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BILL ANALYSIS

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Senate Bills 957 through 974

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Sponsor: Senator Connie Binsfeld (Senate Bills 957, 961, 965, 969, and 973)

Senator Christopher D. Dingell (Senate Bills 958, 962, 966, 970, and 974)

Senator Rudy J. Nichols (Senate Bills 959, 963, 967, and 971) Senator Jack Welborn (Senate Bills 960, 964, 968, and 972)

Committee: Criminal Justice, Urban Affairs, and Economic Development

Date Completed: 8-23-88

SUMMARY OF SENATE BILLS 957 through 974 as introduced 7-1-88:

The bills would amend various acts to transfer certain activities from other departments and agencies to the "Department of Children and Youth Services" proposed in Senate Bill 956.

The bills would take effect on October 1, 1988. The bills are tie-barred to one another and to Senate Bill 956, which would take effect on January 1, 1990.

Senate Bill 957

The bill would amend Public Act 220 of 1935, which created and regulates the Michigan Children's Institute, to transfer the Institute from the Social Welfare Commission to the proposed Department of Children and Youth Services. The duties and responsibilities imposed on the Commission by the Act also would be transferred to the proposed Department.

The bill also would delete a provision of the Act that allows a child to be admitted to the Institute by transfer from either the boys' vocational school in Lansing or the girls' training school in Adrian.

MCL 400.202 et al.

Senate Bill 958

The bill would amend Public Act 288 of 1939, which prescribes the powers and duties of the juvenile division of Probate Court, to refer to the proposed Department of Children and Youth Services instead of the Department of Social Services (DSS). The duties and responsibilities of the DSS with respect to adoption procedures, county agents, probation officers, child care homes, and the commitment of juveniles would be transferred to the proposed Department.

MCL 710.22 et al.

Senate Bill 959

The bill would amend the Social Welfare Act to delete the express authority of the DSS with respect to all of the following:

- Inspection of county infirmaries and places of detention for juveniles.
- Licensing and regulation of child care organization.
- Supervision and administration of child caring institutions.
- Investigation of matters pertaining to "dependent, neglected, and delinquent children and wayward minors".
- Development of programs and standards of child welfare.

The above powers and duties would be granted to the proposed Department of Children and Youth Services. The bill also would transfer the powers and duties of the DSS, with respect to foster care of children, to the proposed Department.

MCL 400.14 et al.

Senate Bill 960

The bill would amend Public Act 116 of 1973, which provides for the licensing and regulation of child care organizations, to transfer from the DSS to the proposed Department of Children and Youth Services the responsibility for registering and regulating family day care homes. The proposed Department would assume the DSS's responsibility for "the development of rules for the care and protection" of children in child care organizations, and for the establishment of an ad hoc committee for each type of child care organization when the Department amended or formulated rules. The bill would require that a representative of the DSS be on such a committee.

MCL 722.111 and 722.112

Senate Bill 961

The bill would amend the Mental Health Code to replace references to the DSS with references to the proposed Department of Children and Youth Services, with respect to the hospitalization of minors under the Code.

MCL 330.1498d

Senate Bill 962

The bill would amend the Youth Rehabilitation Services Act to provide for the care of youths committed to the proposed Department of Children and Youth Services. The Act currently provides for commitment to the DSS.

MCL 803.302

Senate Bill 963

The bill would amend Public Act 33 of 1980, which provides for the reimbursement of certain costs of foster parents, to transfer the responsibility for such reimbursements from the DSS to the proposed Department of Children and Youth Services. (The Act authorizes the DSS to reimburse a foster parent for legal costs sustained as a result of an alleged action of a foster child.)

MCL 722.161 and 722.162

Senate Bill 964

The bill would amend the Child Abuse and Neglect

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S.B. 957-974 (8-23-88)

Prevention Act to transfer the State Child Abuse and Neglect Prevention Board to the proposed Department of Children and Youth Services. The board currently is an autonomous agency within the Department of Management and Budget (DMB), operating independently of the DMB; the bill would remove reference to the board's autonomy. The bill also would require that the Board's membership be expanded from 15 members to 16 members in order to add the Director of the proposed Department.

MCL 722.603, 722.604, and 722.610

Senate Bill 965

The bill would amend Public Act 422 of 1984, which created and regulates the foster care review board program within the State Court Administrative Office, to replace references to the DSS with references to the proposed Department of Children and Youth Services. The current roles and responsibilities of the DSS in the review board program would be assumed by the proposed Department, and the roles and responsibilities of county boards of social services would be assumed by county departments of children and youth services.

MCL 722.131 et al.

Senate Bill 966

The bill would amend the Child Protection Law to transfer the DSS's duties and responsibilities relative to the prevention of child abuse and neglect to the proposed Department of Children and Youth Services.

MCL 722.622 and 722.623

Senate Bill 967

The bill would amend the Use Tax Act to replace a reference to the DSS with a reference to the proposed Department of Children and Youth Services. The Act exempts from the use tax a "parent cooperative preschool" licensed by the DSS. The bill would specify such a school licensed by the proposed Department.

MCL 205.94

Senate Bill 968

The bill would amend the General Property Tax Act to replace a reference to the DSS with a reference to the proposed Department of Children and Youth Services. The Act exempts from the general property tax personal property of a "parent cooperative preschool" licensed by the DSS. The bill would specify such a school licensed by the proposed Department.

MCL 211.9

Senate Bill 969

The bill would amend the Single Business Tax Act to replace a reference to the DSS with a reference to the proposed Department of Children and Youth Services. The Act allows a tax credit for employer-paid child care services for the child of an employee enrolled in a facility licensed by the DSS. The bill would specify enrollment in a facility licensed by the proposed Department.

MCL 208.39a

Senate Bill 970

The bill would amend Public Act 541 of 1978, which created and regulates the Commission on Criminal Justice, the Committee on Juvenile Justice, and the Office of Criminal Justice, to delete references to the Committee on Juvenile Justice and duties and responsibilities of the Office of

Criminal Justice with respect to juvenile justice systems and programs.

MCL 18.401 and 18.403

Senate Bill 971

The bill would amend the Code of Criminal Procedure to transfer certain responsibilities of the DSS to the proposed Department of Children and Youth Services. The Code requires the juvenile court to send a transcript of its finding to the DSS when a juvenile is committed. The bill would require the transcript to be sent to the proposed Department. The Code also requires the DSS to "inquire into the antecedents, character, and circumstances of the juvenile" and to "report in writing to the court". The bill would require the proposed Department to assume that responsibility.

MCL 769.1 and 771.14a

Senate Bill 972

The bill would amend Public Act 214 of 1963, which authorizes the establishment of regional facilities for the diagnosis and custody of delinquent and neglected minors, to transfer duties and responsibilities of the DSS to the proposed Department of Children and Youth Services. Under the Act, the DSS is responsible for recommending approval of the establishment of regional facilities and supervising and inspecting such facilities.

MCL 720.651, 720.652, and 720.659

Senate Bill 973

The bill would amend Public Act 84 of 1949, which provides for the transfer of inmates of State institutions and agencies to other institutions and agencies, to replace a reference to the DSS with a reference to the proposed Department of Children and Youth Services. The Act allows transfers for the purpose of treatment or training.

MCL 720.601

Senate Bill 974

The bill would amend the Juvenile Facilities Act to transfer to the proposed Department of Children and Youth Services the DSS's responsibilities relative to facilities to which a juvenile may be committed.

MCL 803.222

Legislative Analyst: P. Affholter

FISCAL IMPACT

Senate Bills 957 through 974 would have no fiscal impact on State or local units of government. The bills are budget-neutral in that they would amend current law by transferring powers, duties, and/or responsibilities to the proposed Department of Children and Youth Services from existing State agencies, departments, or commissions.

Fiscal Analyst: W. Griffith

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.