

HOUSE BILL No. 5339

October 30, 1997, Introduced by Reps. Law, Leland, Hale and Kelly and referred to the Committee on Appropriations.

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~~
7 SECTION 12(4)(A) OF THE TOBACCO PRODUCTS TAX ACT, 1993 PA 327,
8 MCL 205.432.

9 Sec. 5. ~~The department of management and budget upon~~
10 ~~authorization by the~~ THE state treasurer shall cause to be
11 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) of the emergency municipal loan
11 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) of the emergency municipal
9 loan act, ~~Act No. 243 of the Public Acts of 1980, being section~~
10 ~~141.933 of the Michigan Compiled Laws~~ 1980 PA 243, MCL 141.933,
11 in an amount determined by multiplying the amount available for
12 distribution under this subparagraph by a fraction, the numerator
13 of which is the population of the county receiving the distribu-
14 tion and the denominator of which is the total population of the
15 state ~~,~~ according to the most recent decennial census. The
16 distribution under this subparagraph shall be made at the same
17 times and shall be used, subject to section 6, for the same pur-
18 poses described in subdivision (c). The remaining amount avail-
19 able for distribution under this subparagraph shall be used on a
20 per capita basis to offset the cost to the state of the assump-
21 tion of the financing of the state court system in the counties
22 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) of the
27 emergency municipal loan act, ~~Act No. 243 of the Public Acts of~~

1 ~~1980~~ 1980 PA 243, MCL 141.933, on a per capita basis according
 2 to the ratio that the population of the county receiving the dis-
 3 tribution under this subdivision, according to the most recent
 4 decennial census, bears to the total population of all counties
 5 receiving distribution under this subdivision, according to the
 6 most recent decennial census. A distribution under this subdivi-
 7 sion shall be made each February, May, August, and November from
 8 the collections that were deposited in the fund under
 9 section 3(2) in the immediately preceding calendar quarter.
 10 Subject to section 6, 11/17 of the distribution under this subdi-
 11 vision shall be distributed to each local health department as
 12 defined in section 1105 of the public health code, ~~Act No. 368~~
 13 ~~of the Public Acts of 1978, being section 333.1105 of the~~
 14 ~~Michigan Compiled Laws~~ 1978 PA 368, MCL 333.1105, in the county
 15 receiving the distribution on a per capita basis, based on the
 16 most recent decennial census, to be used only for public health
 17 prevention programs and services. This distribution is in addi-
 18 tion to and is not intended as a replacement for any other state
 19 or county payments to these health departments. This distribu-
 20 tion ~~shall be considered to satisfy~~ SATISFIES the requirements
 21 of FORMER section 7a(3) of ~~Act No. 265 of the Public Acts of~~
 22 ~~1947, being section 205.507a of the Michigan Compiled Laws~~ 1947
 23 PA 265. The remaining ~~5/17~~ 6/17 of the distribution shall be
 24 used only for ~~the~~ 1 OR MORE OF THE FOLLOWING:
 25 (i) THE operation, maintenance, or expansion of an existing
 26 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 the United States department of health and human
 6 services grants part 3 of the family independence agency's waiver
 7 filed under the child welfare demonstration project to permit a
 8 transfer of title IV-E funding from the state to 1 or more coun-
 9 ties and the family independence agency files with the secretary
 10 of state a certification that the necessary waiver was granted.

11 Enacting section 2. This amendatory act does not take
 12 effect unless all of the following bills of the 89th Legislature
 13 are enacted into law:

14 (a) Senate Bill No. _____ or House Bill No. _____ (request
 15 no. 03597'97 *).

16 (b) Senate Bill No. _____ or House Bill No. _____ (request
 17 no. 03598'97 *).

18 (c) Senate Bill No. _____ or House Bill No. _____ (request
 19 no. 03598'97 a *).

20 (d) Senate Bill No. _____ or House Bill No. _____ (request
 21 no. 03598'97 b *).

22 (e) Senate Bill No. _____ or House Bill No. _____ (request
 23 no. 03599'97 *).

24 (f) Senate Bill No. _____ or House Bill No. _____ (request
 25 no. 03644'97 *).