

SENATE BILL NO. 1197

A bill to amend 1987 PA 264, entitled
"Health and safety fund act,"
by amending sections 3 and 5 (MCL 141.473 and 141.475).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3. (1) The health and safety fund is created in the
2 state treasury.

3 (2) The state treasurer shall credit the health and safety
4 fund with deposits of proceeds from the excise tax on cigarettes
5 under section ~~20(4) of Act No. 265 of the Public Acts of 1947,~~
6 ~~being section 205.520 of the Michigan Compiled Laws~~ 12(3)(A) OF
7 THE TOBACCO PRODUCTS TAX ACT, 1993 PA 327, MCL 205.432.

8 Sec. 5. The ~~department of management and budget upon~~
9 ~~authorization by the~~ state treasurer shall cause to be
10 distributed from the health and safety fund the following amounts

1 in the 1988-89 fiscal year and in each fiscal year ~~thereafter~~

2 AFTER THAT:

3 (a) One-fourth of the collections deposited in the fund
4 under section 3(2) shall be used for indigent volume adjusters
5 for hospitals within the medicaid program.

6 (b) After the distribution in subdivision (a),
7 \$16,000,000.00 of the amount deposited in the fund under
8 section 3(2) shall be distributed as follows:

9 (i) To ~~any~~ A county ~~receiving~~ THAT RECEIVED a loan
10 authorized under section 3(2) OR (3) of the emergency municipal
11 loan act, ~~Act No. 243 of the Public Acts of 1980, being section~~
12 ~~141.933 of the Michigan Compiled Laws~~ 1980 PA 243, MCL 141.933,
13 to pay outstanding obligations of the county; ~~for services~~
14 ~~rendered before March 1, 1984 under the resident county hospital-~~
15 ~~ization program, the community mental health shared management~~
16 ~~and state institutions programs, and the state ward charge-back~~
17 ~~program;~~ for the repayment of principal AND INTEREST on any
18 loans made to the county under the emergency municipal loan act,
19 ~~Act No. 243 of the Public Acts of 1980, being sections 141.931~~
20 ~~to 141.942 of the Michigan Compiled Laws~~ 1980 PA 243, MCL
21 141.931 TO 141.942; and for the payment of principal, premium, if
22 any, and interest due during a fiscal year on bonds issued by
23 that county under the fiscal stabilization act, ~~Act No. 80 of~~
24 ~~the Public Acts of 1981, being sections 141.1001 to 141.1011 of~~
25 ~~the Michigan Compiled Laws; or if the county is unable to sell~~
26 ~~bonds under the fiscal stabilization act, Act No. 80 of the~~
27 ~~Public Acts of 1981, for deposit in a county deficit retirement~~

1 ~~fund~~ 1981 PA 80, MCL 141.1001 TO 141.1011. The distributions
2 under this subparagraph shall be made as necessary and only to
3 the extent necessary to satisfy the obligations of the county.

4 (ii) To the extent that \$16,000,000.00 is no longer neces-
5 sary to satisfy the obligations under subparagraph (i), a portion
6 of the amount not required for satisfaction of obligations shall
7 be distributed to each county that receives or has received a
8 loan authorized under section 3(2) OR (3) of the emergency munic-
9 ipal loan act, ~~Act No. 243 of the Public Acts of 1980, being~~
10 ~~section 141.933 of the Michigan Compiled Laws~~ 1980 PA 243, MCL
11 141.933, in an amount determined by multiplying the amount avail-
12 able for distribution under this subparagraph by a fraction, the
13 numerator of which is the population of the county receiving the
14 distribution and the denominator of which is the total population
15 of the state — according to the most recent decennial census.
16 The distribution under this subparagraph shall be made at the
17 same times and shall be used, subject to section 6, for the same
18 purposes described in subdivision (c). The remaining amount
19 available for distribution under this subparagraph shall be used
20 on a per capita basis to offset the cost to the state of the
21 assumption of the financing of the state court system in the
22 counties not receiving a distribution under this subparagraph.

23 (c) The remaining amount deposited in the fund under
24 section 3(2) not distributed under subdivisions (a) and (b) shall
25 be distributed to each county that does not receive and has ~~not~~
26 ~~ever~~ NEVER received a loan authorized under section 3(2) OR (3)
27 of the emergency municipal loan act, ~~Act No. 243 of the Public~~

SB1197, As Passed House, December 9, 1998

S.B. 1197 as amended December 9, 1998

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1 ~~Acts of 1980~~ 1980 PA 243, MCL 141.933, on a per capita basis
2 according to the ratio that the population of the county receiv-
3 ing the distribution under this subdivision, according to the
4 most recent decennial census, bears to the total population of
5 all counties receiving distribution under this subdivision,
6 according to the most recent decennial census. A distribution
7 under this subdivision shall be made each February, May, August,
8 and November from the collections that were deposited in the fund
9 under section 3(2) in the immediately preceding calendar
10 quarter. Subject to section 6, [~~11/17~~ 12/17] of the distribution
11 under
12 this subdivision shall be distributed to each local health
13 department as defined in section 1105 of the public health code,
14 ~~Act No. 368 of the Public Acts of 1978, being section 333.1105~~
15 ~~of the Michigan Compiled Laws~~ 1978 PA 368, MCL 333.1105, in the
16 county receiving the distribution on a per capita basis, based on
17 the most recent decennial census, to be used only for public
18 health prevention programs and services. This distribution is in
19 addition to and is not intended as a replacement for any other
20 state or county payments to these health departments. This dis-
21 tribution ~~shall be considered to satisfy~~ SATISFIES the require-
22 ments of FORMER section 7a(3) of ~~Act No. 265 of the Public Acts~~
23 ~~of 1947, being section 205.507a of the Michigan Compiled Laws~~
24 1947 PA 265. The remaining [5/17] of the distribution shall
25 be used only for ~~the~~ 1 OR MORE OF THE FOLLOWING:
26 (i) THE operation, maintenance, or expansion of an existing
county jail facility or juvenile facility. ~~; for the~~

1 (ii) THE acquisition, construction, and equipping of a new
2 jail facility or juvenile facility. ~~or for court~~

3 (iii) COURT operations.

4 Enacting section 1. This amendatory act does not take
5 effect unless all of the following bills of the 89th Legislature
6 are enacted into law:

7 (a) Senate Bill No. _____ or House Bill No. _____ (request
8 no. S03597'97 **).

9 (b) Senate Bill No. _____ or House Bill No. _____ (request
10 no. S03598'97 **).

11 (c) Senate Bill No. _____ or House Bill No. _____ (request
12 no. S03598'97 a **).

13 (d) Senate Bill No. _____ or House Bill No. _____ (request
14 no. S03598'97 b **).

15 (e) Senate Bill No. _____ or House Bill No. _____ (request
16 no. S03599'97 **).

17 (f) Senate Bill No. _____ or House Bill No. _____ (request
18 no. S03644'97 **).