

**SUBSTITUTE FOR
SENATE BILL NO. 235**

A bill to make appropriations for the family independence agency and certain state purposes related to public welfare services for the fiscal year ending September 30, 2002; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to provide for reports; to provide for the disposition of fees and other income received by the state agency; and to provide for the powers and duties of certain individuals, local governments, and state departments, agencies, and officers.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1

PART 1

2

LINE-ITEM APPROPRIATIONS

3

Sec. 101. Subject to the conditions set forth in this act, the

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amounts listed in this part are appropriated for the family independence

5

agency for the fiscal year ending September 30, 2002, from the funds

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2

For Fiscal Year Ending
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1 indicated in this part. The following is a summary of the appropriations
2 in this part:

3 FAMILY INDEPENDENCE AGENCY

4	Full-time equated classified positions.....	13,499.6	
5	Unclassified positions.....	6.0	
6	Total full-time equated positions.....	13,505.6	
7	GROSS APPROPRIATION.....	\$	3,654,182,200
8	Interdepartmental grant revenues:		
9	Total interdepartmental grants and intradepartmental		
10	transfers.....	\$	965,300
11	ADJUSTED GROSS APPROPRIATION.....	\$	3,653,216,900
12	Federal revenues:		
13	Total federal revenues.....		2,300,793,850
14	Special revenue funds:		
15	Total private revenues.....		9,510,650
16	Total local revenues.....		89,939,400
17	Total other state restricted revenues.....		53,233,900
18	State general fund/general purpose.....	\$	1,199,739,100
19	Sec. 102. EXECUTIVE OPERATIONS		
20	Total full-time equated positions.....	927.3	
21	Full-time equated unclassified positions.....	6.0	
22	Full-time equated classified positions.....	921.3	
23	Other unclassified salaries--6.0 FTE positions.....	\$	502,100
24	Salaries and wages--692.3 FTE positions.....		36,964,600
25	Contractual services, supplies, and materials.....		9,088,600
26	Demonstration projects--13.0 FTE positions.....		7,427,700

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1	End user support.....	9,036,300
2	Computer service fees.....	27,154,100
3	Client services system--25.0 FTE positions.....	24,477,700
4	Data system enhancement--23.0 FTE positions.....	17,853,500
5	Child support automation--28.0 FTE positions.....	102,261,100
6	Child support distribution computer system--8.0 FTE	
7	positions.....	17,150,300
8	Supplemental security income advocates, salaries and	
9	wages--16.0 FTE positions.....	1,047,700
10	Commission on disability concerns--8.0 FTE positions.	952,100
11	Commission for the blind--108.0 FTE positions.....	<u>17,987,700</u>
12	GROSS APPROPRIATION..... \$	271,903,500
13	Appropriated from:	
14	Interdepartmental grant revenues:	
15	IDG-ADP user fees.....	150,000
16	ADJUSTED GROSS APPROPRIATION..... \$	271,753,500
17	Appropriated from:	
18	Federal revenues:	
19	Total federal revenues.....	176,139,400
20	Special revenue funds:	
21	Total private revenues.....	1,840,000
22	Total local revenues.....	475,000
23	Total other state restricted revenue.....	477,300
24	State general fund/general purpose..... \$	92,821,800
25	Sec. 103. FAMILY INDEPENDENCE SERVICES ADMINISTRATION	
26	Full-time equated classified positions.....	438.0

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1	Salaries and wages--299.0 FTE positions.....	\$	14,959,700
2	Contractual services, supplies, and materials.....		5,093,000
3	Child support incentive payments.....		32,409,600
4	Legal support contracts.....		125,896,400
5	State incentive payments.....		4,449,000
6	Employment and training support services.....		13,601,700
7	Project zero--84.0 FTE positions.....		12,087,200
8	Wage employment verification reporting--2.0 FTE		
9	positions.....		3,170,200
10	Urban and rural empowerment/enterprise zones.....		100
11	Training and staff development--53.0 FTE positions...		10,049,600
12	Community services block grant.....		<u>22,400,000</u>
13	GROSS APPROPRIATION.....	\$	244,116,500
14	Appropriated from:		
15	Federal revenues:		
16	Total federal revenues.....		220,850,700
17	Special revenue funds:		
18	Total local revenues - donated.....		340,000
19	State general fund/general purpose.....	\$	22,925,800
20	Sec. 104. CHILD AND FAMILY SERVICES		
21	Full-time equated classified positions.....		104.3
22	Salaries and wages--43.3 FTE positions.....	\$	2,738,600
23	Contractual services, supplies, and materials.....		1,484,100
24	Refugee assistance program--5.0 FTE positions.....		7,400,900
25	Foster care payments.....		186,476,500
26	Wayne County foster care payments.....		124,463,200

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1	Adoption subsidies.....	180,071,300
2	Adoption support services--9.0 FTE positions.....	12,590,700
3	Youth in transition--10.0 FTE positions.....	13,422,600
4	Interstate compact.....	300,000
5	Children's benefit fund donations.....	21,000
6	Domestic violence prevention and treatment--6.0 FTE	
7	positions.....	13,213,800
8	Teenage parent counseling--4.0 FTE positions.....	4,499,800
9	Family preservation and prevention services--20.0 FTE	
10	positions.....	79,015,000
11	Black child and family institute.....	100,000
12	Rape prevention and services.....	2,600,000
13	Children's trust fund administration--7.0 FTE	
14	positions.....	469,900
15	Children's trust fund grants.....	3,615,000
16	Attorney general contracts.....	2,458,700
17	Guardian contract.....	600,000
18	Prosecuting attorney contracts.....	<u>1,061,700</u>
19	GROSS APPROPRIATION.....	\$ 636,602,800
20	Appropriated from:	
21	Federal revenues:	
22	Total federal revenues.....	366,073,000
23	Special revenue funds:	
24	Private-children's benefit fund donations.....	21,000
25	Private-collections.....	5,033,900
26	Local funds - county payback.....	43,069,200

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1	Children's trust fund.....	2,119,700
2	State general fund/general purpose..... \$	220,286,000
3	Sec. 105. JUVENILE JUSTICE SERVICES	
4	Full-time equated classified positions.....1,234.1	
5	Personnel payroll costs--855.4 FTE positions..... \$	54,976,300
6	County juvenile officers.....	3,874,500
7	Child care fund.....	110,900,000
8	Child care fund administration--7.5 FTE positions....	884,000
9	Professional mental health services--33.0 FTE	
10	positions.....	3,318,400
11	Juvenile justice operations.....	15,414,300
12	Community juvenile justice centers--87.5 FTE	
13	positions.....	6,940,000
14	Regional detention and treatment--225.7 FTE positions	15,314,600
15	Federally funded activities--12.0 FTE positions.....	1,860,800
16	W.J. Maxey memorial fund.....	45,000
17	Regional detention services--5.0 FTE positions.....	1,647,600
18	Juvenile accountability incentive block grant--4.0	
19	FTE positions.....	7,741,600
20	Juvenile boot camp program.....	1,600,000
21	Committee on juvenile justice administration--4.0 FTE	
22	positions.....	462,100
23	Committee on juvenile justice grants.....	<u>5,000,000</u>
24	GROSS APPROPRIATION..... \$	229,979,200
25	Appropriated from:	
26	Federal revenues:	

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1	Total federal revenues.....	35,372,100
2	Special revenue funds:	
3	Total private revenues.....	45,000
4	Local funds - county payback.....	45,557,700
5	State general fund/general purpose..... \$	149,004,400
6	Sec. 106. LOCAL OFFICE STAFF AND OPERATIONS	
7	Full-time equated classified positions.....10,161.9	
8	Field staff, salaries and wages--7,184.5 FTE	
9	positions..... \$	299,953,300
10	Children and adult services, salaries and	
11	wages--2,826.9 FTE positions.....	121,892,800
12	Contractual services, supplies, and materials.....	26,678,800
13	Outstationed eligibility workers--60.0 FTE positions.	5,133,600
14	Wayne County gifts and bequests.....	100,000
15	Volunteer services and reimbursement--90.5 FTE	
16	positions.....	<u>7,415,500</u>
17	GROSS APPROPRIATION..... \$	461,174,000
18	Appropriated from:	
19	Federal revenues:	
20	Total federal revenues.....	281,645,700
21	Special revenue funds:	
22	Local funds - donated funds.....	193,100
23	Private funds - hospital contributions.....	2,470,750
24	Private - Wayne County gifts.....	100,000
25	State general fund/general purpose..... \$	176,764,450
26	Sec. 107. DISABILITY DETERMINATION SERVICES	

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1	Full-time equated classified positions.....	628.0	
2	Disability determination operations--	602.0 FTE	
3	positions.....		\$ 70,371,700
4	Medical consultation program--	21.0 FTE positions.....	1,803,600
5	Retirement disability determination--	5.0 FTE	
6	positions.....		<u>624,200</u>
7	GROSS APPROPRIATION.....		\$ 72,799,500
8	Appropriated from:		
9	Interdepartmental grant revenues:		
10	IDG from DMB-office of retirement systems.....		815,300
11	ADJUSTED GROSS APPROPRIATION.....		\$ 71,984,200
12	Appropriated from:		
13	Federal revenues:		
14	Total federal revenues.....		69,795,400
15	State general fund/general purpose.....		\$ 2,188,800
16	Sec. 108. CENTRAL SUPPORT ACCOUNTS		
17	Rent.....		\$ 48,825,500
18	Occupancy charge.....		13,618,600
19	Travel.....		7,880,500
20	Equipment.....		3,052,900
21	Worker's compensation.....		5,247,000
22	Advisory commissions.....		17,900
23	Payroll taxes and fringe benefits.....		<u>174,080,900</u>
24	GROSS APPROPRIATION.....		\$ 252,723,300
25	Appropriated from:		
26	Federal revenues:		

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1	Total federal revenues.....	142,978,150
2	Special revenue funds:	
3	Local funds - county payback.....	304,400
4	State general fund/general purpose..... \$	109,440,750
5	Sec. 109. PUBLIC ASSISTANCE	
6	Full-time equated classified positions.....12.0	
7	Family independence program..... \$	306,700,000
8	Homestead property tax credit for low-income families	27,000,000
9	Transitional work support.....	15,000,000
10	State disability assistance payments.....	20,017,600
11	Food stamp program benefits.....	415,018,300
12	State supplementation.....	60,933,300
13	State supplementation administration.....	2,383,300
14	Low-income home energy assistance program--10.0 FTE	
15	positions.....	67,047,300
16	State emergency relief--2.0 FTE positions.....	42,583,600
17	Weatherization assistance.....	10,900,000
18	Day care services.....	<u>517,300,000</u>
19	GROSS APPROPRIATION..... \$	1,484,883,400
20	Appropriated from:	
21	Federal revenues:	
22	Total federal revenues.....	1,007,939,400
23	Special revenue funds:	
24	Child support collections.....	43,232,100
25	Supplemental security income recoveries.....	5,104,800
26	Public assistance recoupment revenue.....	2,300,000

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1 State general fund/general purpose..... \$ 426,307,100

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PART 2

5

PROVISIONS CONCERNING APPROPRIATIONS

6 GENERAL SECTIONS

7

Sec. 201. Pursuant to section 30 of article IX of the state consti-

8

tution of 1963, total state spending from state resources under part 1

9

for fiscal year 2001-2002 is \$1,252,973,000.00 and state spending from

10

state resources to be paid to local units of government for fiscal year

11

2001-2002 is \$173,938,400.00. The itemized statement below identifies

12

appropriations from which spending to units of local government will

13

occur:

14

FAMILY INDEPENDENCE AGENCY

15

CHILD AND FAMILY SERVICES

16

Adoption subsidies..... \$ 68,906,500

17

JUVENILE JUSTICE SERVICES

18

Child care fund..... 100,900,000

19

County juvenile officers..... 2,973,200

20

PUBLIC ASSISTANCE

21

State disability program..... 1,158,700

22

TOTAL..... \$ 173,938,400

23

Sec. 202. The appropriations authorized under this act are subject

24

to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

25

Sec. 203. As used in this act:

26

(a) "ADP" means automated data processing.

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1 (b) "Department" means the family independence agency.

2 (c) "FTE" means full-time equated.

3 (d) "IDG" means interdepartmental grant.

4 (e) "Temporary assistance for needy families" (TANF) or "title IV"
5 means title IV of the social security act, chapter 531, 49 Stat. 620, 42
6 U.S.C. 601 to 603, 604 to 608, 609 to 619, 620 to 629e, 651 to 655, 656
7 to 660, 663 to 669b, 670 to 673, 673b, 674 to 679, and 679b.

8 (f) "Title IV-A" means part A of title IV of the social security
9 act, chapter 531, 49 Stat. 620, 42 U.S.C. 601 to 604, 605 to 608, and 609
10 to 619.

11 (g) "Title IV-D" means part D of title IV of the social security
12 act, chapter 531, 49 Stat. 620, 42 U.S.C. 651 to 655, 656 to 660, and 663
13 to 669b.

14 (h) "Title IV-E" means part E of title IV of the social security
15 act, chapter 531, 49 Stat. 620, 42 U.S.C. 670 to 673, 673b to 679, and
16 679b.

17 Sec. 204. The department of civil service shall bill departments
18 and agencies at the end of the first fiscal quarter for the 1% charge
19 authorized by section 5 of article XI of the state constitution of 1963.
20 Payments shall be made for the total amount of the billing by the end of
21 the second fiscal quarter.

22 Sec. 205. (1) Beginning October 1, a hiring freeze is imposed on
23 the state classified civil service. State departments and agencies are
24 prohibited from hiring any new full-time state classified civil service
25 employees or filling any vacant state classified civil service
26 positions. This hiring freeze does not apply to internal transfers of
27 classified employees from 1 position to another within a department.

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1 (2) The state budget director shall grant exceptions to this hiring
2 freeze when the state budget director believes that the hiring freeze
3 will result in rendering a state department or agency unable to deliver
4 basic services, cause a loss of revenue to the state, result in the
5 inability of the state to receive federal funds, or would necessitate
6 additional expenditures that exceed any savings from maintaining a
7 vacancy. The state budget director shall report by the thirtieth of each
8 month to the chairpersons of the senate and house appropriations commit-
9 tees and the senate and house fiscal agencies the number of exceptions to
10 the hiring freeze approved during the previous month and the reasons to
11 justify the exception.

12 Sec. 206. (1) In addition to the funds appropriated in part 1,
13 there is appropriated an amount not to exceed \$200,000,000.00 for federal
14 contingency funds. These funds are not available for expenditure until
15 they have been transferred to another line item in this act under
16 section 393(2) of the management and budget act, 1984 PA 431,
17 MCL 18.1393.

18 (2) In addition to the funds appropriated in part 1, there is appro-
19 priated an amount not to exceed \$5,000,000.00 for state restricted con-
20 tingency funds. These funds are not available for expenditure until they
21 have been transferred to another line item in this act under
22 section 393(2) of the management and budget act, 1984 PA 431,
23 MCL 18.1393.

24 (3) In addition to the funds appropriated in part 1, there is appro-
25 priated an amount not to exceed \$20,000,000.00 for local contingency
26 funds. These funds are not available for expenditure until they have

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1 been transferred to another line item in this act under section 393(2) of
2 the management and budget act, 1984 PA 431, MCL 18.1393.

3 (4) In addition to the funds appropriated in part 1, there is appro-
4 priated an amount not to exceed \$20,000,000.00 for private contingency
5 funds. These funds are not available for expenditure until they have
6 been transferred to another line item in this act under section 393(2) of
7 the management and budget act, 1984 PA 431, MCL 18.1393.

8 Sec. 207. At least 60 days before beginning any effort to privati-
9 ze, the department shall submit a complete project plan to the appropri-
10 ate senate and house appropriations subcommittees and the senate and
11 house fiscal agencies. The plan shall include the criteria under which
12 the privatization initiative will be evaluated. The evaluation shall be
13 completed and submitted to the appropriate senate and house standing com-
14 mittees on appropriations and the senate and house fiscal agencies within
15 30 months.

16 Sec. 208. The department shall continue to pilot the use of the
17 Internet to fulfill the reporting requirements of this act. This may
18 include transmission of reports via electronic mail to the recipients
19 identified for each reporting requirement or it may include placement of
20 reports on the Internet or legislative Intranet site. The senate and
21 house appropriations subcommittees and senate and house fiscal agencies
22 shall be notified in writing of the Internet or Intranet site of any such
23 report. Quarterly, the department shall provide a cumulative listing of
24 the reports submitted during the most recent 3-month period along with
25 the Internet or Intranet site of each report, and a list of those reports
26 expected to be transmitted in the following quarter.

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1 Sec. 209. Funds appropriated in part 1 shall not be used for the
2 purchase of foreign goods or services, or both, if competitively priced
3 and of comparable quality American goods or services, or both, are
4 available.

5 Sec. 210. The director of each department receiving appropriations
6 in part 1 shall take all reasonable steps to ensure businesses in
7 deprived and depressed communities compete for and perform contracts to
8 provide services or supplies, or both. Each director shall strongly
9 encourage firms with which the department contracts to subcontract with
10 certified businesses in depressed and deprived communities for services,
11 supplies, or both.

12 Sec. 211. The department may receive and expend advances or reim-
13 bursements from the department of state police for the administration of
14 the individual and family grant disaster assistance program. An account
15 shall be established in the department for this purpose when a disaster
16 is declared. The authorization and allotment for the account shall be in
17 the amount advanced or reimbursed from the department of state police.

18 Sec. 212. In addition to funds appropriated in part 1 for all pro-
19 grams and services, there is appropriated for write-offs of accounts
20 receivable, deferrals, and for prior year obligations in excess of appli-
21 cable prior year appropriations, an amount equal to total write-offs and
22 prior year obligations, but not to exceed amounts available in prior year
23 revenues or current year revenues that are in excess of the authorized
24 amount.

25 Sec. 213. The department may retain all of the state's share of
26 food stamp overissuance collections as an offset to general fund/general
27 purpose costs. Retained collections shall be applied against federal

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1 funds deductions in all appropriation units where department costs
2 related to the investigation and recoupment of food stamp overissuances
3 are incurred. Retained collections in excess of such costs shall be
4 applied against the federal funds deducted in the executive operations
5 appropriation unit.

6 Sec. 214. (1) The department shall submit a report to the chair-
7 persons of the senate and house appropriations subcommittees on the
8 family independence agency budget and to the senate and house fiscal
9 agencies on the details of allocations within program budgeting line
10 items and within the salaries and wages line items in the field services
11 appropriation unit. The report shall include a listing, by account,
12 dollar amount, and fund source, of salaries and wages; longevity and
13 insurance; retirement; contractual services, supplies, and materials;
14 equipment; travel; and grants within each program line item appropriated
15 for the fiscal year ending September 30, 2002.

16 (2) On a bimonthly basis, the department shall report on the number
17 of FTEs in pay status by type of staff.

18 Sec. 215. If a legislative objective of this act or the social wel-
19 fare act, 1939 PA 280, MCL 400.1 to 400.119b, cannot be implemented with-
20 out loss of federal financial participation because implementation would
21 conflict with or violate federal regulations, the department shall notify
22 the house and senate appropriations committees and the house and senate
23 fiscal agencies of that fact. Upon receipt of the notification, a joint
24 house and senate committee made up of the members of the house and senate
25 appropriations subcommittees dealing with appropriations for the family
26 independence agency may be appointed to meet with the director of the
27 department to review the substantive, procedural, and legal ramifications

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1 of the legislative objective and to develop a plan to attain that
2 legislative objective.

3 Sec. 217. The departments and state agencies receiving appropria-
4 tions under this act shall receive and retain copies of all reports
5 funded from appropriations in part 1. These departments and state agen-
6 cies shall follow federal and state guidelines for short-term and
7 long-term retention of these reports and records.

8 Sec. 218. (1) The department shall prepare a semiannual report on
9 the temporary assistance for needy families (TANF) federal block grant.
10 The report shall include projected expenditures for the current fiscal
11 year, an accounting of any previous year funds carried forward, and a
12 summary of all interdepartmental or interagency agreements relating to
13 the use of TANF funds. The report shall be forwarded to the house and
14 senate appropriations subcommittees on the family independence agency
15 budget on or before October 15, 2001 and April 15, 2002.

16 (2) The state budget director shall give prior written notice to the
17 members of the house and senate appropriations subcommittees for the
18 family independence agency and to the house and senate fiscal agencies of
19 any proposed changes in utilization or distribution of TANF funding or
20 the distribution of TANF maintenance of effort spending relative to the
21 amounts reflected in the annual appropriations acts of all state agencies
22 where TANF funding is appropriated.

23 Sec. 219. The department shall include in its quality control
24 reporting the number of veterans receiving food stamps, family indepen-
25 dence program assistance, and Medicaid.

26 Sec. 220. (1) In contracting with faith-based organizations for
27 mentoring or supportive services, and in all contracts for services, the

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1 department shall ensure that no funds provided directly to institutions
2 or organizations to provide services and administer programs shall be
3 used or expended for any sectarian activity, including sectarian worship,
4 instruction, or proselytization.

5 (2) If an individual requests the service and has an objection to
6 the religious character of the institution or organization from which the
7 individual receives or would receive services or assistance, the depart-
8 ment shall provide the individual within a reasonable time after the date
9 of the objection with assistance or services and which are substantially
10 the same as the service the individual would have received from the
11 organization.

12 (3) Notwithstanding subsections (1) and (2), the department shall
13 cooperate with faith-based organizations so that they are able to compete
14 on the same basis as any other private organization for contracts to pro-
15 vide services to recipients of department services, including, but not
16 limited to, mentoring or supportive services. The department shall not
17 discriminate against an organization that applies to become a contractor
18 on the basis that the organization has a religious character.

19 Sec. 221. If the revenue collected by the department from private
20 and local sources exceeds the amount appropriated in part 1, the revenue
21 may be carried forward, with approval from the state budget director,
22 into the subsequent fiscal year.

23 Sec. 222. The department shall provide a report prepared by the
24 department's internal auditor on the activities of the internal auditor
25 for the prior fiscal year. This report shall include a listing of each
26 audit or investigation performed by the internal auditor pursuant to
27 sections 486(4) and 487 of the management and budget act, 1984 PA 431,

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1 MCL 18.1486 and 18.1487. The report shall identify the proportion of
2 time spent on each of the statutory responsibilities listed in
3 sections 485(4), 486(4), and 487 of the management and budget act, 1984
4 PA 431, MCL 18.1485, 18.1486, and 18.1487, and the time spent on all
5 other activities performed in the internal audit function. The report is
6 due biennially on May 1 of the fiscal year and shall be submitted to the
7 governor, auditor general, the senate and house appropriations commit-
8 tees, the senate and house fiscal agencies, and the director.

9 Sec. 223. The department shall make a determination of Medicaid
10 eligibility not later than 60 days after all information to make the
11 determination is received from the applicant when disability is an eligi-
12 bility factor. For all other Medicaid applicants, the department shall
13 make a determination of Medicaid eligibility not later than 45 days after
14 all information to make the determination is received from the
15 applicant.

16 Sec. 224. It is the intent of the legislature that the department
17 develop a system of flexible hours at local department offices in order
18 to maintain some nontraditional business hours.

19 Sec. 225. It is the intent of the legislature that the department
20 institute a process that ensures the negotiations with providers for con-
21 tractual purchase of services are completed prior to the beginning of the
22 fiscal year. This process will include development of agency-wide stan-
23 dards of promptness, establishment of time frames within each program
24 area for completion of contract steps, and prompt notification of avail-
25 ability of funds. The department will also ensure that providers receive
26 full reimbursement for allowable expenditures within 30 days of the end
27 of the first quarter of the contract period.

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1 EXECUTIVE OPERATIONS

2 Sec. 301. The department may distribute cash assistance to recip-
3 ients electronically by using debit cards.

4 Sec. 302. The appropriation in part 1 for the Michigan commission
5 for the blind includes funds for case services. These funds may be used
6 for tuition payments for blind clients for the school year beginning
7 September 2001.

8 Sec. 303. The appropriation in part 1 for commissions and boards
9 may be used for per diem payments to members of commissions or boards for
10 a full day of committee work at which a quorum is present for performing
11 official business as authorized by each respective commission or board.
12 The per diem payment for the Michigan commission for the blind shall be
13 at a rate of \$50.00 per day.

14 FAMILY INDEPENDENCE SERVICES ADMINISTRATION

15 Sec. 401. (1) From the federal money received for child support
16 incentive payments, up to \$4,365,200.00 shall be retained by the state
17 and expended for legal support contracts, state incentive payments, and
18 salaries and wages for office of child support staff.

19 (2) At the end of the current fiscal year, the department may, when
20 it is cost beneficial to the state and counties, withhold from submitting
21 to the federal office of child support administrative expenses eligible
22 for federal financial participation. The department may recoup earned
23 but unclaimed federal funds from the resulting increased federal child
24 support incentive. The recoupment by the department shall be made prior
25 to distribution of the increased incentive to the counties. Any

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1 incentive funds retained by the state under this section shall be
2 separate and apart from incentive funds retained in any other section of
3 this act.

4 (3) The department is authorized to impose financial penalties upon
5 counties under any or all of the following circumstances if the county:

6 (a) Is not in compliance with the child support enforcement memoran-
7 dum of understanding with the department.

8 (b) Fails to implement the child support enforcement system as
9 required by the federal regulations of certification.

10 (c) Refuses to cooperate with the department in its implementation
11 activities.

12 (4) A report on the progress of reaching child support enforcement
13 system federal certification shall be submitted on a quarterly basis to
14 the senate and house appropriation subcommittees on the family indepen-
15 dence agency, the senate and house fiscal agencies, and the state budget
16 director. The report shall include, but not be limited to, the number of
17 counties that have implemented the system, the further steps needed to be
18 taken for system certification by the state and the noncompliant coun-
19 ties, and an update on the anticipated penalties the state shall be
20 required to pay as a result of this and any further delay.

21 (5) In addition to the amount specified in subsection (1), the
22 family independence agency may retain any federal title IV-D incentive
23 payment revenues withheld from counties pursuant to the imposition of
24 financial penalties, and may use the federal revenues retained for any
25 child support program purpose. If action is taken under this section,
26 the department shall include in the report required under subsection (4)

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1 the county, the amount of funds withheld, and the manner in which the
2 funds are now being used.

3 Sec. 403. Not later than September 30 of each year, the department
4 shall submit for public hearing to the chairpersons of the house and
5 senate appropriations subcommittees dealing with appropriations for the
6 family independence agency the proposed use and distribution plan for
7 community services block grant funds appropriated in section 103 for the
8 succeeding fiscal year.

9 Sec. 404. The department shall develop a plan based on recommenda-
10 tions from the department of civil rights, and Indian organizations such
11 as the Michigan urban Indian consortium as the central representative of
12 all human service-oriented off-reservation Indian organizations and the
13 inter-tribal council of Michigan to assure that the community services
14 block grant funds are equitably distributed. The plan must be developed
15 by October 31, 2001, and the plan shall be delivered to the appropria-
16 tions subcommittees on the family independence agency in the house and
17 senate.

18 Sec. 405. The state general fund/general purpose contribution
19 related to the Wayne County third circuit court cooperative reimbursement
20 contract resides in the judiciary budget. There are no general
21 fund/general purpose funds appropriated for this purpose in the family
22 independence agency budget.

23 Sec. 407. From the funds appropriated in part 1 for family preser-
24 vation and prevention services, the department shall contract with
25 Created for Caring for \$112,500.00 in TANF funds for TANF allowable
26 services. The department is authorized to make allocations of TANF funds
27 only to the agencies that report necessary data to the department for the

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1 purpose of meeting TANF eligibility reporting requirements. The use of
2 TANF funds under this section should not be considered an ongoing commit-
3 ment of funding.

4 Sec. 412. If title IV-D-related child support collections are
5 escheated, the state budget director is authorized to adjust the sources
6 of financing for the funds appropriated in part 1 for legal support con-
7 tracts to reduce federal authorization by 66% of the escheated amount and
8 increase general fund/general purpose authorization by the same amount.
9 This budget adjustment is required to offset the loss of federal revenue
10 due to the escheated amount being counted as title IV-D program income in
11 accordance with federal regulations at 45 C.F.R. 304.50.

12 Sec. 413. (1) The department shall develop, implement, and provide
13 a training program to each department employee who is required to perform
14 a field investigation or home visit. The training program shall include
15 both of the following:

16 (a) Mandatory training on defusing threatening behavior.

17 (b) Mandatory training on how to perform a safe investigation or
18 home visit and recognize a potentially dangerous situation.

19 (2) If a department employee who is required to perform a field
20 investigation or home visit has documented a risk that leads to a reason-
21 able apprehension regarding the safety of performing a field investiga-
22 tion or home visit, that employee shall complete the field investigation
23 or home visit with another department employee who has been trained as
24 required in subsection (1) or with a law enforcement officer.

25 Sec. 414. (1) Of the funds appropriated in part 1 for community
26 services block grants, \$3,000,000.00 represents TANF funding earmarked
27 for community action agencies.

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1 (2) From the funds appropriated in part 1 for community services
2 block grants, the department is authorized to make allocations of TANF
3 funds only to the community action agencies that report necessary data to
4 the department for the purpose of meeting TANF eligibility reporting
5 requirements. The use of TANF funds under this section should not be
6 considered an ongoing commitment of funding.

7 **CHILD AND FAMILY SERVICES**

8 Sec. 501. The following goal is established by state law. During
9 the fiscal year ending September 30, 2002, not more than 3,000 children
10 supervised by the department shall remain in foster care longer than 24
11 months. The department shall give priority to reducing the number of
12 children under 1 year of age in foster care.

13 Sec. 502. From the funds appropriated in part 1 for foster care,
14 the department shall provide 50% reimbursement to Indian tribal govern-
15 ments for foster care expenditures for children who are under the juris-
16 diction of Indian tribal courts and who are not otherwise eligible for
17 federal foster care cost sharing.

18 Sec. 503. The department shall continue adoption subsidy payments
19 to families after the eighteenth birthday of an adoptee who meets the
20 following criteria:

21 (a) Has not yet graduated from high school or passed a high school
22 equivalency examination.

23 (b) Is making progress toward completing high school.

24 (c) Has not yet reached his or her twenty-first birthday.

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1 Sec. 504. The department's ability to satisfy appropriation deducts
2 in part 1 for foster care private collections shall not be limited to
3 collections and accruals pertaining to services provided only in the cur-
4 rent fiscal year but shall include revenues collected during the fiscal
5 year in excess of the amount specified in part 1.

6 Sec. 506. (1) In order to promote continuity of service for chil-
7 dren and families, the department shall, to the maximum extent possible,
8 enter into multiyear contracts for child welfare and juvenile justice
9 services.

10 (2) The bid specifications and contract award determinations for
11 child welfare and juvenile justice services shall include criteria rela-
12 tive to provider experience, placing emphasis on total years of
13 experience in providing child welfare and juvenile justice services, pro-
14 vision of services to persons of similar characteristics as the target
15 clientele, quality of prior child welfare and juvenile justice services,
16 length of service in the targeted geographic area, and the adequacy of
17 the provider's plan for coordinating the provision of services in the
18 targeted geographic area.

19 Sec. 508. (1) In addition to the amount appropriated in part 1 for
20 children's trust fund grants, money granted or money received as gifts or
21 donations to the children's trust fund created by 1982 PA 249, MCL 21.171
22 to 21.172, is appropriated for expenditure in an amount not to exceed
23 \$800,000.00.

24 (2) The state child abuse and neglect prevention board may initiate
25 a joint project with another state agency to the extent that the project
26 supports the programmatic goals of both the state child abuse and neglect
27 prevention board and the state agency. The department may invoice the

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1 state agency for shared costs of a joint project in an amount authorized
2 by the state agency, and the state child abuse and neglect prevention
3 board may receive and expend funds for shared costs of a joint project in
4 addition to those authorized by part 1.

5 Sec. 509. (1) From the funds appropriated in part 1, the department
6 shall not expend funds to preserve or reunite a family, unless there is a
7 court order requiring the preservation or reuniting of the family or the
8 court denies the petition, if either of the following would result:

9 (a) A child would be living in the same household with a parent or
10 other adult who has been convicted of criminal sexual conduct against a
11 child.

12 (b) A child would be living in the same household with a parent or
13 other adult against whom there is a substantiated charge of sexual abuse
14 against a child.

15 (2) Notwithstanding subsection (1), this section shall not prohibit
16 counseling or other services provided by the department, if the service
17 is not directed toward influencing the child to remain in an abusive
18 environment, justifying the actions of the abuser, or reuniting the
19 family.

20 Sec. 510. The department shall not be required to put up for bids
21 contracts with service providers if currently only 1 provider in the
22 service area exists.

23 Sec. 512. From the funds appropriated in part 1 for foster care
24 payments, the department may expend up to \$1,500,000.00 for foster care
25 pilot projects that include ways to increase foster parent recruitment,
26 improve foster parent retention, and increase delivery of training and
27 supportive services to foster parents.

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1 Sec. 513. The department shall not expend funds appropriated in
2 part 1 to pay for the placement of a child in an out-of-state facility
3 unless all of the following conditions are met:

4 (a) There is no appropriate placement available in this state.

5 (b) The out-of-state facility meets all of the licensing standards
6 of this state for a comparable facility.

7 (c) The out-of-state facility meets all of the applicable licensing
8 standards of the state in which it is located.

9 (d) The department has done an on-site visit to the out-of-state
10 facility, reviewed the facility records, and reviewed licensing records
11 and reports on the facility and believes that the facility is an appro-
12 priate placement for the child.

13 Sec. 514. The department shall make a comprehensive report concern-
14 ing children's protective services (CPS) to the legislature, including
15 the senate and house policy offices, by January 1, 2002, that shall
16 include all of the following:

17 (a) Statistical information including, at a minimum, all of the
18 following:

19 (i) The total number of reports of abuse or neglect investigated
20 under the child protection law, 1975 PA 238, MCL 722.621 to 722.638, and
21 the number of cases that were substantiated and the number that were
22 unsubstantiated.

23 (ii) Characteristics of perpetrators of abuse or neglect and the
24 child victims, such as age, relationship, socioeconomic status, race, and
25 ethnicity.

26 (iii) The mandatory reporter category in which the individual who
27 made the report fits, or other categorization if the individual is not

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1 within a group required to report under the child protection law, 1975
2 PA 238, MCL 722.621 to 722.638.

3 (b) New policies related to children's protective services includ-
4 ing, but not limited to, major policy changes and court decisions affect-
5 ing the children's protective services system during the immediately pre-
6 ceding 12-month period.

7 Sec. 515. From the funds appropriated in part 1 for foster care
8 payments and related administrative costs, the department may implement
9 the federally approved title IV-E child welfare waiver managed care
10 demonstration project.

11 Sec. 516. The department, with the involvement of private nonprofit
12 agencies providing adoption services for special needs children through
13 contracts with the department, shall prepare an annual report on the
14 status of special needs adoptions and submit the report to the house and
15 senate appropriations subcommittees on the family independence agency
16 budget, the house and senate fiscal agencies, and the house and senate
17 policy offices by June 1, 2002. The report shall include, at a minimum,
18 all of the following:

19 (a) For each private nonprofit agency contract, and in aggregate,
20 the number and percentage of adoptions in each of the payment categories
21 specified in contracts with the department for calendar year 2001.

22 (b) The total number of special needs adoptions completed in the
23 fiscal year ending September 30, 2001.

24 Sec. 517. (1) From the funds appropriated in part 1 for family pre-
25 servation and prevention services, the department is authorized to allo-
26 cate funds to multipurpose collaborative bodies to address issues raised
27 in the Binsfeld children's commission report issued in July 1996.

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1 Priority for activities and services will be given to at-risk children
2 and families in moderate to low-risk cases.

3 (2) From the funds appropriated in part 1 for family preservation
4 and prevention services, up to \$4,000,000.00 may be used to fund
5 community-based collaborative prevention services designed to do any of
6 the following:

7 (a) Foster positive parenting skills especially for parents of chil-
8 dren under 3 years of age.

9 (b) Improve parent/child interaction.

10 (c) Promote access to needed community services.

11 (d) Increase local capacity to serve families at risk.

12 (e) Improve school readiness.

13 (f) Support healthy family environments that discourage alcohol,
14 tobacco, and other drug use.

15 (3) The appropriation provided for in subsection (2) is to fund sec-
16 ondary prevention programs as defined in the children's trust fund's
17 pre-application materials for fiscal year 2001-2002 direct services
18 grants.

19 (4) Projects funded through the appropriation provided for in sub-
20 section (2) shall meet all of the following criteria:

21 (a) Be awarded through a joint request for proposal process estab-
22 lished by the department in conjunction with the children's trust fund
23 and the state human services directors.

24 (b) Be secondary prevention initiatives. Funds are not intended to
25 be expended in cases in which neglect or abuse has been substantiated.

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1 (c) Demonstrate that the planned services are part of a community's
2 integrated comprehensive family support strategy endorsed by the local
3 multipurpose collaborative body.

4 (d) Provide a 25% local match of which not more than 10% is in-kind
5 goods or services unless the maximum percentage is waived by the state
6 human services directors.

7 (5) As used in this section, "state human services directors" means
8 the director of the department of community health, the director of the
9 department of education, and the director of the family independence
10 agency.

11 Sec. 518. (1) It is the intent of the legislature that the funds
12 appropriated in part 1 for family preservation and prevention services in
13 the 2001-2002 fiscal year reflect strong families/safe children alloca-
14 tions to local multipurpose collaborative bodies that are no less than
15 the allocations in effect on April 1, 1997.

16 (2) In order to maintain this level of funding, the department may
17 use up to \$8,000,000.00 in TANF funds provided that the local multipur-
18 pose collaborative bodies submit data to the department that will enable
19 the department to document potential federal claimable expenditures.

20 (3) No later than March 1, 2002, each local multipurpose collaborat-
21 ive body shall submit a report to the department that includes the number
22 of people receiving strong families/safe children services, the local
23 goals for this program, and a measure of the effectiveness in meeting
24 these goals.

25 Sec. 519. From the funds appropriated in part 1 for foster care
26 payments, Wayne County foster care payments, and adoption subsidies, the
27 department shall increase the rate of payments for foster parents, and

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1 parents receiving adoption subsidies by 2% beginning with the first pay
2 period in October 2001, and the department shall increase the rate of
3 payment for child placing agencies and private residential treatment
4 facilities by 5% effective October 2001.

5 Sec. 520. It is the intent of the legislature that the funds appro-
6 priated in part 1 for kinship care in the fiscal year ending
7 September 30, 2002 reflect the legislature's commitment to reduce the
8 benefit discrepancy between kinship care and a similar family size within
9 the family independence agency program (FIP). The legislature recognizes
10 the commitment of relatives to provide family continuity, nurturance, and
11 care for this special population of children who can no longer remain in
12 their parents' care due to abuse, neglect, or other social problems.

13 Sec. 521. The family independence agency expenditures for adoption
14 placement services shall be audited in order to determine the average
15 cost for each type or category of adoptive placement.

16 Sec. 523. From the funds appropriated in part 1 for youth in tran-
17 sition, domestic violence prevention and treatment, and teenage parent
18 counseling, the department is authorized to make allocations of TANF
19 funds only to the agencies that report necessary data to the department
20 for the purpose of meeting TANF eligibility reporting requirements. The
21 use of TANF funds under this section should not be considered an ongoing
22 commitment of funding.

23 Sec. 524. The department shall submit to the senate and house
24 appropriations subcommittees on the family independence agency, the
25 senate and house standing committees having jurisdiction over human serv-
26 ices matters, the senate and house fiscal agencies, and the senate and

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1 house policy offices a quarterly report, beginning April 2, 2001,
2 detailing the status of the prevention services program.

3 PUBLIC ASSISTANCE

4 Sec. 601. (1) The department may terminate a vendor payment for
5 shelter upon written notice from the appropriate local unit of government
6 that a recipient's rental unit is not in compliance with applicable local
7 housing codes or when the landlord is delinquent on property tax
8 payments. A landlord shall be considered to be in compliance with local
9 housing codes when the department receives from the landlord a signed
10 statement stating that the rental unit is in compliance with local hous-
11 ing codes and that statement is not contradicted by the recipient and the
12 local housing authority. The department shall terminate vendor payments
13 if a taxing authority notifies the department that taxes are delinquent.

14 (2) Whenever a client agrees to the release of his or her name and
15 address to the local housing authority, the department shall request from
16 the local housing authority information regarding whether the housing
17 unit for which vendoring has been requested meets applicable local hous-
18 ing codes. Vendoring shall be terminated for those units that the local
19 authority indicates in writing do not meet local housing codes until such
20 time as the local authority indicates in writing that local housing codes
21 have been met.

22 (3) In order to participate in the rent vendoring programs of the
23 department, a landlord shall cooperate in weatherization and conservation
24 efforts directed by the department or by an energy provider participating

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1 in an agreement with the department when the landlord's property has been
2 identified as needing services.

3 Sec. 602. The department, together with other agencies, may estab-
4 lish special projects to provide special needs shelter payment levels for
5 the family independence program that will support the development of
6 transitional shelter facilities for homeless families. These facilities
7 are to provide supportive services to families and to support the devel-
8 opment of permanent low-income housing.

9 Sec. 603. (1) The department, as it determines is appropriate,
10 shall enter into agreements with energy providers by which cash assist-
11 ance recipients and the energy providers agree to permit the department
12 to make direct payments to the energy providers on behalf of the
13 recipient. The payments may include heat and electric payment require-
14 ments from recipient grants and amounts in excess of the payment
15 requirements.

16 (2) The department shall establish caps for natural gas, wood, elec-
17 tric heat service, deliverable fuel heat services, and for electric serv-
18 ice based on available federal funds.

19 (3) The department shall negotiate with positive billing utility
20 companies to develop extended payment plans. Such plans shall allow cli-
21 ents who terminate from positive billing due to increased income to make
22 monthly payments in order to gradually liquidate utility arrears.

23 (4) It is the intent of the legislature that the department review
24 and adjust the standard utility allowance for the state food stamp pro-
25 gram to ensure that it reflects current energy costs in the state.

26 Sec. 604. (1) The department shall operate a state disability
27 assistance program. Except as provided in subsection (3), persons

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1 eligible for this program shall include needy citizens of the United
2 States or aliens exempted from the supplemental security income citizen-
3 ship requirement who are at least 18 years of age or emancipated minors
4 meeting 1 or more of the following requirements:

5 (a) A recipient of supplemental security income, social security, or
6 medical assistance due to disability or 65 years of age or older.

7 (b) A person with a physical or mental impairment which meets fed-
8 eral supplemental security income disability standards, except that the
9 minimum duration of the disability shall be 90 days. Substance abuse
10 alone is not defined as a basis for eligibility.

11 (c) A resident of an adult foster care facility, a home for the
12 aged, a county infirmary, or a substance abuse treatment center.

13 (d) A person receiving 30-day postresidential substance abuse
14 treatment.

15 (e) A person diagnosed as having acquired immunodeficiency
16 syndrome.

17 (f) A person receiving special education services through the local
18 intermediate school district.

19 (g) A caretaker of a disabled person as defined in subdivision (a),
20 (b), (e), or (f) above.

21 (2) Applicants for and recipients of the state disability assistance
22 program shall be considered needy if they:

23 (a) Meet the same asset test as is applied to applicants for the
24 family independence program.

25 (b) Have a monthly budgetable income that is less than the payment
26 standards.

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1 (3) Except for a person described in subsection (1)(c) or (d), a
2 person is not disabled for purposes of this section if his or her drug
3 addiction or alcoholism is a contributing factor material to the determi-
4 nation of disability. "Material to the determination of disability"
5 means that, if the person stopped using drugs or alcohol, his or her
6 remaining physical or mental limitations would not be disabling. If his
7 or her remaining physical or mental limitations would be disabling, then
8 the drug addiction or alcoholism is not material to the determination of
9 disability and the person may receive state disability assistance. Such
10 a person must actively participate in a substance abuse treatment pro-
11 gram, and the assistance must be paid to a third party or through vendor
12 payments. For purposes of this section, substance abuse treatment
13 includes receipt of inpatient or outpatient services or participation in
14 alcoholics anonymous or a similar program.

15 (4) A refugee or asylee who loses his or her eligibility for the
16 federal supplemental security income program by virtue of exceeding the
17 maximum time limit for eligibility as delineated in section 402 of
18 title IV of the personal responsibility and work opportunity reconcilia-
19 tion act of 1996, Public Law 104-193, 8 U.S.C. 1612, and who otherwise
20 meets the eligibility criteria under this section shall be eligible to
21 receive benefits under the state disability assistance program.

22 Sec. 605. The level of reimbursement provided to state disability
23 assistance recipients in licensed adult foster care facilities shall be
24 the same as the prevailing supplemental security income rate under the
25 personal care category.

26 Sec. 606. County family independence agencies shall require each
27 recipient of state disability assistance who has applied with the social

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1 security administration for supplemental security income to sign a
2 contract to repay any assistance rendered through the state disability
3 assistance program upon receipt of retroactive supplemental security
4 income benefits.

5 Sec. 607. The department's ability to satisfy appropriation deduc-
6 tions in part 1 for state disability assistance/supplemental security
7 income recoveries and public assistance recoupment revenues shall not be
8 limited to recoveries and accruals pertaining to state disability assist-
9 ance, or family independence assistance grant payments provided only in
10 the current fiscal year, but shall include all related net recoveries
11 received during the current fiscal year.

12 Sec. 608. Adult foster care facilities providing domiciliary care
13 or personal care to residents receiving supplemental security income or
14 homes for the aged serving residents receiving supplemental security
15 income shall not require those residents to reimburse the home or facil-
16 ity for care at rates in excess of those legislatively authorized. To
17 the extent permitted by federal law, adult foster care facilities and
18 homes for the aged serving residents receiving supplemental security
19 income shall not be prohibited from accepting third-party payments in
20 addition to supplemental security income provided that the payments are
21 not for food, clothing, shelter, or result in a reduction in the
22 recipient's supplemental security income payment.

23 Sec. 609. The state supplementation level under the supplemental
24 security income program for the personal care/adult foster care and home
25 for the aged categories shall not be reduced during the fiscal year
26 beginning October 1, 2001 and ending September 30, 2002.

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1 Sec. 610. In developing good cause criteria for the state emergency
2 relief program, the department shall grant exemptions if the emergency
3 resulted from unexpected expenses related to maintaining or securing
4 employment.

5 Sec. 611. (1) The department shall not require providers of burial
6 services to accept state payment for indigent burials as payments in
7 full. Providers shall be permitted to collect additional payment, not to
8 exceed \$2,300.00, from relatives or other persons on behalf of the
9 deceased.

10 (2) Any additional payment collected pursuant to subsection (1)
11 shall not increase the maximum charge limit for state payment as estab-
12 lished by law.

13 Sec. 612. For purposes of determining housing affordability eligi-
14 bility for state emergency relief, a group is considered to have suffi-
15 cient income to meet ongoing housing expenses if their total housing
16 obligation does not exceed 75% of their total net income.

17 Sec. 613. From the funds appropriated in part 1 for state emergency
18 relief, the maximum allowable charge limit for indigent burials shall be
19 \$1,460.00. It is the intent of the legislature that this charge limit
20 reflect a maximum payment to funeral directors of \$910.00 for funeral
21 goods and services and a maximum payment to cemeteries or crematoriums of
22 \$350.00 for cemetery goods and services. In addition, a maximum payment
23 of \$200.00 shall be distributed to either the funeral director or ceme-
24 tery, whoever provides the burial vault.

25 Sec. 614. The funds available pursuant to this section shall be
26 available if the deceased was an eligible recipient and an application
27 for emergency relief funds was made within 10 days of the burial or

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1 cremation of the deceased person. Each provider of burial services shall
2 be paid directly by the department.

3 Sec. 615. Except as required by federal law or regulations, funds
4 appropriated in part 1 shall not be used to provide public assistance to
5 a person who is an illegal alien. This section shall not prohibit the
6 department from entering into contracts with food banks or emergency
7 shelter providers who may, as a normal part of doing business, provide
8 food or emergency shelter to individuals.

9 Sec. 616. (1) The appropriation in part 1 for the weatherization
10 program shall be expended in such a manner that at least 25% of the
11 households weatherized under the program shall be households of families
12 receiving family independence assistance, state disability assistance,
13 food stamps, or supplemental security income.

14 (2) Any unencumbered balances of the weatherization program shall
15 not lapse and may be carried forward to fiscal year 2003.

16 Sec. 617. In operating the family independence program with funds
17 appropriated in part 1, the department shall not approve as a minor
18 parent's adult supervised household a living arrangement in which the
19 minor parent lives with his or her partner as the supervising adult.

20 Sec. 618. (1) Except as otherwise provided in subsection (2), the
21 department shall provide not less than 10 days' notice before reducing,
22 terminating, or suspending assistance provided under the social welfare
23 act, 1939 PA 280, MCL 400.1 to 400.119b.

24 (2) The department may only reduce, terminate, or suspend assistance
25 provided under the social welfare act, 1939 PA 280, MCL 400.1 to
26 400.119b, without prior notice in 1 or more of the following situations:

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1 (a) The only eligible recipient has died.

2 (b) A recipient member of a program group or family independence
3 assistance group has died.

4 (c) A recipient child is removed from his or her family home by
5 court action.

6 (d) A recipient requests in writing that his or her assistance be
7 reduced, terminated, or suspended.

8 (e) A recipient has intentionally violated 1 or more of the require-
9 ments of the social welfare act, 1939 PA 280, MCL 400.1 to 400.119b.

10 (f) A recipient has been approved to receive assistance in another
11 state.

12 (g) A change in either state or federal law that requires automatic
13 grant adjustments for classes of recipients.

14 (3) If a recipient appeals the department's determination to reduce,
15 terminate, or suspend his or her assistance within 10 days from the mail-
16 ing of the notice of negative action, the department shall not reduce,
17 terminate, or suspend that assistance until there is a final determina-
18 tion of that appeal upholding the department's determination to reduce,
19 terminate, or suspend that assistance.

20 Sec. 619. The department shall exempt from the denial of title IV-A
21 assistance and food stamp benefits, contained in section 115 of title I
22 of the personal responsibility and work opportunity reconciliation act of
23 1996, Public Law 104-193, 21 U.S.C. 862a, any individual who has been
24 convicted of a felony that included the possession, use, or distribution
25 of a controlled substance, after August 22, 1996, provided that the indi-
26 vidual is not in violation of his or her probation or parole

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1 requirements. Benefits shall be provided to such individuals as
2 follows:

3 (a) A third-party payee or vendor shall be required for any cash
4 benefits provided.

5 (b) An authorized representative shall be required for food stamp
6 receipt.

7 Sec. 620. (1) The department shall ensure that all family indepen-
8 dence agency clients are informed in writing of additional programs for
9 which they may potentially be eligible. Notification of programs should
10 at a minimum include information on transitional Medicaid, LIF Medicaid,
11 Healthy Kids, and MIChild, transitional child day care services, extended
12 payment plans with positive billing utility companies as negotiated under
13 section 603(3) of this act including emergency assistance with utility
14 arrearages, tax credits available to low-income households, opportunities
15 for skills development, training and education, training programs admin-
16 istered by the department of career development, individual development
17 account opportunities, and instructions on the application process for
18 each program benefit.

19 (2) At the client's discretion, the department shall grant an exit
20 interview to discuss issues pertaining to self-sufficiency including all
21 of the information outlined in subsection (1). Clients shall be notified
22 of their right to an exit interview.

23 Sec. 621. Funds appropriated in part 1 may be used to support mul-
24 ticultural assimilation and support services. The department shall dis-
25 tribute all of the funds described in this section based on assessed com-
26 munity needs.

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1 Sec. 624. The department shall maintain a plan to provide for the
2 implementation of individual development accounts pursuant to section 57k
3 of the social welfare act, 1939 PA 280, MCL 400.57k, by individuals who
4 apply for or receive public assistance from the department.

5 Sec. 625. The department in collaboration with the Michigan state
6 university center for urban affairs and its partner organizations, the
7 Michigan credit union league and the national federation of community
8 development credit unions, shall further the work begun in fiscal year
9 1999-2000 that implemented the individual development accounts programs
10 in the growing number of low-income designated credit unions, i.e., com-
11 munity development credit unions (CDCUs) located in this state's poorest
12 communities. This further work will extend capacity-building and techni-
13 cal assistance services to existing and emerging CDCUs serving low-income
14 populations and will include:

15 (a) Creation of a Michigan-based support system for the
16 capacity-building of existing and emerging CDCUs serving low-income indi-
17 viduals and families, including development and testing of training,
18 technical assistance, and professional development initiatives and
19 related materials, and other capacity-building services to Michigan
20 CDCUs.

21 (b) Other related support to assist existing and emerging CDCUs in
22 becoming self-supporting institutions to assist impoverished Michigan
23 residents in becoming economically independent.

24 (c) Training and technical assistance to CDCUs in the development of
25 support services, such as economic literacy, credit counseling, budget
26 counseling, and asset management programs for low-income individuals and
27 families.

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1 Sec. 630. (1) The department and the department of career
2 development shall continue to collaborate on refining and making avail-
3 able to work first participants clear joint guidelines on the eligibility
4 of participants for postemployment training support and on how
5 training/education hours can be applied toward federal work participation
6 requirements. These guidelines shall balance the ability of participants
7 to obtain training and subsequent long-term, high-wage employment with
8 the need to connect participants with the workplace. Any and all
9 training/education, with the exception of [REDACTED]
10 [REDACTED] high school completion, and GED
11 preparation, must be occupationally relevant and in demand in the labor
12 market as determined by the workforce development board. Participants
13 must make satisfactory progress while in training/education. The depart-
14 ment shall submit a progress report on these continuing efforts to the
15 house and senate appropriations subcommittees with jurisdiction over the
16 department and over the department of career development and to the house
17 and senate fiscal agencies by October 1, 2001.

18 (2) Work first participants may meet the work participation require-
19 ment by combining a minimum of 10 hours per week of work with
20 training/education. Training/education may last up to 12 [REDACTED]
21 [REDACTED] months and the calculated hours may include actual class-
22 room seat time up to 10 hours per week plus up to 1 hour of study time
23 for each hour of classroom seat time. The combined work and
24 training/education hours must equal the minimum number of hours required
25 to meet the federal work participation requirements, 30 hours per week
26 for a single parent, 35 hours per week for 2-parent families (55 hours if
27 utilizing federally funded day care), and 20 hours per week for single

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1 parents with a child under the age of 6. Work first participants may
2 enroll in additional hours of classroom seat time beyond 10 hours.
3 However, these hours and the related study time will not count toward the
4 work participation requirements. The training may be no longer than a
5 1-year program, or the final year of a 2- or 4-year undergraduate program
6 that is designed to lead to immediate labor force attachment.

7 (3) Work first participants may meet the federal work participation
8 requirement through enrollment in a short-term vocational program requir-
9 ing 30 hours of classroom seat time per week for a period not to exceed 6
10 months, or by enrollment in full-time internships, practicums, or clini-
11 cals required by an academic or training institution for licensure, pro-
12 fessional certification, or degree completion, without additional work
13 requirements. Two-parent families who receive federally funded day care
14 must work an additional 25 hours per week to meet the federal work par-
15 ticipation requirement. In cases where a short-term vocational program
16 lasts less than 6 months, the participant shall be eligible to enroll in
17 1 additional short-term vocational program for a combined period not to
18 exceed a total of 6 months.

19 (4) Work first participants who lack a high school diploma or GED
20 and who enroll in high school completion or classes to obtain a GED may
21 count up to 10 hours of classroom seat time, combined with a minimum
22 number of hours of work per week, to meet their federal work participa-
23 tion requirement. There shall be no time limit on high school
24 completion. GED preparation shall be limited to 6 months.

25 (5) The department and the department of career development shall
26 develop a procedure to ensure that the guidelines established under this
27 section are effectively communicated to all possible participants of the

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1 postemployment training and education program, including the provision of
2 outreach activities in community colleges.

3 Sec. 631. The department shall maintain policies and procedures to
4 achieve all of the following:

5 (a) The identification of individuals on entry into the system who
6 have a history of domestic violence, while maintaining the confidential-
7 ity of that information.

8 (b) Referral of persons so identified to counseling and supportive
9 services.

10 (c) In accordance with a determination of good cause, the waiving of
11 certain requirements of family independence programs where compliance
12 with those requirements would make it more difficult for the individual
13 to escape domestic violence or would unfairly penalize individuals who
14 have been victims of domestic violence or who are at risk of further
15 domestic violence.

16 Sec. 632. The department shall calculate the food stamp allotment
17 for applicants who are United States citizens and who live in a household
18 with legal immigrants in a manner that maximizes the food stamps avail-
19 able to these United States citizens under federal law.

20 Sec. 634. (1) From the funds appropriated in part 1 for the family
21 independence program, the family independence agency shall expend up to
22 \$250,000.00 to develop and fund a parenting skills and career development
23 pilot program that meets all of the following criteria:

24 (a) Identification of single parents eligible for cash assistance
25 having children up to 3 years old.

26 (b) Referral of persons identified under subdivision (a) to a local
27 collaborative program responsible for the development and supervision of

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1 a comprehensive parenting skills and career development plan for each
2 referred client.

3 (c) Each referred client shall participate in 20 hours a week of
4 parenting skills training that is a formal professional program with
5 either a trainer or facilitator and career development activities as
6 detailed in his or her comprehensive plan and monitored by the local col-
7 laborative program.

8 (d) Participation in the above activities for the hours specified
9 would satisfy cash assistance work requirements.

10 (e) The program must not place the state of Michigan in violation of
11 work requirements as defined in the personal responsibility and work
12 opportunity reconciliation act of 1996, Public Law 104-193, 110
13 Stat. 2105.

14 (2) The local collaborative program shall provide the department
15 with a report not later than September 30, 2001 that includes all of the
16 following:

17 (a) The number of participants served.

18 (b) The family size of participants served.

19 (c) Participants' rate of compliance with their comprehensive
20 plans.

21 (d) The number of participants attending postsecondary education or
22 vocational training programs.

23 (e) Parenting skills training outcomes.

24 (f) The number of participants working at the time the report is
25 completed.

26 (g) The average cost per participant of the program.

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1 (h) Any other information that the department considers relevant.

2 Sec. 635. Within 6 business days of receiving all information
3 necessary to process an application for payments for child day care, the
4 family independence agency shall determine whether the child day care
5 provider to whom the payments, if approved, would be made, is listed on
6 the child abuse and neglect central registry. If the provider is listed
7 on the central registry, the family independence agency shall immediately
8 send written notice denying the applicant's request for child day care
9 payments.

10 Sec. 636. The department shall submit a report to the house and
11 senate appropriations committees and the house and senate standing com-
12 mittees having jurisdiction over human services matters by March 1, 2002
13 on the subject of late payments to child day care providers for the year
14 of 2001. The report shall include the reasons for any late payments made
15 to providers.

16 Sec. 640. From the funds appropriated in part 1 for day care serv-
17 ices, the family independence agency shall expend up to \$8,000,000.00 to
18 provide infant and toddler incentive payments to child day care providers
19 serving children from 0 to 2-1/2 years of age. The use of the funds
20 under this section should not be considered an ongoing commitment of
21 funding.

22 Sec. 643. As a condition of receipt of federal TANF funds, homeless
23 shelters shall collaborate with the family independence agency to obtain
24 necessary TANF eligibility information on families as soon as possible
25 after admitting a family to the homeless shelter. From the funds appro-
26 priated in part 1 for homeless shelters within state emergency relief,
27 the department is authorized to make allocations of TANF funds only to

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1 the agencies that report necessary data to the department for the purpose
2 of meeting TANF eligibility reporting requirements. Homeless shelters
3 that do not report necessary data to the department for the purpose of
4 meeting TANF eligibility reporting requirements will not receive reim-
5 bursements which exceed the per diem amount they received in fiscal year
6 2000. The use of TANF funds under this section should not be considered
7 an ongoing commitment of funding.

8 Sec. 644. Effective October 1, 2001, from the funds in part 1 for
9 public assistance, the department shall increase the lifetime limit for
10 non-energy-related home repairs to \$1,750.00.

11 Sec. 645. An individual or family is considered homeless, for pur-
12 poses of eligibility for state emergency relief, if living temporarily
13 with others in order to escape domestic violence. For purposes of this
14 section, domestic violence is defined and verified in the same manner as
15 in the family independence agency's policies on good cause for not coop-
16 erating with child support and paternity requirements.

17 Sec. 646. From the funds appropriated in part 1, the department
18 shall not expend more than \$27,000,000.00 of federal TANF funding for
19 payment of homestead property tax credits for low-income families.

20 Sec. 648. From the funds appropriated in part 1 for assistance pay-
21 ments, the department shall continue to make assistance payments to
22 recipients beyond the federal 5-year limit set under the personal respon-
23 sibility and work opportunity reconciliation act of 1996, Public Law
24 104-193, 110 Stat. 2105, providing the recipient is complying with asset,
25 income, and participation standards set as a condition of eligibility to
26 receive assistance.

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1 Sec. 653. From the funds appropriated in part 1 for food stamps, an
2 individual who is the victim of domestic violence and does not qualify
3 for any other exemption may be exempt from the 3-month in 36-month limit
4 on receiving food stamps under section 6(o)(6) of the food stamp act of
5 1977, Public Law 88-525, 7 U.S.C. 2015. This exemption can be extended
6 an additional 3 months upon demonstration of continuing need.

7 Sec. 656. Funds appropriated under this act shall not be used to
8 pay for the purchase, installation, repair, or maintenance of any
9 air-conditioning unit or equipment unless either of the following condi-
10 tions is met:

11 (a) The recipient requesting the payment provides to the department
12 a certificate from a physician stating that the air-conditioning is medi-
13 cally required.

14 (b) The recipient is 55 years of age or older.

15 Sec. 657. (1) The department shall continue to offer quality
16 before- or after-school programs that provide youth with a safe, engaging
17 environment to motivate and inspire learning outside the traditional
18 classroom setting. Before-school programs are limited to elementary
19 school-aged children. Effective before- or after-school programs combine
20 academic, enrichment, and recreation activities to guide learning and
21 inspire children and youth in various activities. The before- or
22 after-school programs can meet the needs of the communities served by the
23 programs.

24 (2) The department shall work in collaboration with independent con-
25 tractors to put into practice a pilot program establishing quality
26 before- or after-school programs for children in kindergarten to ninth
27 grades. In order for an independent contractor to receive TANF funds, a

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1 child served must be a member of a family with an income that does not
2 exceed 200% of the federal poverty guidelines published by the United
3 States department of health and human services.

4 (3) The department shall allocate through grants or contracts up to
5 \$10,000,000.00 in TANF funds for pilot programs. A county shall receive
6 no more than 20% of the funds appropriated in part 1 for this program.
7 From the funds appropriated in part 1 for before- or after-school pilot
8 programs within day care services, the department is authorized to make
9 allocations of TANF funds only to the agencies that report necessary data
10 to the department for the purpose of meeting TANF eligibility reporting
11 requirements. The use of TANF funds under this section should not be
12 considered an ongoing commitment of funding.

13 (4) The before- or after-school pilot programs shall include, at a
14 minimum, at least 3 of the following topics:

15 (a) Pregnancy prevention.

16 (b) Chemical abuse and dependency including nonmedical services.

17 (c) Gang violence prevention.

18 (d) Academic assistance, including assistance with reading and
19 writing.

20 (e) Preparation toward future self-sufficiency.

21 (f) Leadership development.

22 (g) Case management or mentoring.

23 (h) Parental involvement.

24 (i) Anger management.

25 (5) The department may enter into grants or contracts with indepen-
26 dent contractors including, but not limited to, faith-based
27 organizations, boys or girls clubs, schools, or nonprofit organizations.

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1 The department shall grant priority in funding independent contractors
2 who secure at least 10% in matching funds. The matching funds may either
3 be fulfilled through local, state, or federal funds, and/or through
4 in-kind or other donations. An independent contractor who cannot fulfill
5 the match described in this subsection shall not be excluded from apply-
6 ing for a before- or after-school program contract.

7 (6) A referral to a pilot program may be made by, but is not limited
8 to, any of the following: a teacher, counselor, parent, police officer,
9 judge, or social worker.

10 (7) The department may award grants or contracts to independent con-
11 tractors who offer their academic before- or after-school programs beyond
12 the academic school year. All summer programs must meet all requirements
13 provided in this section.

14 (8) By August 30, 2002, the department before- or after-school pilot
15 program expenditures shall be audited and the department shall work in
16 collaboration with independent contractors to provide a report on the
17 before- or after-school pilot program to the senate and house standing
18 committees dealing with human services, the senate and house appropria-
19 tions subcommittees for the family independence agency budget, the senate
20 and house fiscal agencies, and the senate and house policy offices. The
21 report shall include the number of participants and the average cost per
22 participant, as well as changes noted in program participants in any of
23 the following categories:

- 24 (a) Juvenile crime.
25 (b) Aggressive behavior.
26 (c) Academic achievement.

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1 (d) Development of new skills and interests.

2 (e) School attendance and dropout rates.

3 (f) Behavioral changes in school.

4 Sec. 659. For the purpose of the family independence program eligi-
5 bility, a recipient with a child under 6 years of age must meet work
6 first participation requirements unless child care is not available and
7 that fact is verified by the family independence program caseworker.

8 Sec. 660. From the funds appropriated in part 1 for state emergency
9 relief, the department is authorized to make allocations of TANF funds
10 for food bank council activities only to the agencies that report neces-
11 sary data to the department for the purpose of meeting TANF eligibility
12 reporting requirements. The use of TANF funds under this section should
13 not be considered an ongoing commitment of funding.

14 Sec. 661. From the funds appropriated in part 1 for transitional
15 work support, the department shall expend up to \$15,000,000.00 in general
16 fund/general purpose funds to develop and fund a transitional work sup-
17 port program. The department shall provide the house and senate appro-
18 priations subcommittees on the family independence agency, the house and
19 senate fiscal agencies, the house and senate policy offices, and the
20 state budget director with a report that includes all of the following:

21 (a) The number of participants served.

22 (b) The average cost per program participant.

23 (c) Any other information that the department considers relevant.

24 Sec. 662. The department shall report to the senate and house
25 appropriations subcommittees on the family independence agency, the
26 senate and house standing committees having jurisdiction over human
27 services matters, and the senate and house fiscal agencies on any current

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1 or new programs and policies and all initiatives aimed at removing the
2 barriers to achieving self-sufficiency.

Sec. 663. The department shall make payments directly to a provider of electric or gas utility service if the department determines that a recipient who requests assistance and is more than 60 days late with payment to that provider is qualified for assistance under the state emergency relief program.

Sec. 664. It is the intent of the legislature that the department maximize their best efforts with the department of consumer and industry services to obtain any available federal funding for the purpose of transferring necessary funds to the department of consumer and industry services for up to 20 FTE positions for day care inspections.

3 JUVENILE JUSTICE SERVICES

4 Sec. 701. The department shall expend a portion of the federal
5 juvenile accountability incentive block grant to support the boot camp
6 program. The remainder of the state allocation of the juvenile account-
7 ability incentive block grant shall be used to provide funding to enable
8 juvenile courts, juvenile probation offices, and community-based programs
9 to be more effective and efficient in holding juvenile offenders account-
10 able and reducing recidivism, treating substance abuse problems, and
11 developing community-based alternatives for female offenders and the
12 following:

13 (a) To better address gang, drug, and youth violence.

14 (b) For training, equipment, and technology.

15 (c) For the establishment of programs that protect students and
16 school personnel from drug, gang, and youth violence.

17 Sec. 702. Expansion of facilities funded under part 1 for juvenile
18 justice services shall not be authorized by the joint capital outlay sub-
19 committee of the appropriations committees until the department has held
20 a public hearing in the community where the facility proposed to be
21 expanded is located.

22 Sec. 703. A juvenile adjudicated and placed in a state operated
23 maximum security program funded under part 1 for juvenile justice serv-
24 ices shall not be allowed to leave the property of the maximum security
25 facility at which the program is located except when required to leave

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1 the property for medical treatment, court appearances, or other good
2 cause approved by the facility director. For purposes of this section,
3 "juvenile" means that term as defined in section 115n of the social wel-
4 fare act, 1939 PA 280, MCL 400.115n.

5 Sec. 704. New facilities funded under part 1 for juvenile justice
6 services shall not be located within 1,500 feet of property in use for a
7 K-12 educational program.

8 Sec. 705. (1) The department shall report on the W. J. Maxey facil-
9 ity to the house and senate appropriations subcommittees on the family
10 independence agency budget as part of their annual budget presentation.
11 The report shall include the following:

12 (a) Population reintegration goals for juvenile justice wards
13 including, but not limited to, the categorization of positive outcomes
14 and recidivism by age and incarceration type.

15 (b) Facility media policy to ensure reinforcement and consistency
16 with treatment plans and desired ward outcomes.

17 (c) Staff and resident safety.

18 (d) Outcome based service and treatment program plan for wards who
19 are sex offenders or substance abusers.

20 (e) Facility procedure following traumatic campus occurrences such
21 as, but not limited to, violent and sexual assaults.

22 (f) Progress of facility construction including, but not limited
23 to:

24 (i) Scope and cost of the construction contract.

25 (ii) Construction schedule.

26 (iii) Radio and security system warranties.

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1 (g) Quality control process for resident service and release plans.

2 (2) The department shall ensure that all juveniles coming into care
3 receive an assessment that includes a review of dysfunctional behavior in
4 adolescents. In addition, the department shall ensure that all treatment
5 addresses:

6 (a) Dysfunctional family practices, such as substance abuse and
7 domestic violence.

8 (b) Sexual harassment and gender bias.

9 (c) Cultural and ethnic sensitivity.

10 Sec. 706. Counties shall be subject to 50% charge back for the use
11 of alternative regional detention services, if those detention services
12 do not fall under the basic provision of section 117e of the social wel-
13 fare act, 1939 PA 280, MCL 400.117e, or if a county operates those deten-
14 tion services programs primarily with professional rather than volunteer
15 staff.

16 Sec. 707. In order to be reimbursed for child care fund expendi-
17 tures, counties are required to submit department developed reports to
18 enable the department to document potential federally claimable
19 expenditures. This requirement is in accordance with the reporting
20 requirements specified in section 117a(7) of the social welfare act, 1939
21 PA 280, MCL 400.117a.

22 Sec. 708. It is the intent of the legislature that funds appropri-
23 ated in part 1 for juvenile justice operations be reduced to satisfy nec-
24 essary budget savings only if enough funds are available from the state
25 capital outlay special maintenance appropriation for the J. W. Maxey boys
26 training school furnishings and equipment related to the new replacement
27 beds construction.

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1 Sec. 709. It is the intent of the legislature that the department
2 shall revise its system of assigning youth to juvenile justice placements
3 in order that the youth who conform to the department's contract grid
4 assessment criteria under the supervision of the department shall be
5 referred directly to the department-contracted delinquency programs.

Sec. 710. From the funds appropriated in part 1 for juvenile
justice services, the department shall continue contracts for county
juvenile justice day treatment programs.

6 DISABILITY DETERMINATION SERVICES

7 Sec. 801. The family independence agency disability determination
8 services in agreement with the department of management and budget office
9 of retirement systems will develop the medical information and determine
10 eligibility of medical disability retirement for state employees, state
11 police, judges, and school teachers.