

HOUSE BILL No. 5342

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

A bill to amend 1935 PA 220, entitled

"An act to provide family home care for children committed to the care of the state, to create the Michigan children's institute under the control of the Michigan social welfare commission, to prescribe the powers and duties thereof, and to provide penalties for violations of certain provisions of this act,"

by amending section 7 (MCL 400.207), as amended by 1980 PA 306.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 7. (1) The ~~state~~ department ~~of social services~~
2 shall promulgate necessary rules for the maintenance, health,
3 instruction, and training of the children under the control of
4 the Michigan children's institute, ~~—~~ for placing them in homes,
5 ~~—~~ and for their supervision while they remain PUBLIC wards. ~~of~~
6 ~~the state.~~ The liability of a county for the cost of a child's
7 care shall be determined ~~pursuant to Act No. 150 of the Public~~
8 ~~Acts of 1974, being sections 803.301 to 803.309 of the Michigan~~

~~1 Compiled Laws~~ UNDER THE YOUTH REHABILITATION SERVICES ACT, 1974
2 PA 150, MCL 803.301 TO 803.309.

3 (2) The superintendent is the authorized agent of the
4 department to ~~carry out the purposes of~~ IMPLEMENT this act.

5 (3) The superintendent or the department may receive any
6 donation, grant, or personal property for the benefit of the
7 children of the Michigan children's institute. ~~The superinten-~~
8 ~~dent or the department, upon receipt of~~ UPON RECEIVING a dona-
9 tion, grant, or personal property, ~~within 30 days,~~ THE SUPERIN-
10 TENDENT OR THE DEPARTMENT shall remit ~~the same~~ IT WITHIN 30
11 DAYS to the state treasury to be credited to the Michigan
12 children's institute trust fund, which is created in the state
13 treasury. The state treasurer may keep as much of the fund as
14 the treasurer considers advisable invested in United States gov-
15 ernment bonds, notes, bills, certificates, or other obligations,
16 and shall credit the earnings on the investments to the fund.

17 (4) The ~~state~~ department ~~of social services~~ may expend
18 necessary amounts for the purposes of the Michigan children's
19 institute for the care and education of the children during
20 minority or until released as provided in this act. When a part
21 of the trust fund is required by the department for these pur-
22 poses, the superintendent shall obtain ~~the same~~ THOSE FUNDS by
23 requisition.

24 (5) The ~~state~~ department ~~of social services~~ may utilize
25 facilities existing in a county in caring for children and may
26 accept the services of a voluntary organization for the benefit
27 of the children, subject to rules promulgated by the department.

1 The SUPERINTENDENT SHALL ENFORCE THESE rules ~~shall be enforced~~
2 ~~by the superintendent~~ on behalf of the department.

3 (6) An agreement entered into with a person for the care of
4 a child who is a ward of the Michigan children's institute shall
5 provide that the department may cancel the agreement if, in the
6 DEPARTMENT'S opinion, ~~of the department,~~ the interest of the
7 child requires it. If a parent or relative within the third
8 degree of consanguinity or affinity of a child who is a ward of
9 the institute establishes a suitable home and is capable and
10 willing to support the child, the department may restore the
11 child to his or her parent or relative. The institute may assist
12 the parent or relative with the support of the child ~~—~~ if the
13 aid is less than the cost of care ~~that~~ the institute would oth-
14 erwise provide.

15 (7) The department may place and maintain a child under the
16 control of the institute in a licensed boarding home for
17 children. ~~—, and the~~ THE expense of supervision and transporta-
18 tion of the child to the home shall be paid out of money appro-
19 priated to the institute, subject to partial reimbursement by the
20 county liable as provided in this section. The superintendent
21 shall cause an investigation of the condition and suitability of
22 each boarding home to be made ~~—~~ and a report to be made and
23 kept on file at the SUPERINTENDENT'S office. ~~of the~~
24 ~~superintendent.~~ The report shall have the SUPERINTENDENT'S
25 approval ~~of the superintendent~~ before a child of the institute
26 may be placed in the licensed boarding home.

1 Enacting section 1. This amendatory act does not take
2 effect unless the United States department of health and human
3 services grants part 3 of the family independence agency's waiver
4 filed under the child welfare demonstration project to permit a
5 transfer of title IV-E funding from the state to 1 or more coun-
6 ties and the family independence agency files with the secretary
7 of state a certification that the necessary waiver was granted.

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

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

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

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

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

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

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

23 (g) Senate Bill No. _____ or House Bill No. _____ (request
24 no. 03917'97 *).