

# SENATE BILL No. 749

February 20, 1992, Introduced by Senator CISKY and  
referred to the Committee on Appropriations.

## EXECUTIVE BUDGET BILL

A bill to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 1993; to provide for the expenditure of the appropriations; to provide for the creation of certain advisory committees and boards; to prescribe certain powers and duties of the department of corrections, certain other state officers and agencies, and certain advisory committees and boards; to provide for the collection of certain funds; and to provide for the disposition of fees and other income received by certain state agencies.

### THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 101. There is appropriated for the department of corrections  
2 for the fiscal year ending September 30, 1993, from the following funds:

## 1 DEPARTMENT OF CORRECTIONS

## 2 APPROPRIATIONS SUMMARY:

3	Average population.....	37,801.0
4	Full-time equated unclassified positions.....	6.0
5	Full-time equated classified positions.....	15,058.1
6	GROSS APPROPRIATION.....	\$1,020,635,500
7	Interdepartmental grant revenues:	
8	Total interdepartmental grants and intradepartmental	
9	transfers.....	4,225,400
10	ADJUSTED GROSS APPROPRIATION.....	\$1,016,410,100
11	Federal revenues:	
12	Total federal revenues.....	45,285,400
13	Special revenue funds:	
14	Total local revenues.....	1,145,000
15	Total private revenues.....	100,000
16	Total other state restricted revenues.....	32,806,600
17	State general fund/general purpose.....	\$ 937,073,100
18	EXECUTIVE	
19	Average population.....	6,111.0
20	Full-time equated unclassified positions.....	6.0
21	Full-time equated classified positions.....	1,278.6
22	Director.....	\$ 83,100
23	Unclassifieds--5.0 FTE positions.....	336,500
24	Salaries and wages--13.5 FTE positions.....	812,900
25	Fringe benefits.....	415,300
26	Contractual services, supplies, and materials.....	188,100
27	Equipment.....	266,900
28	Travel.....	24,900

1	Inmate legal services program.....	314,900
2	Special maintenance.....	805,200
3	Inmate housing fund--1,229.1 FTE positions.....	67,420,900
4	Average population.....	6,111.0
5	Reimbursement to counties, parole revocation hearings, &	
6	court settlements.....	2,121,000
7	Worker's compensation.....	11,022,500
8	Protocol review protection committee.....	50,000
9	Substance abuse administration--4.0 FTE positions.....	256,900
10	Substance abuse treatment project.....	925,000
11	Substance abuse testing (facilities).....	290,800
12	Substance abuse testing(probation/parole).....	349,800
13	Substance abuse unit ( CRP ).....	7,178,400
14	State/local partnership-administration--2.0 FTE	
15	positions.....	115,900
16	Parole board--23.0 FTE positions.....	1,594,000
17	Office of media and governmental affairs--3.0 FTE	
18	positions.....	138,800
19	Federal anti-drug abuse project.....	800,000
20	Internal investigation unit--4.0 FTE positions.....	266,200
21	DMH transition team.....	543,100
22	Federal, local and private funds.....	3,200,000
23	GROSS APPROPRIATION.....	\$ 99,521,100
24	Appropriated from:	
25	Federal revenues:	
26	HHS-ADAMHA, anti-drug abuse block grant.....	563,000
27	DOJ-BJA PL 100-690 federal grant.....	600,000
28	Federal funds.....	3,000,000

1	Special revenue funds:	
2	Private-protocol review.....	50,000
3	Local funds.....	100,000
4	Private funds.....	50,000
5	State restricted.....	50,000
6	State general fund/general purpose.....	\$ 95,108,100
7	HEARING DIVISION	
8	Full-time equated classified positions.....	41.0
9	Salaries and wages--41.0 FTE positions.....	\$ 2,331,500
10	Fringe benefits.....	1,016,100
11	Contractual services, supplies, and materials.....	57,000
12	Equipment.....	21,700
13	Travel.....	69,100
14	GROSS APPROPRIATION.....	\$ 3,495,400
15	Appropriated from:	
16	State general fund/general purpose.....	\$ 3,495,400
17	CONSENT DECREE - DOJ	
18	Full-time equated classified positions.....	281.7
19	Total personnel costs--281.7 FTE positions.....	\$ 15,012,700
20	Total other operating costs.....	876,500
21	GROSS APPROPRIATION.....	\$ 15,889,200
22	Appropriated from:	
23	State general fund/general purpose.....	\$ 15,889,200
24	HADIX CONSENT DECREE	
25	Full-time equated classified positions.....	234.0
26	Total personnel costs--234.0 FTE positions.....	\$ 9,422,300
27	Total other operating costs.....	396,600
28	GROSS APPROPRIATION.....	\$ 9,818,900

1	Appropriated from:	
2	State general fund/general purpose.....	\$ 9,818,900
3	ADMINISTRATIVE OPERATIONS	
4	Full-time equated classified positions.....	109.7
5	Salaries and wages--61.7 FTE positions.....	\$ 2,462,300
6	Fringe benefits.....	1,028,900
7	Contractual services, supplies, and materials.....	689,500
8	Equipment.....	26,500
9	Travel.....	75,400
10	Rent.....	1,562,900
11	New employee training.....	3,294,100
12	Inservice training.....	2,360,700
13	Training administration--42.0 FTE positions.....	3,105,200
14	Training academy.....	515,200
15	Training projects--1.0 FTE position.....	221,500
16	Riot control training.....	147,800
17	Criminal justice training fund.....	600,900
18	Hazardous waste control--3.0 FTE positions.....	168,300
19	Computerized custody release factor management	
20	project--2.0 FTE positions.....	258,000
21	Building occupancy charges-property management.....	312,100
22	GROSS APPROPRIATION.....	\$ 16,829,300
23	Appropriated from:	
24	Interdepartmental grant revenues:	
25	IDG-DMB-Michigan justice training fund.....	600,900
26	Special revenue funds:	
27	Correctional industries revolving fund .....	93,500
28	Physical fitness/wellness program reimbursement.....	21,000

1	State general fund/general purpose.....	\$ 16,113,900
2	AUTOMATIC DATA PROCESSING	
3	Full-time equated classified positions.....	49.5
4	Salaries and wages--49.5 FTE positions.....	\$ 1,999,500
5	Fringe benefits.....	765,000
6	Contractual services, supplies, and materials.....	1,715,800
7	Equipment.....	3,584,900
8	Travel.....	24,900
9	GROSS APPROPRIATION.....	\$ 8,090,100
10	Appropriated from:	
11	Interdepartmental grant revenues:	
12	IDT-end user computing equipment.....	2,128,100
13	Special revenue funds:	
14	Resident stores.....	268,800
15	Local-county reimbursement.....	45,000
16	State general fund/general purpose.....	\$ 5,648,200
17	BUREAU OF AUDIT	
18	Full-time equated classified positions.....	12.4
19	Salaries and wages--12.4 FTE positions.....	\$ 597,000
20	Fringe benefits.....	252,700
21	Contractual services, supplies, and materials.....	41,600
22	Equipment.....	6,500
23	Travel.....	36,800
24	GROSS APPROPRIATION.....	\$ 934,600
25	Appropriated from:	
26	State general fund/general purpose.....	\$ 934,600
27	PRISON INDUSTRIES OPERATIONS	
28	Full-time equated classified positions.....	198.8

1	Salaries and wages--198.8 FTE positions.....	\$	6,998,200
2	Fringe benefits.....		3,997,500
3	Automated data processing.....		102,700
4	GROSS APPROPRIATION.....	\$	11,098,400
5	Appropriated from:		
6	Special revenue funds:		
7	Correctional industries revolving fund .....		11,098,400
8	State general fund/general purpose.....	\$	0
9	PROGRAMS		
10	Full-time equated classified positions.....		17.4
11	Salaries and wages--17.4 FTE positions.....	\$	616,900
12	Fringe benefits.....		245,600
13	Contractual services, supplies, and materials.....		87,500
14	Equipment.....		3,200
15	Travel.....		5,400
16	GROSS APPROPRIATION.....	\$	958,600
17	Appropriated from:		
18	State general fund/general purpose.....	\$	958,600
19	OFFICE OF HEALTH CARE		
20	Full-time equated classified positions.....		13.0
21	Salaries and wages--13.0 FTE positions.....	\$	652,100
22	Fringe benefits.....		237,900
23	Contractual services, supplies, and materials.....		620,400
24	Equipment.....		289,600
25	Travel.....		35,600
26	University affiliation program.....		50,000
27	GROSS APPROPRIATION.....	\$	1,885,600
28	Appropriated from:		

1	State general fund/general purpose.....	\$ 1,885,600
2	DOJ CONSENT DECREE-PSYCHIATRIC PLAN IMPLEMENTATION	
3	Full-time equated classified positions.....	373.3
4	Total personnel costs--373.3 FTE positions.....	\$ 18,776,300
5	Total other operating costs.....	1,004,800
6	GROSS APPROPRIATION.....	\$ 19,781,100
7	Appropriated from:	
8	State general fund/general purpose.....	\$ 19,781,100
9	FIELD SUPERVISION	
10	Full-time equated classified positions.....	1,316.4
11	Salaries and wages--1,142.4 FTE positions.....	\$ 42,914,400
12	Fringe benefits.....	18,255,800
13	Contractual services, supplies, and materials.....	2,598,300
14	Equipment.....	436,100
15	Travel.....	838,500
16	Rent.....	784,500
17	Loans to parolees.....	171,800
18	Boot camp-phase III/intensive supervision--174.0	
19	FTE positions.....	9,338,000
20	Probation detention center.....	713,000
21	GROSS APPROPRIATION.....	\$ 76,050,400
22	Appropriated from:	
23	Special revenue funds:	
24	Oversight fees.....	8,142,800
25	State general fund/general purpose.....	\$ 67,907,600
26	OFFICE OF COMMUNITY CORRECTIONS	
27	Full-time equated classified positions.....	15.0
28	OCC board expenses.....	\$ 15,000



1	Salaries and wages--15.0 FTE positions.....	756,500
2	Fringe benefits.....	294,000
3	Operational costs.....	190,000
4	Probation residential centers and resident home program..	8,500,000
5	Technical assistance and implementation of community-	
6	based programs.....	700,000
7	Minimum security jail service work program.....	500,000
8	Community corrections comprehensive plans and services...	11,000,000
9	Public education and training.....	50,000
10	Federal substance abuse grants.....	750,000
11	GROSS APPROPRIATION.....\$	22,755,500
12	Appropriated from:	
13	Federal revenues:	
14	DOJ-BJA PL 100-690 federal grant.....	750,000
15	State general fund/general purpose.....\$	22,005,500
16	ELECTRONIC TETHER PROGRAM	
17	Average population.....	1,500.0
18	Full-time equated classified positions.....	133.0
19	Salaries and wages--133.0 FTE positions.....\$	4,626,600
20	Fringe benefits.....	1,781,000
21	Contractual services, supplies, and materials.....	1,699,600
22	Equipment.....	3,111,300
23	Travel.....	136,000
24	Rent.....	85,000
25	Targeted intensive supervision for probationers-	
26	substance abuse (JAA).....	50,000
27	GROSS APPROPRIATION.....\$	11,489,500
28	Appropriated from:	

1	Interdepartmental grant revenues:	
2	IDG-DMB-DOJ-justice assistance act.....	50,000
3	Special revenue funds:	
4	Local-community tether program reimbursement.....	1,000,000
5	Program participant contributions.....	4,206,500
6	State general fund/general purpose.....\$	6,233,000
7	SPECIAL ALTERNATIVE INCARCERATION PROGRAM	
8	Full-time equated classified positions.....	321.0
9	Salaries and wages--281.0 FTE positions.....\$	11,029,900
10	Fringe benefits.....	4,734,400
11	Contractual services, supplies, and materials.....	4,613,200
12	Equipment.....	190,000
13	Travel.....	140,000
14	Public works--40.0 FTE positions.....	2,359,900
15	GROSS APPROPRIATION.....\$	23,067,400
16	Appropriated from:	
17	Special revenue funds:	
18	Public works user fees.....	150,000
19	State general fund/general purpose.....\$	22,917,400
20	COMMUNITY RESIDENTIAL PROGRAM	
21	Average population.....	1,840.0
22	Full-time equated classified positions.....	443.6
23	Salaries and wages--396.6 FTE positions.....\$	14,046,900
24	Fringe benefits.....	6,330,900
25	Contractual services, supplies, and materials.....	3,639,900
26	Equipment.....	369,500
27	Travel.....	214,100
28	Rent.....	4,544,400

1	Technical rule violator -- 47.0 FTE positions.....	4,309,500
2	GROSS APPROPRIATION.....	\$ 33,455,200
3	Appropriated from:	
4	Special revenue funds:	
5	Resident contributions revenues.....	1,300,000
6	State general fund/general purpose.....	\$ 32,155,200
7	CLINICAL OPERATIONS	
8	Full-time equated classified positions.....	698.8
9	Health care services--698.8 FTE positions.....	\$ 53,591,000
10	Specialty care services.....	16,615,700
11	GROSS APPROPRIATION.....	\$ 70,206,700
12	Appropriated from:	
13	State general fund/general purpose.....	\$ 70,206,700
14	INSTITUTIONAL OPERATIONS	
15	Average population.....	28,350.0
16	Full-time equated classified positions.....	9,520.9
17	Salaries and wages--8,841.4 FTE positions.....	\$ 320,455,800
18	Fringe benefits.....	150,123,500
19	Contractual services, supplies, and materials.....	34,779,600
20	Equipment.....	1,174,800
21	Travel.....	1,152,000
22	Food.....	28,389,900
23	Fuel and utilities.....	17,981,700
24	Conveying convicts to penal institutions.....	248,300
25	Print shop operations.....	529,000
26	Surplus food distribution--5.0 FTE positions.....	502,200
27	Optical lab.....	51,000
28	Dental lab operations.....	79,300

1	Public works projects--287.0 FTE positions.....	15,465,600
2	Academic-vocational programs--368.5 FTE positions.....	22,503,600
3	Federal education grants--19.0 FTE positions.....	1,872,200
4	GROSS APPROPRIATION.....	\$ 595,308,500
5	Appropriated from:	
6	Interdepartmental grant revenues:	
7	IDT-print shop user fees.....	529,000
8	IDT-optical lab user fees.....	51,000
9	IDT-surplus food user fees.....	290,600
10	IDG-department of mental health.....	500,000
11	IDT-dental lab user fees.....	75,800
12	Federal revenues:	
13	Federal lease revenue.....	38,500,200
14	DED, staff development and training.....	15,000
15	DED-OVAE vocational education, special programs for the	
16	disadvantaged.....	27,000
17	DED-ECIA, Chapter 1.....	990,200
18	DED-OVAE, adult education, state administered program....	380,000
19	DED-ECIA, Chapter 2, library grant.....	10,000
20	DED, Public Law 94-142.....	130,000
21	Vocational education act grant.....	320,000
22	Special revenue funds:	
23	Resident stores.....	554,400
24	Correctional industries revolving fund.....	77,500
25	Telephone fees and commissions.....	5,500,000
26	Public works user fees.....	1,308,700
27	Steam heat user fees.....	35,000
28	State general fund/general purpose.....	\$ 546,014,100

## 1 GENERAL SECTIONS

2       Sec. 201. (1) In accordance with the provisions of section 30 of  
3 article IX of the state constitution of 1963, total state spending in  
4 this appropriation act is \$969,879,700.00 and state spending to units of  
5 local government is as follows:

6 ADP-assumption of county probation.....	\$	358,600
7 Assumption of county probation staff.....		19,760,700
8 Public service work projects.....		7,334,100
9 Minimum security jail work camp program.....		500,000
10 Community corrections grants.....		11,000,000
11 Total.....	\$	38,953,400

12       (2) When it appears to the principal executive officer of each  
13 department that state spending to local units of government will be less  
14 than the amount that was projected to be expended for any quarter, the  
15 principal executive officer shall immediately give notice of the  
16 approximate shortfall to the department of management and budget, the  
17 senate and house appropriations committees, and the senate and house  
18 fiscal agencies.

19       Sec. 202. The appropriations made and the expenditures authorized  
20 under this act and the departments, agencies, commissions, boards,  
21 offices, and programs for which an appropriation is made under this act  
22 are subject to the management and budget act, Act No. 431 of the Public  
23 Acts of 1984, being sections 18.1101 to 18.1594 of the Michigan Compiled  
24 Laws.

25       Sec. 203. As used in this act:

- 26       (a) "ADP" means automatic data processing
- 27       (b) "BCF" means the bureau of correctional facilities.
- 28       (c) "CRP" means the community residential program.

- 1 (d) "CSS&M" means the contractual services, supplies, and  
2 materials account.
- 3 (e) "DED" or "ED" means the United States department of education.
- 4 (f) "Department" means the department of corrections.
- 5 (g) "DMB" means the department of management and budget.
- 6 (h) "DOJ" means the United States department of justice.
- 7 (i) "DOL" means the United States department of labor.
- 8 (j) "DPH" means the Michigan department of public health.
- 9 (k) "DSS" means the department of social services.
- 10 (l) "ECIA" means the education consolidation and improvement act.
- 11 (m) "Fringe benefits" means longevity and insurance, and  
12 retirement.
- 13 (n) "FTE" means full-time equated position.
- 14 (o) "HHS" means the department of health and human services.
- 15 (p) "IDG" means interdepartmental grant.
- 16 (q) "IDT" means intradepartmental transfers.
- 17 (r) "LEIN" means the law enforcement information network.
- 18 (s) "MSA" means the Michigan sheriffs' association.
- 19 (t) "MSI" means Michigan state industries.
- 20 (u) "MTD" means the motor transport division.
- 21 (v) "OCC" means the office of community corrections also known as  
22 the office of community alternatives.
- 23 (w) "OCJP" means the office of criminal justice programs.
- 24 (x) "OESE" means the office of elementary and special education.
- 25 (y) "OVAE" means the office of vocational education.
- 26 (z) "OSAS" means the office of substance abuse services.
- 27 (aa) "PREP" means the prisoner rehabilitation and education  
28 program.

1 (bb) "PPROMIS" means the parole/probation management information  
2 system.

3 (cc) "SAI" means the special alternative incarceration program.

4 Sec. 204. The amounts appropriated for utilities and that portion  
5 of contractual services, supplies, and materials used to pay for utility  
6 service to state facilities in section 101 may be expended in a manner  
7 consistent with the provisions of section 253 of the management and  
8 budget act, Act No. 431 of the Public Acts of 1984, being section 18.1253  
9 of the Michigan Compiled Laws.

10 Sec. 205. The department may collect funds for compassionate visit  
11 cost reimbursement and reimbursement of costs for housing federal  
12 prisoners, and may accept funds as bequests and donations.  
13 Notwithstanding any other section of this act, these funds are hereby  
14 appropriated and allotted for expenditure when received.

15 Sec. 206. (1) Beginning October 1, 1992, there shall be a hiring  
16 freeze imposed on the state classified civil service. State departments  
17 and agencies shall be prohibited from hiring any new full-time state  
18 classified civil service employees or prohibited from filling any vacant  
19 state classified civil service positions. This hiring freeze does not  
20 apply to internal transfers of classified employees from one position to  
21 another within a department

22 (2) The director of the department of management and budget shall  
23 grant exceptions to this hiring freeze when the director believes that  
24 such a hiring freeze will result in rendering a state department or  
25 agency unable to deliver basic services, cause loss of revenue to the  
26 state, result in the inability of the state to receive and expend federal  
27 funds, or necessitate additional expenditures that exceed any savings  
28 from maintaining a vacancy.

## 1 EXECUTIVE

2       Sec. 301. The inmate housing fund shall be used for the custody,  
3 treatment, clinical, and administrative costs associated with the housing  
4 of prisoners other than those specifically budgeted for elsewhere in this  
5 Act. Expenditures from the inmate housing fund shall be made by  
6 administrative transfer to existing accounts or to separate accounts  
7 created to separately identify costs for specific purposes.

8       Sec. 302. (1) The department shall administer a county jail  
9 reimbursement program from the funds appropriated in section 101 for the  
10 inmate housing fund.

11       (2) The county jail reimbursement program shall reimburse counties  
12 for housing convicted felons who would otherwise have been sentenced to  
13 a state prison term with a minimum-minimum state felony sentencing  
14 guidelines score of 12 months or more.

15       (3) The county jail reimbursement program shall reimburse counties  
16 for housing parole violators and offenders being returned by the  
17 department from community placement to institutional status.

18       (4) State reimbursement under the provisions of this section shall  
19 be for prisoner housing and custody expenses in the amount of \$35.00 per  
20 diem per diverted offender.

21       Sec. 303. The department may use up to 5% of the amount expended  
22 in fiscal year 1992 for workers' compensation for a pilot disability  
23 management project to determine if such a project can pay for itself  
24 through savings in workers' compensation costs. The amount authorized  
25 shall include start-up costs as appropriate. The project shall be  
26 implemented by the department subject to the review and approval of the  
27 risk management division of the department of management and budget in  
28 cooperation with the disability management office of the department of



1 civil service.

## 2 CONSENT DECREES

3       Sec. 401. The department shall continue to fill the 377.8 full-  
4 time equated positions authorized in section 101 for the DOJ consent  
5 decree-psychiatric plan as quickly as qualified personnel can be  
6 recruited.

7       Sec. 402. Expenditures from the funds appropriated in section 101  
8 for the federal court consent decree and the Hadix court consent decree,  
9 shall be made by administrative transfer to separate accounts created for  
10 the purpose of separately identifying costs associated with each consent  
11 decree.

## 12 ADMINISTRATIVE OPERATIONS

13       Sec. 501. Money collected for meals served at the academy to  
14 employees not required to eat meals at the academy shall be received and  
15 expended in the corrections academy account.

## 16 PRISON INDUSTRIES OPERATIONS

17       Sec. 601. The department shall provide for continuation of the  
18 Michigan state industries advisory committee. The committee shall be  
19 composed of not less than 7 members or more than 10 members, to include  
20 representatives from the following: the department of management and  
21 budget purchasing division, the Michigan association of counties, the  
22 department of commerce, Michigan labor unions, Michigan industry, and a  
23 director from a state agency other than the department. Committee  
24 members shall serve 3-year terms. The members first serving shall serve  
25 staggered terms consisting of 1, 2, and 3-year terms. The department  
26 shall ensure that individuals appointed to the advisory committee are  
27 knowledgeable in 1 or more of the following areas: financial management;  
28 labor/management relations; market research; product marketing; labor

1 unions; the small business community; and state government. The advisory  
2 committee shall assist department management with strategic planning, new  
3 product introduction, market development production and organization  
4 issues, and prisoner compensation schedules.

#### 5 ELECTRONIC TETHER PROGRAM

6       Sec. 701. (1) All CRP prisoners, probationers, and parolees  
7 involved with the electronic tether program shall reimburse the  
8 department for all costs associated with their participation in the  
9 program. The department shall require community service work  
10 reimbursement as a means of payment for those able-bodied individuals  
11 unable to pay for the cost of the equipment.

12       (2) Program participant contributions, and local-community-tether  
13 program reimbursement for the electronic tether program appropriated in  
14 section 101, are related to program expenditures and may be used to  
15 offset expenditures for this purpose.

16       (3) Included in the appropriation in section 101 is adequate  
17 funding to implement the community-tether program to be administered by  
18 the department. The community-tether program is intended to provide  
19 sentencing judges and county sheriffs in coordination with local  
20 community corrections boards access to the state's electronic tether  
21 program based on a 2-tier reimbursement schedule. The state will for  
22 \$5.30 per diem provide counties with the tether equipment, replacement  
23 parts, administrative oversight of the equipment's operation,  
24 notification of violators, and periodic reports regarding county program  
25 participants. Under the \$5.30 per diem option, counties are responsible  
26 for tether equipment installation and service, and apprehension of  
27 program violators. For \$7.50 per diem the state will provide the  
28 equipment, staff to install and service the equipment, administrative

1 oversight staff, periodic reports regarding county program participants,  
2 and notification of program violators. County officials shall be  
3 responsible for the coordination and apprehension of program violators.  
4 The OCC shall assist in determining the appropriate distribution of the  
5 tether units throughout the state based on analysis of community demand  
6 through community comprehensive plans and OCC data analysis and  
7 communicate this information to the department for implementation.  
8 County officials are responsible for collecting per diem fees from  
9 community tether program offenders if a per diem fee is initiated by the  
10 county programs. Any county with tether charges outstanding over 60 days  
11 shall be considered in violation of the community-tether program  
12 agreement and lose access to the program.

13       Sec. 702. (1) Included in the appropriations under section 101 are  
14 funds to establish a pilot program to incorporate the state/local  
15 initiatives provided for in this section.

16       (2) Any county or local jurisdiction district which has less than  
17 5% of the total number of felons sent to the state prison with state  
18 felony sentencing guidelines upper limit for the recommended minimum  
19 sentence of 12 months or less based on the most recent 2 quarter moving  
20 average shall be eligible for the following additional benefits:

21       (a) \$5.00 and \$3.50 respectively for the 2-tier reimbursement  
22 schedule provided for in section 701(3) for the community electronic  
23 tether program.

24       (b) 70% copay by the state for county felons sentenced to the SAI-  
25 county jail program.

26       (c) \$40.00 per diem reimbursement from the state for housing  
27 convicted felons who would otherwise have been sentenced to a state  
28 prison term with a minimum-state felony sentencing guideline score of 12

1 months or more.

2       (3) For a county or local jurisdiction to participate in the  
3 state/local initiatives contained in subsection (2), the county or local  
4 jurisdiction would have to comply with the requirements as defined in the  
5 community corrections act, Act No. 511 of the Public Acts of 1988, being  
6 sections 791.401 to 791.414 of the Michigan Compiled Laws, including  
7 establishing a community corrections advisory committee; submission and  
8 approval of a comprehensive corrections plan; and agreeing to provide the  
9 office of community corrections on a monthly basis the basic jail data  
10 elements.

11       (4) As a prerequisite to participation in the state/local  
12 initiatives, counties and local jurisdictions must ensure that the  
13 department has a minimum of 3 months of data for prison commitments  
14 summarizing actual minimum sentences and sentencing guidelines scores.

15       (5) Any county or local jurisdiction that participates in the  
16 programs outlined in subsection (2) and exceeds the 5% limitation  
17 provision shall be charged the full reimbursement rate as provided for  
18 each of the programs being utilized until such time as the county's 2  
19 quarter moving average is again less than the 5% limitation as required  
20 in subsection (2).

#### 21 SPECIAL ALTERNATIVE INCARCERATION PROGRAM

22       Sec. 801. (1) Included in section 101 is funding for the special  
23 alternative incarceration program which may include convicted felons who  
24 would have been sentenced to county jail with a sentence of 6 to 12  
25 months.

26       (2) Participation in the county jail SAI program for fiscal year  
27 1992-93 shall require interested counties to contribute 40% (\$24.00 per  
28 diem) of the budgeted \$60.00 per diem total operating cost per offender.

1       Sec. 802. Agencies that benefit from public works performed by  
2 special alternative incarceration program probationers shall be charged  
3 at the same rate as is charged by the department for public works  
4 performed by prisoners. Funds collected shall be placed in the accounts  
5 from which expenditures for the program are paid.

#### 6 COMMUNITY RESIDENTIAL PROGRAM

7       Sec. 901. (1) Resident contribution revenues appropriated to the  
8 department in section 101 are related to community residential centers-  
9 CSS&M, rent, and travel expenditures, and may be used to offset  
10 expenditures for these purposes in year-end account closing.

11       (2) It is the intent of the legislature that all CRP prisoners who  
12 have the financial resources shall reimburse the department. The  
13 department shall develop a community service work reimbursement schedule  
14 which may be substituted at the department's discretion as a means of  
15 payment for those individuals unable to pay.

16       Sec. 902. Beginning October 1, 1992, the department shall not  
17 locate a new community corrections center in a residential neighborhood  
18 unless the location of the proposed community corrections center has the  
19 support of the local unit of government in whose jurisdiction the  
20 community corrections center is proposed to be located. If the local  
21 unit of government does not give its support for that location, the local  
22 unit of government shall provide an alternative site within the local  
23 governmental unit's jurisdiction for the proposed community corrections  
24 center.

#### 25 INSTITUTIONAL OPERATIONS

26       Sec. 1001. The funds appropriated in section 101 for institutional  
27 operations and for clinical operations contain funding for all prison  
28 facilities. Expenditures from these accounts will be made by

1 administrative transfer to separate sub-accounts for each facility. The  
2 department will develop an allotment schedule for each facility  
3 identifying the amount available for each expenditure line item.

4       Sec. 1002. (1) Pursuant to the provisions of civil service rules  
5 and regulations and applicable collective bargaining agreements,  
6 individuals seeking employment with the department shall submit to a  
7 controlled substance test. The test shall be administered by the  
8 department.

9       (2) Individuals seeking employment with the department who refuse  
10 to take a controlled substance test or who test positive for the illicit  
11 use of a controlled substance on such a test shall be denied employment  
12 by the department for a minimum of 1 year.

13       Sec. 1003. Included in the appropriation in section 101 is funding  
14 for the prisoner rehabilitation and education program, a contractual  
15 program to provide postsecondary education for offenders in selected  
16 state correctional facilities. The program shall provide education  
17 programs leading to both 1-year vocational education certificates and 2-  
18 year associate degrees in majors that provide future employment potential  
19 based on Michigan employment security commission analysis. Participation  
20 in this program shall be open to both 2-year and 4-year public and  
21 private educational institutions that are qualified to deliver the  
22 educational programming requested by the department at each of the  
23 identified state correctional facilities. For a college or university  
24 to receive PREP funds, they shall ensure that each student shall apply  
25 for a federal pell grant and shall maintain sufficient academic standing  
26 to qualify for eligibility for a pell grant. The PREP program shall  
27 reimburse colleges for the following costs, not to exceed \$3.25 per  
28 student contact hour, less any federal pell grant revenues received by

1 the students eligible to receive pell grants:

2 (a) Direct instructional expenses.

3 (b) Necessary books and supplies.

4 (c) Academic counseling.

5 (d) Registration costs.

6 (e) Academic testing.

7 (f) Indirect costs directly associated with each program not to  
8 exceed 15% of the total program funds received by each college.

9 Sec. 1004. Funds collected by institutions for meals served at the  
10 institution to institution employees not required to eat meals at the  
11 institution shall be placed in the respective institution food account.

12 Sec. 1005. In fiscal year 1992-93, the duration of preshift  
13 meeting time shall be 6 minutes as established by Executive Order No.,  
14 1991-17. Appropriations in section 101 have been adjusted so as not to  
15 exceed 6 minutes for preshift meeting time.

16 Sec. 1006. Funds collected by institutions from public agencies  
17 for public works performed by prisoners shall be placed in the respective  
18 institution's public works account or in the accounts from which the  
19 expenditures for the program are paid.