

Act No. 153
Public Acts of 1995
Approved by the Governor
July 9, 1995
Filed with the Secretary of State
July 12, 1995

**STATE OF MICHIGAN
88TH LEGISLATURE
REGULAR SESSION OF 1995**

Introduced by Reps. McNutt, Geiger, Walberg, LeTarte, Jellema, Middleton, Gilmer, Johnson, Bobier
and Oxender

ENROLLED HOUSE BILL No. 4418

AN ACT to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal years ending September 30, 1995 and September 30, 1996; to provide for the expenditure of the appropriations; to provide for reports; 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:

Sec. 101. There is appropriated for the department of corrections for the fiscal year ending September 30, 1996, from the following funds:

DEPARTMENT OF CORRECTIONS

APPROPRIATION SUMMARY:

Average population	43,554	
Full-time equated unclassified positions	16.0	
Full-time equated classified positions.....	16,802.5	
GROSS APPROPRIATION		\$ 1,315,315,800
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers	6,628,700	
ADJUSTED GROSS APPROPRIATION.....		\$ 1,308,687,100
Federal revenues:		
Total federal revenues	5,546,900	
Special revenue funds:		
Total local revenues	634,200	
Total private revenues.....	200,000	
Total other state restricted revenues	33,285,000	
State general fund/general purpose		\$ 1,269,021,000

EXECUTIVE

Full-time equated unclassified positions	16.0	
Full-time equated classified positions.....	78.0	
Unclassified positions—16.0 FTE positions.....		\$ 1,152,500
Executive administration—11.0 FTE positions		1,439,000

	For Fiscal Year Ending Sept. 30, 1996
Audit and internal affairs—21.0 FTE positions.....	1,453,300
Policy and hearings—46.0 FTE positions	4,040,100
Federal contingency funds.....	3,000,000
Private contingency funds.....	200,000
Local contingency funds	200,000
State restricted contingency funds.....	200,000
GROSS APPROPRIATION.....	\$ 11,684,900
Appropriated from:	
Federal revenues:	
Federal revenues and reimbursements	3,000,000
Special revenue funds:	
State restricted revenues and reimbursements.....	200,000
Local revenues and reimbursements	200,000
Private revenues and reimbursements.....	200,000
State general fund/general purpose	\$ 8,084,900
ADMINISTRATION AND PROGRAMS	
Full-time equated classified positions.....	230.2
Administration and fiscal management—38.5 FTE positions	\$ 2,759,500
Administrative services—44.7 FTE positions.....	2,692,900
Program services—14.0 FTE positions	1,349,700
Planning, research, and information services—73.5 FTE positions.....	8,558,700
Prisoner rehabilitation and education program	1,367,100
Federal education programs—19.0 FTE positions.....	1,439,900
Rent.....	1,674,100
Training administration—40.5 FTE positions	2,895,900
Training academy	467,200
GROSS APPROPRIATION.....	\$ 23,205,000
Appropriated from:	
Federal revenues:	
DED-Life skills grant	299,900
DED-OVAE, vocational education, basic grants to states	160,000
DED-OESE, chapter 1 program for neglected and delinquent children	500,000
DED-OVAE, adult education, state administered program.....	380,000
DED-OSERS, special education, state grants	100,000
Special revenue funds:	
Local-county reimbursement.....	115,000
Correctional industries revolving fund.....	93,500
Resident stores	268,800
State general fund/general purpose	\$ 21,287,800
CENTRAL SUPPORT ACCOUNTS	
Equipment	\$ 341,900
Special maintenance	1,645,200
Workers compensation	12,434,500
Compensatory buyout.....	225,000
Union leave bank.....	50,000
GROSS APPROPRIATION.....	\$ 14,696,600
Appropriated from:	
State general fund/general purpose	\$ 14,696,600
TRAINING, COMMUNITY SUPPORT AND SUBSTANCE ABUSE PROGRAMS	
Inmate legal services program.....	\$ 314,900
Reimbursement to counties, parole revocation hearings, and court settlements	3,421,000
Substance abuse treatment work project	1,475,000
Substance abuse administration and testing	10,434,100
New employee training	7,724,100
Training projects	111,300

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Criminal justice training fund	600,900
GROSS APPROPRIATION.....	\$ 24,081,300
Appropriated from:	
Interdepartmental grant revenues:	
IDG-MDSP-Michigan justice training fund	600,900
Federal revenues:	
HHS-SAMHSA	563,000
State general fund/general purpose	\$ 22,917,400

PRISON INDUSTRIES OPERATIONS

Full-time equated classified positions.....	169.8
Personnel costs—169.8 FTE positions.....	\$ 12,240,900
Automated data processing	300,000
GROSS APPROPRIATION.....	\$ 12,540,900
Appropriated from:	
Special revenue funds:	
Correctional industries revolving fund	12,540,900
State general fund/general purpose	\$ 0

FIELD OPERATIONS

Full-time equated classified positions.....	1,675.0
Personnel costs—1,557.0 FTE positions.....	\$ 83,314,800
Operating costs	6,053,600
Parole board operations—18.0 FTE positions.....	1,336,400
Building occupancy charges-property management.....	343,300
Rent.....	831,100
Loans to parolees.....	204,400
Boot camp-phase III/intensive supervision—72.0 FTE positions	1,827,000
Probation detention center—28.0 FTE positions	1,859,100
GROSS APPROPRIATION.....	\$ 95,769,700
Appropriated from:	
Special revenue funds:	
Oversight fees	3,400,000
State general fund/general purpose	\$ 92,369,700

COMMUNITY PLACEMENT

Average population	1,426.0
Full-time equated classified positions.....	625.9
Tether operations—168.3 FTE positions	\$ 9,054,200
Personnel costs—394.6 FTE positions.....	21,919,200
Operating costs	8,884,200
Technical rule violator center—63.0 FTE positions.....	5,022,600
GROSS APPROPRIATION.....	\$ 44,880,200
Appropriated from:	
Special revenue funds:	
Resident contributions revenues	1,800,000
Local-community tether program reimbursement	319,200
Program participant contributions	3,800,000
Public works user fees.....	17,700
State general fund/general purpose	\$ 38,943,300

SPECIAL ALTERNATIVE INCARCERATION PROGRAM

Full-time equated classified positions.....	135.0
Personnel costs—135.0 FTE positions.....	\$ 7,229,700
Operational costs	1,756,500
GROSS APPROPRIATION.....	\$ 8,986,200

Appropriated from:	
Special revenue funds:	
Public works user fees	124,300
State general fund/general purpose	\$ 8,861,900

OFFICE OF COMMUNITY CORRECTIONS

Full-time equated classified positions.....	18.0	
Personnel costs—18.0 FTE positions.....		\$ 1,204,500
Operating costs		220,000
OCC board expenses.....		15,000
Probation residential centers		10,190,000
Community corrections comprehensive plans and services.....		10,480,000
Public education and training.....		50,000
Minimum security facilities.....		4,000,000
GROSS APPROPRIATION.....		\$ 26,159,500
Appropriated from:		
State general fund/general purpose		\$ 26,159,500

CONSENT DECREES

Average population	400	
Full-time equated classified positions.....	581.4	
Hadix consent decree—159.0 FTE positions.....		\$ 10,207,300
DOJ consent decree—167.5 FTE positions.....		10,362,200
DOJ psychiatric plan - DMH services		51,541,300
Average population	200	
DOJ psychiatric plan - additional acute care beds		14,551,500
Average population	200	
DOJ psychiatric plan - DOC services—254.9 FTE positions.....		14,403,300
GROSS APPROPRIATION.....		\$ 101,065,600
Appropriated from:		
State general fund/general purpose		\$ 101,065,600

OFFICE OF HEALTH CARE

Full-time equated classified positions.....	22.0	
Health care administration—22.0 FTE positions		\$ 1,710,300
Hospital and specialty care services		28,242,100
Vaccination program		367,100
GROSS APPROPRIATION.....		\$ 30,319,500
Appropriated from:		
State general fund/general purpose		\$ 30,319,500

CLINICAL OPERATIONS

Full-time equated classified positions.....	740.7	
Adrian clinical complex—31.2 FTE positions.....		\$ 2,037,000
Baraga clinical complex—5.0 FTE positions		897,500
Coldwater clinical complex—28.9 FTE positions.....		2,577,900
Corrections camps clinical—14.0 FTE positions.....		611,500
Detroit clinical complex—16.2 FTE positions		2,355,800
Ionia clinical complex—122.9 FTE positions.....		9,576,200
Jackson clinical complex—198.7 FTE positions		16,589,800
Kincheloe clinical complex—64.0 FTE positions.....		5,580,000
Lapeer clinical complex—15.7 FTE positions		761,900
Macomb clinical complex—17.0 FTE positions		1,119,900
Marquette clinical complex—45.0 FTE positions		3,560,300
Mid-Michigan clinical complex—12.6 FTE positions.....		899,900
Muskegon clinical complex—49.5 FTE positions		3,455,300
Oaks clinical complex—5.0 FTE positions		903,700
Plymouth clinical complex—52.0 FTE positions.....		3,591,100

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Saginaw clinical complex—17.0 FTE positions.....	1,120,600
Standish clinical complex—13.5 FTE positions.....	1,058,400
Ypsilanti clinical complex—32.5 FTE positions.....	2,479,100
GROSS APPROPRIATION.....	\$ 59,175,900
Appropriated from:	
State general fund/general purpose	\$ 59,175,900

CORRECTIONAL FACILITIES-ADMINISTRATION

Full-time equated classified positions.....	116.0	
Conveying convicts to penal institutions.....		\$ 248,300
Federal school lunch program.....		300,000
Correctional facilities administration—10.0 FTE positions.....		804,500
Extradition services.....		120,000
Housing inmates in federal institutions.....		324,000
Central region office—97.0 FTE positions.....		7,759,300
Northern region office—2.0 FTE positions		183,500
Southeastern region office—2.0 FTE positions		183,500
Southwestern region office—2.0 FTE positions		183,500
Food service operations.....		5,000,000
Surplus food program—3.0 FTE positions		407,900
GROSS APPROPRIATION.....		\$ 15,514,500
Appropriated from:		
Intradepartmental grant revenues:		
IDT - surplus food user fees.....		240,400
IDT - food factory user fees		5,000,000
Federal revenues:		
BOP-Federal prisoner reimbursement.....		244,000
DAG-FNS, national school lunch.....		300,000
Special revenue funds:		
Correctional industries revolving fund.....		77,500
State general fund/general purpose		\$ 9,652,600

ALGER MAXIMUM CORRECTIONAL FACILITY

Average population	428	
Full-time equated classified positions.....	284.0	
Personnel costs—281.0 FTE positions.....		\$ 16,570,500
Operational costs		1,619,800
Academic/vocational programs—3.0 FTE positions.....		218,300
GROSS APPROPRIATION.....		\$ 18,408,600
Appropriated from:		
Special revenue funds:		
Resident stores		5,500
State general fund/general purpose		\$ 18,403,100

BARAGA MAXIMUM CORRECTIONAL FACILITY

Average population	428	
Full-time equated classified positions.....	294.0	
Personnel costs—287.0 FTE positions.....		\$ 15,679,400
Operational costs		1,635,000
Academic/vocational programs—7.0 FTE positions.....		399,700
GROSS APPROPRIATION.....		\$ 17,714,100
Appropriated from:		
Special revenue funds:		
Resident stores		5,500
State general fund/general purpose		\$ 17,708,600

BROOKS CORRECTIONAL FACILITY-MUSKEGON

Average population	2,172
Full-time equated classified positions.....	534.9

		For Fiscal Year Ending Sept. 30, 1996
Personnel costs—513.9 FTE positions.....	\$	30,228,000
Operational costs		5,707,600
Academic/vocational programs—21.0 FTE positions.....		1,337,900
GROSS APPROPRIATION.....	\$	37,273,500
Appropriated from:		
Special revenue funds:		
Resident stores		126,800
Public works user fees		65,400
State general fund/general purpose	\$	37,081,300
CARSON CITY CORRECTIONAL FACILITY		
Average population		2,172
Full-time equated classified positions.....		540.8
Personnel costs—521.8 FTE positions.....	\$	30,913,900
Operational costs		5,814,000
Academic/vocational programs—19.0 FTE positions.....		1,200,900
GROSS APPROPRIATION.....	\$	37,928,800
Appropriated from:		
Special revenue funds:		
Resident stores		84,200
State general fund/general purpose	\$	37,844,600
CHIPPEWA CORRECTIONAL FACILITY-KINCHELOE		
Average population		2,066
Full-time equated classified positions.....		526.8
Personnel costs—507.8 FTE positions.....	\$	30,771,100
Operational costs		5,423,000
Academic/vocational programs—19.0 FTE positions.....		1,181,400
GROSS APPROPRIATION.....	\$	37,375,500
Appropriated from:		
Special revenue funds:		
Resident stores		110,000
State general fund/general purpose	\$	37,265,500
COTTON CORRECTIONAL FACILITY-JACKSON		
Average population		1,544
Full-time equated classified positions.....		407.3
Personnel costs—397.3 FTE positions.....	\$	23,383,600
Operational costs		3,882,500
Academic/vocational programs—10.0 FTE positions.....		808,100
GROSS APPROPRIATION.....	\$	28,074,200
Appropriated from:		
Special revenue funds:		
Resident stores		83,300
State general fund/general purpose	\$	27,990,900
FLORENCE CRANE CORRECTIONAL FACILITY-COLDWATER		
Average population		421
Full-time equated classified positions.....		200.6
Personnel costs—188.6 FTE positions.....	\$	11,526,900
Operational costs		1,653,500
Academic/vocational programs—12.0 FTE positions.....		912,200
GROSS APPROPRIATION.....	\$	14,092,600
Appropriated from:		
Special revenue funds:		
Resident stores		27,800
State general fund/general purpose	\$	14,064,800

EGELER CORRECTIONAL FACILITY-JACKSON

Average population	1,006	
Full-time equated classified positions	281.6	
Personnel costs—273.6 FTE positions.....	\$	16,287,800
Operational costs		1,972,600
Academic/vocational programs—8.0 FTE positions.....		736,100
Print shop.....		282,100
Optical lab		51,000
GROSS APPROPRIATION.....	\$	19,329,600
Appropriated from:		
Interdepartmental grant revenues:		
IDT-optical lab user fees.....		51,000
IDT-print shop user fees.....		282,100
Special revenue funds:		
Resident stores		54,800
State general fund/general purpose	\$	18,941,700

HANDLON MICHIGAN TRAINING UNIT-IONIA

Average population	1,315	
Full-time equated classified positions	287.0	
Personnel costs—260.0 FTE positions.....	\$	15,592,100
Operational costs		3,039,700
Academic/vocational programs—27.0 FTE positions.....		1,543,900
GROSS APPROPRIATION.....	\$	20,175,700
Appropriated from:		
Special revenue funds:		
Resident stores		55,400
State general fund/general purpose	\$	20,120,300

HARRISON CORRECTIONAL FACILITY

Average population	2,172	
Full-time equated classified positions.....	546.2	
Personnel costs—528.2 FTE positions.....	\$	29,896,200
Operational costs		5,832,400
Academic/vocational programs—18.0 FTE positions.....		1,214,700
GROSS APPROPRIATION.....	\$	36,943,300
Appropriated from:		
Special revenue funds:		
Resident stores		120,600
State general fund/general purpose	\$	36,822,700

HURON VALLEY CORRECTIONAL FACILITY-YPSILANTI

Average population	482	
Full-time equated classified positions.....	294.8	
Personnel costs—290.8 FTE positions.....	\$	17,081,200
Operational costs		2,722,800
Academic/vocational programs—4.0 FTE positions.....		359,800
GROSS APPROPRIATION.....	\$	20,163,800
Appropriated from:		
Special revenue funds:		
Resident stores		32,900
State general fund/general purpose	\$	20,130,900

IONIA MAXIMUM CORRECTIONAL FACILITY

Average population	636	
Full-time equated classified positions.....	349.6	
Personnel costs—342.6 FTE positions.....	\$	20,384,700
Operational costs		1,962,900

		For Fiscal Year Ending Sept. 30, 1996
Academic/vocational programs—7.0 FTE positions.....		542,400
GROSS APPROPRIATION.....	\$	22,890,000
Appropriated from:		
Special revenue funds:		
Resident stores		5,300
State general fund/general purpose	\$	22,884,700
IONIA TEMPORARY FACILITY		
Average population		960
Full-time equated classified positions.....		222.4
Personnel costs—208.9 FTE positions.....	\$	11,693,400
Operational costs		2,618,300
Print shop operations.....		375,000
Academic/vocational programs—13.5 FTE positions.....		708,700
GROSS APPROPRIATION.....	\$	15,395,400
Appropriated from:		
Interdepartmental grant revenues:		
IDT-print shop user fees.....		375,000
Special revenue funds:		
Resident stores		72,500
Public works user fees.....		11,800
State general fund/general purpose	\$	14,936,100
KINROSS CORRECTIONAL FACILITY-KINCHELOE		
Average population		2,165
Full-time equated classified positions.....		545.5
Personnel costs—520.5 FTE positions.....	\$	30,377,500
Operational costs		6,656,700
Academic/vocational programs—25.0 FTE positions.....		1,426,500
GROSS APPROPRIATION.....	\$	38,460,700
Appropriated from:		
Special revenue funds:		
Resident stores		99,300
Steam heat user fees.....		35,000
State general fund/general purpose	\$	38,326,400
LAKELAND CORRECTIONAL FACILITY-COLDWATER		
Average population		720
Full-time equated classified positions.....		200.7
Personnel costs—193.7 FTE positions.....	\$	11,370,400
Operational costs		2,244,000
Academic/vocational programs—7.0 FTE positions.....		687,900
GROSS APPROPRIATION.....	\$	14,302,300
Appropriated from:		
Special revenue funds:		
Resident stores		33,000
State general fund/general purpose	\$	14,269,300
MACOMB CORRECTIONAL FACILITY		
Average population		1,212
Full-time equated classified positions.....		340.0
Personnel costs—334.0 FTE positions.....	\$	17,813,100
Operational costs		3,258,800
Academic/vocational programs—6.0 FTE positions.....		459,500
GROSS APPROPRIATION.....	\$	21,531,400
Appropriated from:		
Special revenue funds:		
Resident stores		86,600
State general fund/general purpose	\$	21,444,800

MARQUETTE BRANCH PRISON

Average population	825	
Full-time equated classified positions	392.8	
Personnel costs—382.8 FTE positions		\$ 23,406,200
Operational costs		3,170,100
Academic/vocational programs—10.0 FTE positions		790,000
GROSS APPROPRIATION		<u>\$ 27,366,300</u>
Appropriated from:		
Special revenue funds:		
Resident stores		35,900
State general fund/general purpose		<u>\$ 27,330,400</u>

MICHIGAN REFORMATORY-IONIA

Average population	1,258	
Full-time equated classified positions	381.4	
Personnel costs—363.4 FTE positions		\$ 22,411,500
Operational costs		4,777,000
Academic/vocational programs—18.0 FTE positions		1,269,700
GROSS APPROPRIATION		<u>\$ 28,458,200</u>
Appropriated from:		
Special revenue funds:		
Resident stores		94,400
State general fund/general purpose		<u>\$ 28,363,800</u>

MID-MICHIGAN TEMPORARY FACILITY-ST. LOUIS

Average population	960	
Full-time equated classified positions	224.0	
Personnel costs—215.0 FTE positions		\$ 12,161,600
Operational costs		2,551,800
Academic/vocational programs—9.0 FTE positions		632,500
GROSS APPROPRIATION		<u>\$ 15,345,900</u>
Appropriated from:		
Special revenue funds:		
Resident stores		39,000
Public works user fees		11,000
State general fund/general purpose		<u>\$ 15,295,900</u>

MOUND CORRECTIONAL FACILITY

Average population	1,044	
Full-time equated classified positions	365.4	
Personnel costs—354.4 FTE positions		\$ 18,677,400
Operational costs		2,497,000
Academic/vocational programs—11.0 FTE positions		620,400
GROSS APPROPRIATION		<u>\$ 21,794,800</u>
Appropriated from:		
Special revenue funds:		
Resident stores		44,700
State general fund/general purpose		<u>\$ 21,750,100</u>

MUSKEGON CORRECTIONAL FACILITY

Average population	1,310	
Full-time equated classified positions	292.5	
Personnel costs—275.5 FTE positions		\$ 16,492,700
Operational costs		3,529,000
Academic/vocational programs—17.0 FTE positions		1,186,900
GROSS APPROPRIATION		<u>\$ 21,208,600</u>

Appropriated from:		
Special revenue funds:		
Resident stores		55,200
State general fund/general purpose	\$	21,153,400

OAKS MAXIMUM CORRECTIONAL FACILITY

Average population	552	
Full-time equated classified positions	312.0	
Personnel costs—309.0 FTE positions	\$	18,407,400
Operational costs		2,168,100
Academic/vocational programs—3.0 FTE positions		249,200
GROSS APPROPRIATION	\$	20,824,700
Appropriated from:		
Special revenue funds:		
Resident stores		5,500
State general fund/general purpose	\$	20,819,200

RIVERSIDE CORRECTIONAL FACILITY-IONIA

Average population	794	
Full-time equated classified positions	283.6	
Personnel costs—281.6 FTE positions	\$	17,049,900
Operational costs		3,308,500
Academic/vocational programs—2.0 FTE positions		156,600
GROSS APPROPRIATION	\$	20,515,000
Appropriated from:		
Special revenue funds:		
Resident stores		35,600
State general fund/general purpose	\$	20,479,400

RYAN CORRECTIONAL FACILITY

Average population	1,044	
Full-time equated classified positions	356.1	
Personnel costs—346.1 FTE positions	\$	19,531,000
Operational costs		2,960,500
Academic/vocational programs—10.0 FTE positions		647,000
GROSS APPROPRIATION	\$	23,138,500
Appropriated from:		
Special revenue funds:		
Resident stores		55,800
State general fund/general purpose	\$	23,082,700

SAGINAW CORRECTIONAL FACILITY

Average population	1,212	
Full-time equated classified positions	349.0	
Personnel costs—335.0 FTE positions	\$	18,604,500
Operational costs		2,753,100
Academic/vocational programs—14.0 FTE positions		371,900
GROSS APPROPRIATION	\$	21,729,500
Appropriated from:		
Special revenue funds:		
Resident stores		71,200
State general fund/general purpose	\$	21,658,300

SCOTT CORRECTIONAL FACILITY-PLYMOUTH

Average population	847	
Full-time equated classified positions	329.5	
Personnel costs—312.5 FTE positions	\$	18,319,900
Operational costs		2,449,300

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Academic/vocational programs—17.0 FTE positions.....	1,247,100
GROSS APPROPRIATION.....	\$ 22,016,300
Appropriated from:	
Special revenue funds:	
Resident stores	48,700
State general fund/general purpose	\$ 21,967,600

STANDISH MAXIMUM CORRECTIONAL FACILITY

Average population	428
Full-time equated classified positions	289.6
Personnel costs—284.6 FTE positions.....	\$ 16,953,300
Operational costs	1,706,500
Academic/vocational programs—5.0 FTE positions.....	256,300
GROSS APPROPRIATION.....	\$ 18,916,100
Appropriated from:	
Special revenue funds:	
Resident stores	5,500
State general fund/general purpose	\$ 18,910,600

STATE PRISON OF SOUTHERN MICHIGAN-JACKSON

Average population	3,548
Full-time equated classified positions	1,028.9
Personnel costs—996.6 FTE positions.....	\$ 58,532,500
Operational costs	10,657,700
Academic/vocational programs—32.3 FTE positions.....	1,870,000
GROSS APPROPRIATION.....	\$ 71,060,200
Appropriated from:	
Special revenue funds:	
Resident stores	134,600
State general fund/general purpose	\$ 70,925,600

THUMB CORRECTIONAL FACILITY-LAPEER

Average population	954
Full-time equated classified positions	276.4
Personnel costs—265.4 FTE positions.....	\$ 15,887,600
Operational costs	2,695,400
Academic/vocational programs—11.0 FTE positions.....	587,700
GROSS APPROPRIATION.....	\$ 19,170,700
Appropriated from:	
Special revenue funds:	
Resident stores	44,800
State general fund/general purpose	\$ 19,125,900

WESTERN WAYNE CORRECTIONAL FACILITY-PLYMOUTH

Average population	775
Full-time equated classified positions	282.4
Personnel costs—278.9 FTE positions.....	\$ 16,479,200
Operational costs	2,498,500
Academic/vocational programs—3.5 FTE positions.....	289,700
GROSS APPROPRIATION.....	\$ 19,267,400
Appropriated from:	
Special revenue funds:	
Resident stores	27,400
State general fund/general purpose	\$ 19,240,000

CORRECTION CAMPS PROGRAM

Average population	2,806
Full-time equated classified positions	785.6

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Personnel costs—777.6 FTE positions.....	\$	44,199,600
Operational costs		9,084,300
Dental lab operations		79,300
Academic/vocational programs—8.0 FTE positions.....		615,800
GROSS APPROPRIATION.....	\$	53,979,000
Appropriated from:		
Interdepartmental grant revenues:		
IDT-dental lab user fees.....		79,300
Special revenue funds:		
Resident stores		202,300
Public works user fees.....		846,000
State general fund/general purpose	\$	52,851,400
INMATE HOUSING FUND		
Average population		3,472
Full-time equated classified positions.....		605.1
Inmate housing fund—605.1 FTE positions	\$	28,281,700
County jail reimbursement program		14,103,600
GROSS APPROPRIATION.....	\$	42,385,300
Appropriated from:		
Special revenue funds:		
Telephone fees and commissions.....		8,089,000
State general fund/general purpose	\$	34,296,300

Sec. 102. There is appropriated for the department of corrections for the fiscal year ending September 30, 1995 from the following funds:

DEPARTMENT OF CORRECTIONS

APPROPRIATION SUMMARY:

GROSS APPROPRIATION.....	\$	(10,000,000)
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		0
ADJUSTED GROSS APPROPRIATION.....	\$	(10,000,000)
Federal revenues:		
Total federal revenues		0
Special revenue funds:		
Total local revenues		0
Total private revenues.....		0
Total other state restricted revenues		0
State general fund/general purpose	\$	(10,000,000)

ADMINISTRATION AND PROGRAMS

Administrative services.....	\$	(250,000)
GROSS APPROPRIATION.....	\$	(250,000)
Appropriated from:		
State general fund/general purpose	\$	(250,000)

CENTRAL SUPPORT ACCOUNTS

Compensatory buyout.....	\$	(150,000)
GROSS APPROPRIATION.....	\$	(150,000)
Appropriated from:		
State general fund/general purpose	\$	(150,000)

FIELD OPERATIONS

Personnel costs.....	\$	(1,000,000)
GROSS APPROPRIATION.....	\$	(1,000,000)

Appropriated from:		
State general fund/general purpose	\$	(1,000,000)
CONSENT DECREES		
DOJ consent decree.....	\$	(1,000,000)
DOJ psychiatric plan - additional acute care beds		(4,429,000)
GROSS APPROPRIATION.....	\$	(5,429,000)
Appropriated from:		
State general fund/general purpose	\$	(5,429,000)
OFFICE OF HEALTH CARE		
Vaccination program.....	\$	(450,000)
GROSS APPROPRIATION.....	\$	(450,000)
Appropriated from:		
State general fund/general purpose	\$	(450,000)
CLINICAL OPERATIONS		
Detroit clinical complex	\$	(300,000)
GROSS APPROPRIATION.....	\$	(300,000)
Appropriated from:		
State general fund/general purpose	\$	(300,000)
BARAGA MAXIMUM CORRECTIONAL FACILITY		
Personnel costs.....	\$	(150,000)
GROSS APPROPRIATION.....	\$	(150,000)
Appropriated from:		
State general fund/general purpose	\$	(150,000)
CARSON CITY REGIONAL CORRECTIONAL FACILITY		
Personnel costs.....	\$	(100,000)
GROSS APPROPRIATION.....	\$	(100,000)
Appropriated from:		
State general fund/general purpose	\$	(100,000)
CHIPPEWA REGIONAL CORRECTIONAL FACILITY-KINCHELOE		
Personnel costs.....	\$	(150,000)
GROSS APPROPRIATION.....	\$	(150,000)
Appropriated from:		
State general fund/general purpose	\$	(150,000)
EGELER CORRECTIONAL FACILITY-JACKSON		
Personnel costs.....	\$	(200,000)
GROSS APPROPRIATION.....	\$	(200,000)
Appropriated from:		
State general fund/general purpose	\$	(200,000)
HURON VALLEY CORRECTIONAL FACILITY-YPSILANTI		
Operational costs	\$	(400,000)
GROSS APPROPRIATION.....	\$	(400,000)
Appropriated from:		
State general fund/general purpose	\$	(400,000)
KINROSS CORRECTIONAL FACILITY-KINCHELOE		
Operational costs	\$	(300,000)
GROSS APPROPRIATION.....	\$	(300,000)
Appropriated from:		
State general fund/general purpose	\$	(300,000)

MID-MICHIGAN TEMPORARY FACILITY-ST. LOUIS

Operational costs	\$	(121,000)
GROSS APPROPRIATION	\$	(121,000)
Appropriated from:		
State general fund/general purpose	\$	(121,000)

MOUND REGIONAL CORRECTIONAL FACILITY

Personnel costs	\$	(1,000,000)
GROSS APPROPRIATION	\$	(1,000,000)
Appropriated from:		
State general fund/general purpose	\$	(1,000,000)

GENERAL SECTIONS FOR FISCAL YEAR 1994-95

Sec. 103. In accordance with the provisions of section 30 of article IX of the state constitution of 1963, total state spending in section 102 is (\$10,000,000.00) and state spending to units of local government is \$0.

GENERAL SECTIONS FOR FISCAL YEAR 1995-96

Sec. 201. (1) In accordance with the provisions of section 30 of article IX of the state constitution of 1963, total state spending in section 101 is \$1,302,306,000.00 and state spending to units of local government is as follows:

ADP-Assumption of county probation	\$	462,700
Assumption of county probation staff		21,834,100
Reimbursement to counties, parole revocation hearings, and court settlements		3,421,000
Public service work projects		11,498,600
Community corrections grants and assistance		10,480,000
Community corrections probation residential services		10,190,000
Minimum security facilities		4,000,000
Total	\$	61,886,400

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

Sec. 201a. The expenditures and funding sources authorized under this bill are subject to the management and budget act, Act No. 431 of the Public Acts of 1984, being sections 18.1101 to 18.1594 of the Michigan Compiled Laws.

Sec. 201b. The amounts appropriated from 1 fund to another fund shall be authorized pursuant to annual appropriations within the departments responsible for each fund's appropriation.

Sec. 202. As used in this act:

- (a) "BOP" means the federal bureau of prisons.
- (b) "CCIS" means the community corrections information system.
- (c) "DAG" means the United States department of agriculture.
- (d) "DAG-FNS" means the DAG food and nutrition service.
- (e) "DED" means the United States department of education.
- (f) "DED-OESE" means the DED office of elementary and secondary education.
- (g) "DED-OSERS" means the DED office of special education and rehabilitative services.
- (h) "DED-OVAE" means the DED office of vocational and adult education.
- (i) "Department", or "MDOC" means the Michigan department of corrections.

- (j) "DOJ" means the United States department of justice.
- (k) "HHS" means the United States department of health and human services.
- (l) "HHS-SAMHSA" means the HHS substance abuse and mental health services administration.
- (m) "HIV" means human immunodeficiency virus.
- (n) "IDG" means interdepartmental grant.
- (o) "IDT" means intradepartmental transfers.
- (p) "JPIS" means jail population information system.
- (q) "MDMH" means the Michigan department of mental health.
- (r) "MDSP" means the Michigan department of state police.
- (s) "OCC" means the office of community corrections.
- (t) "OP BFS" means the operating procedure, bureau of field services.
- (u) "PREP" means the prisoner rehabilitation and education program.

Sec. 203. The department shall annually compile the number and percent by county of prisoners for which the state felony sentencing guidelines upper limit for the recommended minimum sentence is 12 months or less. The department shall report this data to the senate and house fiscal agencies and the department of management and budget for the previous calendar year by April 1 of each year.

Sec. 204. (1) Pursuant to the provisions of civil service rules and regulations and applicable collective bargaining agreements, individuals seeking employment with the department shall submit to a controlled substance test. The test shall be administered by the department.

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

Sec. 206. None of the funds appropriated in section 101 for federal contingency funds, private and local contingency funds, including, but not limited to, funds for compassionate visit cost reimbursement and funds for bequests and donations, or state restricted contingency funds are available for expenditure until they have been transferred to another line item in this act pursuant to section 393(2) of the management and budget act, Act No. 431 of the Public Acts of 1984, being section 18.1393 of the Michigan Compiled Laws.

Sec. 208. A system to annually measure and report desired program performance levels and client outcomes for selected programs shall be jointly developed by the department, the department of management and budget, and the house and senate fiscal agencies.

Sec. 209. The department of civil service shall bill departments and/or agencies at the end of the first fiscal quarter for the 1% charges authorized by section 5 of article XI of the state constitution of 1963. Payments shall be made for the total amount of the billing by the end of the second fiscal quarter.

Sec. 210. The department may charge fees and collect revenues in excess of appropriations in section 101 not to exceed the cost of employee meals, academic/vocational services, custody escorts, compassionate visits, union steward activities, and public work programs. The revenues and fees collected shall be appropriated for all expenses associated with these services and activities.

Sec. 211. Of the general fund/general purpose revenue appropriated in section 101, \$1,269,021,000.00 represents a state spending increase over the amount provided to the department of corrections for the fiscal year ending September 30, 1995, and may be used to meet state match requirements of programs contained in the federal violent crime control and law enforcement act of 1994, or successor grant programs, so that any additional federal funds received shall supplement funding provided to the department of corrections in section 101.

Sec. 212. (1) Beginning October 1, 1995, there shall be a hiring freeze imposed on the state classified civil service. State departments and agencies shall be prohibited from hiring any new full-time state classified civil service employees or prohibited from filling any vacant state classified civil service positions. This hiring freeze does not apply to internal transfers of classified employees from 1 position to another within a department or to positions that are funded with 80% or more federal or restricted funds.

(2) The director of the department of management and budget shall grant exceptions to the hiring freeze when the director believes that the hiring freeze will result in rendering a state department or agency unable to deliver services. The director of the department of management and budget shall report by the fifteenth of each month to the

chairpersons of the senate and house appropriations committees the number of exclusions to the hiring freeze approved during the previous month and the reasons to justify the exclusion.

Sec. 213. (1) The director of the department shall take all reasonable steps to ensure that businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies, or both, for the department.

(2) The director of the department shall strongly encourage firms with which the department contracts to subcontract with businesses certified by the department of civil rights in depressed and deprived communities for services or supplies, or both.

Sec. 214. A branch of government, a principal executive department, or a state agency that is appropriated funds in section 101 shall not use any of the funds for the purchase of foreign goods or services if competitively priced American goods or services of comparable quality are available.

Sec. 215. It is the intent of the legislature that the department reduce middle management positions department-wide.

EXECUTIVE

Sec. 301. All reports required by this act shall include a brief executive summary of the report.

Sec. 302. The department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the department of management and budget by April 1, 1996 on the ratio of correctional officers to prisoners for all correctional institutions, the ratio of shift command staff to line custody staff, and the ratio of noncustody institutional staff to prisoners for all correctional institutions.

Sec. 303. The department shall submit 3-year and 5-year prison population projection updates by December 1, 1995 to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the department of management and budget.

Sec. 304. It is the intent of the legislature that from the funds appropriated in section 101 the department, with the cooperation of the state library, create and implement electronic library services, including, but not limited to, electronic law library services, for prisoner use. The department shall submit a report to the senate and house appropriations subcommittees and the senate and house fiscal agencies of the progress of the project not later than April 1, 1996.

Sec. 305. (1) The department shall annually prepare and submit individual reports for the technical rule violator program, the probation detention program, the community residential program, the electronic tether program, and the special alternative to incarceration program. The reports shall include the following:

- (a) Monthly new participants.
- (b) Monthly participant unsuccessful terminations, including cause.
- (c) Number of successful terminations.
- (d) Average monthly population by facility.
- (e) Average length of placement.
- (f) Return to prison statistics.
- (g) Description of program location(s) including capacity and staffing.
- (h) Sentencing guideline scores and actual sentence statistics for participants.
- (i) Comparison with prior year statistics.
- (j) Analysis of the cost effectiveness of the program.

(2) Annual reports shall be prepared and submitted by April 1, 1996, to the corrections subcommittees of the house and senate appropriations committees, the house and senate fiscal agencies, and the department of management and budget.

CENTRAL SUPPORT ACCOUNTS

Sec. 501. The department may use up to 5% of the amount expended in fiscal year 1995-96 for worker's compensation for continuation of a disability management project to determine if such a project can pay for itself through savings in

worker's compensation costs. The project shall be implemented by the department subject to oversight by the risk management division of the department of management and budget in cooperation with the disability management office of the department of civil service. The department shall report on this program annually by April 1, 1996 to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the department of management and budget.

FIELD OPERATIONS

Sec. 701. The department shall develop guidelines for all probation personnel who are responsible for making sentencing recommendations for convicted felons. For a sentence recommendation in a presentence investigation report under section 14 of chapter XI of the code of criminal procedure, Act No. 175 of the Public Acts of 1927, being section 771.14 of the Michigan Compiled Laws, the guidelines shall require probation staff to recommend a sentence other than prison for short-term nonviolent offenses and should recommend prison sentences only when required by law or when no alternative community sentence will provide public protection, pursuant to OP BFS 71.01. Probation staff shall review all options for alternatives to incarceration and recommend nonprison sentences for all nonviolent offenders, excluding sentences for which there is a mandatory prison sentence. If the probation staff deviates from these guidelines, reasons for the deviation shall be attached to the recommended prison sentence and included with the presentence investigation report. The department shall ensure that this data is collected as part of the department's overall information systems upgrade project and that it is compiled in an annual report submitted to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the department of management and budget by April 1 of each year.

Sec. 702. A parole board member or a person on a parole board member's direct staff shall not provide legal representation before the parole board or provide legal assistance to a prisoner or parolee until the expiration of 1 year after he or she is no longer a parole board member or on a parole board member's direct staff.

Sec. 703. It is the intent of the legislature that the funding appropriated in section 101 for additional parole and probation agents will be the second phase of a 60-month process during which sufficient parole and probation agents are hired to achieve a ratio of 90 workload units per agent.

Sec. 704. Repayment of any loans provided to parolees shall be made a condition of parole.

Sec. 705. The field operations administration shall certify before January 16 of each year that it is in compliance with its own minimum supervision standards and that all parole and probation agents conform to supervision policy and procedural requirements, or shall specify in a report to the legislature how such standards and requirements have not been met. The report shall be transmitted to the house and senate appropriations committees.

COMMUNITY PLACEMENT

Sec. 801. (1) All community placement prisoners, probationers, and parolees involved with the electronic tether program shall reimburse the department for costs associated with the equipment and telephone charges associated with their participation in the program. The department shall require community service work reimbursement as a means of payment for those able-bodied individuals unable to pay for the cost of the equipment.

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

(3) Included in the appropriation in section 101 is adequate funding to implement the community-tether program to be administered by the department. The community-tether program is intended to provide sentencing judges and county sheriffs in coordination with local community corrections boards access to the state's electronic tether program based on a 2-tier reimbursement schedule. The state will for \$5.30 per diem provide counties with the tether equipment, replacement parts, administrative oversight of the equipment's operation, notification of violators, and periodic reports regarding county program participants. Under the \$5.30 per diem option, counties are responsible for tether equipment installation and service, and apprehension of program violators. For \$7.50 per diem, the state will provide the equipment, staff to install and service the equipment, administrative oversight staff, periodic reports regarding county program participants, and notification of program violators. County officials shall be responsible for the coordination and apprehension of program violators. The OCC shall assist in determining the appropriate distribution of the tether

units throughout the state based on analysis of community demand through community comprehensive plans and OCC data analysis and communicate this information to the department for implementation. County officials are responsible for collecting per diem fees from community tether program offenders if a per diem fee is initiated by the county programs. Any county with tether charges outstanding over 60 days shall be considered in violation of the community-tether program agreement and lose access to the program.

Sec. 802. Community-placement prisoners shall reimburse the department for the operational costs of the program. As an alternative method of payment, the department may develop a community service work schedule for those individuals unable to meet reimbursement requirements established by the department.

Sec. 803. It is the legislature's intent that the department avoid locating a new community corrections center in a residential neighborhood unless the location of the proposed community corrections center has the support of the local unit of government in whose jurisdiction the community corrections center is proposed to be located. If the local unit of government does not give its support for that location, the local unit of government within 60 days shall provide an alternative site for the proposed community corrections center within the local governmental unit's jurisdiction that is acceptable to the department.

SPECIAL ALTERNATIVE INCARCERATION PROGRAM

Sec. 901. The department shall establish a uniform rate to be paid by agencies that benefit from public work services provided by special alternative incarceration participants and prisoners.

OFFICE OF COMMUNITY CORRECTIONS

Sec. 1001. The office of community corrections shall provide and coordinate the delivery and implementation of services in communities to facilitate successful offender reintegration into the community. Programs and services to be offered shall include, but are not limited to, new program startup funding, program funding for those programs delivering services for eligible offenders in geographic areas identified by the office of community corrections as having a shortage of available services, technical assistance, referral services for education, employment services, and substance abuse and family counseling.

Sec. 1002. (1) Included in the appropriation in section 101, OCC community corrections comprehensive plans and services, is \$9,980,000.00 for the development and implementation of programs designed to achieve the following objectives:

- (a) Diversion of felony offenders from state prisons.
- (b) Diversion of offenders from county jails.
- (c) Reduction of crime and recidivism through the delivery of effective state and community-based programs.
- (d) Strengthen offender accountability.

(2) The OCC shall coordinate with community corrections boards and the department for available services including, but not limited to, education, employment, mental health, and substance abuse, to implement a cost-effective comprehensive community corrections program for offenders.

Sec. 1003. (1) As part of the March biannual report specified under section 12(2) of the community corrections act, Act No. 511 of the Public Acts of 1988, being section 791.412 of the Michigan Compiled Laws, which requires an analysis of the impact of that act on prison admissions and jail utilization, the OCC shall submit to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the department of management and budget the following information for each county and counties consolidated for comprehensive corrections plans:

(a) Approved comprehensive corrections plans including each program and level of funding, the utilization level of each program, and profile information of enrolled offenders.

(b) If federal funds are made available, the number of participants funded, the number served, the number successfully completing the program, and a summary of the program activity.

(c) Status of the community corrections information system and the jail population information system.

(d) Data on probation residential centers, including participant data, participant sentencing guideline scores, program expenditures, average length of stay, and bed utilization data.

(2) The report required under subsection (1) shall include the total funding allocated, program expenditures, required program data, and year-to-date totals.

Sec. 1004. (1) Included in the appropriation in section 101 is funding for the JPIS and CCIS data base. The OCC shall identify and coordinate information with the department regarding the availability of and the demand for community corrections programs, jail-based community corrections programs, and basic state required jail data. The department shall provide the office of community corrections with access to data and information required to assess the impact of community corrections programs.

(2) The office of community corrections shall be responsible for the collection, analysis, and reporting of state required jail data. Responsibility for the administration of the project remains with the OCC.

(3) If the OCC wants to enter into a contract with an outside vendor for data collection, the OCC shall issue a request for proposal and selection of the vendor shall be based on a competitive bid basis.

(4) As a prerequisite to participation in the programs and services offered through the office of community corrections, counties shall provide basic jail data to the office of community corrections.

Sec. 1005. From the funds appropriated in section 101 for community corrections comprehensive plans and services, no funds shall be awarded to local jurisdictions that have not had their comprehensive corrections plans officially approved by the state community corrections board.

Sec. 1006. (1) The funds appropriated in section 101 for minimum security facilities are intended to allow counties to expand local capabilities for incarcerating persons whose sentencing guidelines scores have an upper limit for the recommended minimum sentence of 12 months or less. The funds also may be used to expand local capabilities for diverting offenders from prison with sentencing guidelines minimum minimum scores of 12 months or more and other nonviolent offenders for whom sentencing guidelines do not apply. The funding may be used to develop minimum security beds to alleviate jail overcrowding, as long as the development of such beds opens secure jail space for the offenders on whom funding is targeted.

(2) The funding shall be allocated by the office of community corrections for single- or multi-county projects based upon approved applications received from local community corrections boards. The applications must clearly delineate the target populations for which the funding will be used, as well as any other information the office of community corrections requires. The office of community corrections shall evaluate project proposals for programmatic design, cost effectiveness, and consistency with local comprehensive corrections plans.

(3) In allocating minimum security facilities funding, the office of community corrections shall give priority for funding to those counties which most clearly document how the funding will divert additional offenders from prison.

(4) Funding for minimum security facilities shall be limited to \$8,000.00 per bed. If a jurisdiction proposes to build or renovate minimum security facilities at a cost that will exceed \$8,000.00 per bed, section 101 funding may be used to fund up to \$8,000.00 per bed of the proposed cost.

Sec. 1007. It is the intent of the legislature that the funding for minimum security beds be used to reduce prison bedspace needs by a number of beds equivalent to the number funded under grants provided under the minimum security bedspace program. By December 31, 1995, the house and senate fiscal agencies and the department of management and budget shall report to the legislature on the prison bedspace impact of enacted sentencing reform legislation intended to reduce prison bedspace needs. The report shall contain an estimate of the number of offenders diverted by the reform legislation. It is the intent of the legislature that funding for minimum security beds fund a number of beds equivalent to this number of offenders, and that funding for beds in excess of this number be transferred by legislative transfer to the department of corrections to meet operational and personnel costs of prison beds.

CONSENT DECREES

Sec. 1101. Expenditures from the funds appropriated in section 101 for the federal court consent decree and the Hadix court consent decree shall be made by administrative transfer to separate accounts created for the purpose of separately identifying costs associated with each consent decree.

Sec. 1102. The funds appropriated in section 101 for additional acute care beds may only be expended for additional acute and residential mental health beds if specifically required in the DOJ consent decree.

HEALTH CARE

Sec. 1151. (1) The department shall contract for utilization review of all major medical procedures including, but not limited to, application of guidelines for outside medical referrals and controls that verify the necessity of recommended medical tests, treatments, and procedures.

(2) The department shall report by June 1, 1996 to the house and senate fiscal agencies and to the department of management and budget the results of the telemedicine pilot program and the feasibility of capitation contracts for hospital services on a geographic basis.

Sec. 1152. The department may establish and collect a fee from prisoners choosing to access nonemergency health care services. The revenue collected is appropriated to cover costs directly related to providing these services.

INSTITUTIONAL OPERATIONS

Sec. 1201. (1) The maximum reimbursement to colleges participating in the prisoner rehabilitation and education program (PREP) shall be limited to \$4.00 per student contact hour not to exceed 19.5 contact hours per semester credit hour.

(2) The department shall report annually by April 1, 1996 on the PREP program. Information shall include types of programs offered and the number of students awarded a degree or certificate.

Sec. 1202. The department shall report annually by April 1 to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the department of management and budget on the number of prisoners who enroll in but do not complete course work through the academic/vocational program.

Sec. 1203. The appropriation in section 101 for central region food service operations shall be operated through a revolving fund established by the department in accordance with the management and budget act, Act No. 431 of the Public Acts of 1984, being sections 18.1101 to 18.1594 of the Michigan Compiled Laws.

Sec. 1204. The department shall maintain the Michigan braille transcribing service at its current location at the state prison of southern Michigan complex.

Sec. 1205. (1) It is the intent of the legislature that no appropriations in this act shall be used to pay any costs associated with college or university programming for prison inmates, unless such payments are required by existing court orders or consent decrees.

(2) It is the intent of the legislature that the department petition the federal court to modify the out-of-cell activity plan previously adopted as part of the Hadix v Johnson consent decree. The modification proposed by the department shall eliminate state funded college and university programming for prison inmates and replace such programming with general education development, adult basic education, and vocational education programming.

(3) If the department is successful in modifying the consent decree to eliminate required college and university programming, it is the intent of the legislature that all funding for the prisoner rehabilitation and education program be transferred to vocational/education line items in the budget to eliminate waiting lists for general education development, adult basic education, and vocational education programming. Transfers for this purpose shall be made through the legislative transfer process pursuant to section 393(2) of the management and budget act, Act No. 431 of the Public Acts of 1984, being section 18.1393 of the Michigan Compiled Laws.

Sec. 1205a. (1) Through a competitive bid process, the department, in conjunction with the department of management and budget, shall award a contract by January 1, 1996 to an independent and qualified entity to examine and evaluate the effects of higher education on inmates in the prison system of this state. The contract shall be completed with a final report by January 1, 1997. Copies of the final report shall be transmitted to the members of the appropriations committees of the senate and house of representatives by January 15, 1997.

(2) Funding for the majority of prison higher education programs was discontinued in 1989-90 while funding for higher education was continued by court order at, among other institutions, the state prison of southern Michigan (SPSM) in the case of Hadix v Johnson.

(3) Inmates enrolled and attending 2- or 4-year college programs at SPSM during 1989-90 shall form the primary study group. The evaluation study shall compare these inmates to a matching group comprised of inmates enrolled and attending 2- or 4-year college programs at other prisons when the programs were discontinued in the spring of 1989. Study and comparison groups shall be compared based upon age, race, prior education, prior criminal history, controlling offense conviction, and length of sentence.

(4) Comparing inmates who continued to attend college at the SPSM with a matched group of inmates whose education was disrupted at other institutions, the study shall examine the effects of higher education on inmate behavior and misconduct within prison, parole eligibility and grants of parole, level of employment and wages after release from prison, further involvement in education, parole success and failure, and recidivism including reclassification, technical parole violations, arrest, convictions, and sentencing.

(5) The department shall fully cooperate with the entity that performs under the contract by providing all necessary information so the contract can be completely performed.

Sec. 1205b. It is the intent of the legislature that if funds appropriated under section 101 for the prisoner rehabilitation and education program are expended to pay for higher education expenses of a prisoner, the prisoner, as a condition for receiving those funds, shall contractually agree with the department to repay those funds. It is the intent of the legislature that this requirement will not be implemented if a federal judge determines that implementation would violate a federal consent decree or court order.

Sec. 1206. If a correctional officer or other departmental employee is exposed to a prisoner's blood or other bodily fluid as a result of an assault, an emergency, or an urgent care situation, the department shall cause blood and bodily fluid specimens of the prisoner to be submitted to a clinical laboratory approved by the department for the purpose of performing department approved tests for HIV or an antibody to HIV, and for hepatitis B. Upon receiving positive tests results, and except as otherwise provided by law, the department shall immediately notify the correctional officer or other departmental employee of the test results.

Sec. 1207. Funds appropriated under section 101 shall not be expended to purchase a color television for prisoner use.

Sec. 1208. (1) By January 1, 1996, the department shall designate 1 or more facilities within each region as nonsmoking facilities in which no smoking is permitted within any facility building. In facilities in which smoking is allowed after January 1, 1996, the department shall designate 1 or more housing units within each facility as nonsmoking housing units, effective January 1, 1996.

(2) By March 1, 1996, the department shall submit to the house and senate appropriations subcommittees on corrections and the house and senate fiscal agencies a plan under which all facilities shall be nonsmoking facilities by January 1, 1998. The plan also shall provide for all buildings within all segregation units and all reception centers to be nonsmoking by January 1, 1997. The plan shall identify by year the units and facilities in which smoking is to be prohibited, the number of nonsmoking beds in each facility, and the security levels of nonsmoking beds.

Sec. 1209. From the funds appropriated in section 101, the department shall allocate \$50,000.00 in contractual funding for project SEEK (services to enable and empower kids).

Sec. 1210. From the funds appropriated in section 101 for the Florence Crane correctional facility, the department shall allocate \$50,000.00 for continuation of the children's visitation program. It is the intent of the legislature that such funding shall be provided in each of the next 3 fiscal years. The program shall teach parenting classes and arrange day visitation at the Florence Crane correctional facility for inmate mothers and their children. The department may implement these programs with departmental staff or contract these services to a nonprofit organization. The department or nonprofit organization shall report to the legislature after the first 2 years on the progress of the program. The department may determine the procedure necessary for an inmate to participate in the program but shall provide that not fewer than 3 Saturday visitations per month be offered at each facility.

Sec. 1211. From the funds appropriated in section 101 for the Scott regional correctional facility, the department shall allocate \$75,000.00 for continuation of the children's visitation program. It is the intent of the legislature that such funding shall be provided in each of the next 3 fiscal years. The program shall teach parenting classes and arrange day visitation at the Scott regional correctional facility for inmate mothers and their children. The department may implement these programs with departmental staff or contract these services to a nonprofit organization. The department or nonprofit organization shall report to the legislature after the first 2 years on the progress of the program. The department may determine the procedure necessary for an inmate to participate in the program but shall provide that not fewer than 3 Saturday visitations per month be offered at each facility.

Sec. 1212. From the funds appropriated in section 101 for the Camp Branch facility, the department shall allocate \$50,000.00 for continuation of the children's visitation program. It is the intent of the legislature that such funding shall be provided in each of the next 3 fiscal years. The program shall teach parenting classes and arrange day visitation at Camp Branch for inmate mothers and their children. The department may implement these programs with departmental staff or contract these services to a nonprofit organization. The department or nonprofit organization shall report to the legislature after the first 2 years on the progress of the program. The department may determine the procedure necessary for an inmate to participate in the program but shall provide that not fewer than 3 Saturday visitations per month be offered at each facility.

Sec. 1213. It is the intent of the legislature that the department shall not expend appropriated funds to purchase or repair beyond the purchase price motorized landscaping equipment for use within the security perimeter of prisons and camps. It is the intent of the legislature that the department replace motorized landscaping equipment as needed with

nonmotorized equipment and use prisoner labor where feasible to perform landscaping tasks within the security perimeters of prisons and camps.

Sec. 1214. From the funds appropriated in section 101, the department shall maintain staffing at guard towers at the Handlon Michigan training unit until satisfactory completion of testing of new perimeter fencing intended to eliminate the need for guard tower staffing. The testing period shall continue at least 3 months following completion of the new perimeter fencing.

INMATE HOUSING FUND

Sec. 1301. (1) The inmate housing fund shall be used for the custody, treatment, clinical, and administrative costs associated with the housing of prisoners other than those specifically budgeted for elsewhere in this act. Expenditures from the inmate housing fund shall be made by administrative transfer to existing accounts or to separate accounts created to separately identify costs for specific purposes.

(2) Quarterly reports on all expenditures from the inmate housing fund shall be submitted by the department to the department of management and budget, the senate and house appropriations subcommittees on corrections, and the senate and house fiscal agencies.

Sec. 1302. (1) The department shall administer a county jail reimbursement program from the funds appropriated in section 101 for that purpose.

(2) The county jail reimbursement program shall reimburse counties for housing convicted felons who would otherwise have been sentenced to a state prison term with a minimum minimum state felony sentencing guidelines score of 12 months or more or who were convicted of a violation of section 625(1) of the Michigan vehicle code, Act No. 300 of the Public Acts of 1949, being section 257.625 of the Michigan Compiled Laws, that is punishable under section 625(6)(d) of that act, or who were sentenced under section 10, 11, 12, or 13 of chapter IX of the code of criminal procedure, Act No. 175 of the Public Acts of 1927, being sections 769.10, 769.11, 769.12, and 769.13 of the Michigan Compiled Laws. The provisions of this subsection shall be superseded by the provisions of the state/local partnership legislation pertaining to the county jail reimbursement program on the effective date of those state/local partnership provisions.

(3) The county jail reimbursement program shall reimburse counties for housing parole violators and offenders being returned by the department from community placement to institutional status and for prisoners who volunteer for placement in a county jail.

(4) State reimbursement under this section shall be for prisoner housing and custody expenses in the amount of \$38.00 per diem per diverted offender for the first 180 days of incarceration and \$35.00 per diem per diverted offender for the final 180 days of incarceration.

This act is ordered to take immediate effect.

Clerk of the House of Representatives.

Secretary of the Senate.

Approved -----

Governor.

