, as
4 amended.

5 Section 2. (1) This amendatory act shall take effect
6 January 1, 1990.

7 (2) This amendatory act shall not take effect unless Senate
8 Bill No. _____ or House Bill No. 4567 (request no. 01659'89) of
9 the 85th Legislature is enacted into law.