

Act No. 483  
Public Acts of 1996  
Approved by the Governor  
December 21, 1996  
Filed with the Secretary of State  
December 27, 1996

**STATE OF MICHIGAN  
88TH LEGISLATURE  
REGULAR SESSION OF 1996**

Introduced by Senator Rogers

# **ENROLLED SENATE BILL No. 1028**

AN ACT to amend sections 3 and 10 of Act No. 280 of the Public Acts of 1939, entitled as amended "An act to protect the welfare of the people of this state; to provide general assistance, hospitalization, infirmary and medical care to poor or unfortunate persons; to provide for compliance by this state with the social security act; to provide protection, welfare and services to aged persons, dependent children, the blind, and the permanently and totally disabled; to administer programs and services for the prevention and treatment of delinquency, dependency and neglect of children; to create a state department of social services; to prescribe the powers and duties of the department; to provide for the interstate and intercounty transfer of dependents; to create county and district departments of social services; to create within certain county departments, bureaus of social aid and certain divisions and offices thereunder; to prescribe the powers and duties of the departments, bureaus and officers; to provide for appeals in certain cases; to prescribe the powers and duties of the state department with respect to county and district departments; to prescribe certain duties of certain other state departments, officers, and agencies; to make an appropriation; to prescribe penalties for the violation of the provisions of this act; and to repeal certain parts of this act on specific dates," being sections 400.3 and 400.10 of the Michigan Compiled Laws; and to add section 115n.

*The People of the State of Michigan enact:*

Section 1. Sections 3 and 10 of Act No. 280 of the Public Acts of 1939, being sections 400.3 and 400.10 of the Michigan Compiled Laws, are amended and section 115n is added to read as follows:

Sec. 3. (1) The director of the family independence agency shall be appointed by the governor with the advice and consent of the senate, and shall serve at the pleasure of the governor. The director shall be the executive officer of the family independence agency and shall be responsible to the governor for performing his or her duties.

(2) The director shall receive such salary as shall be appropriated by the legislature, and shall receive actual and necessary traveling and other expenses incurred in the discharge of his or her official duties, to be paid in the same manner as salaries and expenses of other state employees are paid.

(3) Whenever reference is made in this act to the "bureau of social security", or the "state bureau", reference shall be deemed to be intended to be made to the family independence agency.

(4) Whenever reference is made in this act to the "supervisor of the state bureau", reference shall be deemed to be made to the director of the family independence agency.

(5) For counties having a population of 600,000 or less and for all cities regardless of population, whenever reference is made in this act to the "county bureau of social aid", reference shall be deemed to be made to the county or city family independence agency.

Sec. 10. The family independence agency is designated as the state agency to cooperate with the federal government in the administration of the social security act, chapter 531, 49 Stat. 620. The family independence agency may administer the food stamp act of 1977, Public Law 88-525, 7 U.S.C. 2011 to 2012 and 2013 to 2032, and any other law which the governor or the legislature of the state may designate. The family independence agency may cooperate with the proper departments or agencies of the federal government and with all other departments or agencies of the state and local governments, and supervise the administration by local governmental departments or agencies of any plans established by the state in cooperation with the federal government under these provisions and the rules promulgated pursuant thereto. The director shall make reports, in such form and containing such information, required under the social security act, and shall comply with the requirements made to assure the correctness and verification of the reports.

(2) The director, with the approval of the governor, may cooperate with the federal government, or any of its agencies or instrumentalities, in handling the welfare and relief problems and needs of the people of this state, to the extent authorized by the laws of this state.

(3) The director may adopt any plan required or desirable to participate in the distribution of federal moneys or the assistance of the federal government, and may accept on behalf of the state any allotment of federal moneys. The state treasurer may forward state moneys to the federal social security administration for federal administration of the state supplemental program of the social security act in accordance with an agreement pertaining thereto. The director may promulgate rules and the director or his or her designee may enter into any agreement or agreements with federal, state, or local units of government or private agencies necessary to enable the state or such units to participate in any plan the director deems desirable for the welfare of the people of this state.

(4) For the purpose of assuring full federal approval of the activities of the department and local departments with respect to the operation of a plan, the director may do all things reasonable and proper to conform with federal requirements pertaining to methods and standards of administration. In making rules with respect thereto, there shall be included such methods and standards of administration for the conduct of the work of local units, including the necessary supervision thereof, as may be required for the receipt of aid from the federal government.

Sec. 115n. (1) If a juvenile escapes from a facility or residence funded or authorized under this act in which he or she has been placed, other than his or her own home or the home of his or her parent or guardian, the individual at that facility or residence having responsibility for maintaining custody of the juvenile at the time of the escape shall immediately notify 1 of the following of the escape or cause 1 of the following to be immediately notified of the escape:

(a) If the escape occurs in a city, village, or township that has a police department, the police department of that city, village, or township.

(b) Except as provided in subdivision (a), 1 of the following:

(i) The sheriff department of the county in which the escape occurs.

(ii) The department of state police post having jurisdiction over the area in which the escape occurs.

(2) A police agency that receives notification of an escape under subsection (1) shall enter that notification into the law enforcement information network without undue delay.

(3) As used in this section:

(a) "Escape" means to leave without lawful authority or to fail to return to custody when required.

(b) "Juvenile" means 1 or more of the following:

(i) An individual under the jurisdiction of the juvenile division of the probate court or the family division of circuit court under section 2(a)(1) of chapter XIIA of Act No. 288 of the Public Acts of 1939, being section 712A.2 of the Michigan Compiled Laws.

(ii) An individual under the jurisdiction of the circuit court under section 606 of the revised judicature act of 1961, Act No. 236 of the Public Acts of 1961, being section 600.606 of the Michigan Compiled Laws.

(iii) An individual under the jurisdiction of the recorder's court of the city of Detroit under section 10a(1)(c) of Act No. 369 of the Public Acts of 1919, being section 725.10a of the Michigan Compiled Laws.

Section 2. Section 115n of Act No. 280 of the Public Acts of 1939, as added by this amendatory act, shall take effect January 1, 1997.

Section 3. This amendatory act shall not take effect unless all of the following bills of the 88th Legislature are enacted into law:

(a) Senate Bill No. 1026.

(b) Senate Bill No. 1027.

This act is ordered to take immediate effect.

-----  
Secretary of the Senate.

-----  
Clerk of the House of Representatives.

Approved -----

-----  
Governor.