

Act No. 371
Public Acts of 1996
Approved by the Governor
July 3, 1996
Filed with the Secretary of State
July 3, 1996

**STATE OF MICHIGAN
88TH LEGISLATURE
REGULAR SESSION OF 1996**

Introduced by Senators Cisky and Hoffman

ENROLLED SENATE BILL No. 848

AN ACT to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 1997; 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, 1997, from the following funds:

**DEPARTMENT OF CORRECTIONS
APPROPRIATION SUMMARY:**

Average population	43,431	
Full-time equated unclassified positions	16.0	
Full-time equated classified positions	17,224.6	
GROSS APPROPRIATION	\$	1,361,795,200
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		6,726,200
ADJUSTED GROSS APPROPRIATION	\$	1,355,069,000
Federal revenues:		
Total federal revenues		2,615,600
Special revenue funds:		
Total local revenues		434,200
Total private revenues		0
Total other state restricted revenues		36,717,500
State general fund/general purpose	\$	1,315,301,700

EXECUTIVE

Full-time equated unclassified positions	16.0	
Full-time equated classified positions	78.0	
Unclassified positions—16.0 FTE positions	\$	1,187,100
Executive administration—11.0 FTE positions		1,417,100

		For Fiscal Year Ending Sept. 30, 1997
Audit and internal affairs—21.0 FTE positions.....	\$	1,496,400
Policy and hearings—46.0 FTE positions		4,094,400
GROSS APPROPRIATION.....	\$	8,195,000
Appropriated from:		
State general fund/general purpose	\$	8,195,000
ADMINISTRATION AND PROGRAMS		
Full-time equated classified positions.....	226.2	
Administration and fiscal management—57.5 FTE positions	\$	3,797,400
Office of personnel and labor relations—24.7 FTE positions		1,577,200
Program services—13.0 FTE positions		1,279,300
Planning, research, and information services—73.5 FTE positions.....		8,483,100
Federal education programs—19.0 FTE positions.....		1,480,700
Rent.....		1,674,100
Training administration—38.5 FTE positions		3,294,700
GROSS APPROPRIATION.....	\$	21,586,500
Appropriated from:		
Federal revenues:		
DED-literacy program for prisoners		299,900
DED-OVAE, vocational education-basic grants to states		166,700
DED-OESE, title 1 program for neglected and delinquent children.....		500,000
DED-OVAE, adult education state administered basic grant program		417,000
DED-OSERS, special education-grants to states.....		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	\$	19,625,600
CENTRAL SUPPORT ACCOUNTS		
Equipment	\$	341,900
Special maintenance		1,708,100
Workers compensation		14,165,800
Compensatory buyout.....		225,000
Union leave bank		50,000
GROSS APPROPRIATION.....	\$	16,490,800
Appropriated from:		
State general fund/general purpose	\$	16,490,800
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		11,034,100
New employee training		7,724,100
Training projects		111,300
Criminal justice training fund		600,900
GROSS APPROPRIATION.....	\$	24,681,300
Appropriated from:		
Interdepartmental grant revenues:		
IDG-MDSP-Michigan justice training fund		600,900
Federal revenues:		
HHS-SAMHSA		563,000
State general fund/general purpose	\$	23,517,400
PRISON INDUSTRIES OPERATIONS		
Full-time equated classified positions.....	169.8	
Personnel costs—169.8 FTE positions.....	\$	12,099,700

For Fiscal Year
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Automated data processing	\$	300,000
GROSS APPROPRIATION.....	\$	12,399,700
Appropriated from:		
Special revenue funds:		
Correctional industries revolving fund.....		12,399,700
State general fund/general purpose	\$	0

FIELD OPERATIONS

Full-time equated classified positions.....	1,689.0	
Personnel costs—1,557.0 FTE positions.....	\$	86,178,800
Operating costs		6,711,200
Community service work program—10.0 FTE positions.....		501,300
Parole board operations—22.0 FTE positions.....		1,382,900
Building occupancy charges-property management.....		599,300
Rent.....		715,100
Loans to parolees.....		204,400
Boot camp-phase III/intensive supervision—72.0 FTE positions		2,688,700
Probation detention center—28.0 FTE positions		1,830,100
Parole/probation services set-aside		1,600,000
GROSS APPROPRIATION.....	\$	102,411,800
Appropriated from:		
Special revenue funds:		
Oversight fees		3,400,000
Supervision fees		1,600,000
State general fund/general purpose	\$	97,411,800

COMMUNITY PLACEMENT

Average population	1,426	
Full-time equated classified positions.....	647.3	
Tether operations—168.3 FTE positions	\$	7,482,600
Community residential program operations—384.6 FTE positions		30,415,100
Technical rule violator center—94.4 FTE positions.....		7,227,900
GROSS APPROPRIATION.....	\$	45,125,600
Appropriated from:		
Special revenue funds:		
Resident contributions revenues		2,050,000
Local-community tether program reimbursement		319,200
Program participant contributions		4,300,000
Public works user fees		41,300
State general fund/general purpose	\$	38,415,100

SPECIAL ALTERNATIVE INCARCERATION PROGRAM

Full-time equated classified positions.....	135.0	
Personnel costs—135.0 FTE positions.....	\$	7,238,600
Operational costs		1,756,500
GROSS APPROPRIATION.....	\$	8,995,100
Appropriated from:		
Special revenue funds:		
Public works user fees		124,300
State general fund/general purpose	\$	8,870,800

OFFICE OF COMMUNITY CORRECTIONS

Full-time equated classified positions.....	18.0	
Personnel costs—18.0 FTE positions.....	\$	1,186,600
Operating costs		220,000
OCC board expenses.....		15,000
Probation residential centers		11,770,500
Community corrections comprehensive plans and services.....		11,480,000
Public education and training.....		50,000

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Local bed space expansion program	\$	3,500,000
County jail reimbursement program		14,103,600
County jail reimbursement program enhancement.....		1,896,400
GROSS APPROPRIATION	\$	44,222,100

Appropriated from:

Special revenue funds:

Telephone fees and commissions.....		8,855,800
State general fund/general purpose	\$	35,366,300

CONSENT DECREES

Average population	400	
Full-time equated classified positions.....	578.4	
Hadix consent decree—158.0 FTE positions.....	\$	10,047,400
DOJ consent decree—166.5 FTE positions.....		10,191,300
Huron Valley psychiatric hospital - department of community health		48,728,600
Average population	400	
Residential and outpatient treatment program - department of community health		16,474,600
Average population	665	
Department of community health bureau staff.....		658,900
Mental health custody staff - department of corrections security—253.9 FTE positions		14,142,400
Prisoner rehabilitation and education program		1,367,100
GROSS APPROPRIATION	\$	101,610,300

Appropriated from:

State general fund/general purpose	\$	101,610,300
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OFFICE OF HEALTH CARE

Full-time equated classified positions.....	20.0	
Health care administration—20.0 FTE positions	\$	1,661,500
Hospital and specialty care services		36,845,200
Vaccination program		367,100
GROSS APPROPRIATION	\$	38,873,800

Appropriated from:

State general fund/general purpose	\$	38,873,800
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CLINICAL OPERATIONS

Full-time equated classified positions.....	756.2	
Adrian clinical complex—31.2 FTE positions.....	\$	1,887,900
Baraga clinical complex—5.0 FTE positions		898,200
Coldwater clinical complex—28.9 FTE positions.....		2,576,800
Corrections camps clinical—19.5 FTE positions		919,700
Detroit clinical complex—16.2 FTE positions		2,282,500
Ionia clinical complex—122.9 FTE positions		8,979,700
Jackson clinical complex—198.7 FTE positions		15,597,000
Kincheloe clinical complex—64.0 FTE positions.....		5,270,700
Lapeer clinical complex—15.7 FTE positions		685,300
Macomb clinical complex—17.0 FTE positions		1,111,000
Marquette clinical complex—45.0 FTE positions		3,332,700
Mid-Michigan clinical complex—12.6 FTE positions.....		839,200
Muskegon clinical complex—55.5 FTE positions		3,216,900
Newberry clinical complex—4.0 FTE positions.....		757,900
Oaks clinical complex—5.0 FTE positions		902,800
Plymouth clinical complex—52.0 FTE positions.....		3,332,700
Saginaw clinical complex—17.0 FTE positions		1,111,700
Standish clinical complex—13.5 FTE positions.....		991,200
Ypsilanti clinical complex—32.5 FTE positions		2,314,400
GROSS APPROPRIATION	\$	57,008,300

Appropriated from:

State general fund/general purpose	\$	57,008,300
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CORRECTIONAL FACILITIES-ADMINISTRATION

Full-time equated classified positions.....	201.5		
Conveying convicts to penal institutions.....		\$	248,300
Federal school lunch program.....			255,000
Correctional facilities administration—12.0 FTE positions.....			869,200
Security improvements—84.5 FTE positions.....			4,211,700
Extradition services.....			120,000
Housing inmates in federal institutions.....			394,000
Central region office—96.0 FTE positions.....			7,661,400
Northern region office—2.0 FTE positions.....			181,800
Southeastern region office—2.0 FTE positions.....			181,800
Southwestern region office—2.0 FTE positions.....			181,800
Food service operations.....			5,000,000
Surplus food program—3.0 FTE positions.....			405,300
GROSS APPROPRIATION.....		\$	19,710,300
Appropriated from:			
Intradepartmental transfer revenues:			
IDT-surplus food user fees.....			239,900
IDT - food factory user fees.....			5,000,000
Federal revenues:			
BOP-Federal prisoner reimbursement.....			314,000
DAG-FNS, national school lunch program.....			255,000
State general fund/general purpose.....		\$	13,901,400

ALGER MAXIMUM CORRECTIONAL FACILITY

Average population.....	524		
Full-time equated classified positions.....	308.2		
Personnel costs—304.2 FTE positions.....		\$	17,549,500
Operational costs.....			1,939,300
Academic/vocational programs—4.0 FTE positions.....			273,800
GROSS APPROPRIATION.....		\$	19,762,600
Appropriated from:			
Special revenue funds:			
Resident stores.....			7,500
State general fund/general purpose.....		\$	19,755,100

BARAGA MAXIMUM CORRECTIONAL FACILITY

Average population.....	620		
Full-time equated classified positions.....	345.4		
Personnel costs—337.4 FTE positions.....		\$	18,004,800
Operational costs.....			2,264,500
Academic/vocational programs—8.0 FTE positions.....			436,300
GROSS APPROPRIATION.....		\$	20,705,600
Appropriated from:			
Special revenue funds:			
Resident stores.....			9,500
State general fund/general purpose.....		\$	20,696,100

BROOKS CORRECTIONAL FACILITY-MUSKEGON

Average population.....	2,184		
Full-time equated classified positions.....	535.3		
Personnel costs—514.3 FTE positions.....		\$	29,873,600
Operational costs.....			5,858,500
Academic/vocational programs—21.0 FTE positions.....			1,320,500
GROSS APPROPRIATION.....		\$	37,052,600
Appropriated from:			
Special revenue funds:			
Resident stores.....			134,400
Public works user fees.....			65,400
State general fund/general purpose.....		\$	36,852,800

CARSON CITY CORRECTIONAL FACILITY

Average population	2,184		
Full-time equated classified positions	541.8		
Personnel costs—522.8 FTE positions		\$	30,234,200
Operational costs			5,917,300
Academic/vocational programs—19.0 FTE positions			1,185,200
GROSS APPROPRIATION		\$	37,336,700
Appropriated from:			
Special revenue funds:			
Resident stores			89,400
State general fund/general purpose		\$	37,247,300

CHIPPEWA CORRECTIONAL FACILITY-KINCHELOE

Average population	2,078		
Full-time equated classified positions	524.8		
Personnel costs—508.8 FTE positions		\$	30,057,600
Operational costs			5,522,500
Academic/vocational programs—16.0 FTE positions			1,144,500
GROSS APPROPRIATION		\$	36,724,600
Appropriated from:			
Special revenue funds:			
Resident stores			149,600
State general fund/general purpose		\$	36,575,000

COTTON CORRECTIONAL FACILITY-JACKSON

Average population	1,544		
Full-time equated classified positions	407.3		
Personnel costs—396.3 FTE positions		\$	23,027,800
Operational costs			3,956,900
Academic/vocational programs—11.0 FTE positions			877,600
GROSS APPROPRIATION		\$	27,862,300
Appropriated from:			
Special revenue funds:			
Resident stores			112,600
State general fund/general purpose		\$	27,749,700

FLORENCE CRANE CORRECTIONAL FACILITY-COLDWATER

Average population	460		
Full-time equated classified positions	205.6		
Personnel costs—193.6 FTE positions		\$	11,448,400
Operational costs			1,626,100
Academic/vocational programs—12.0 FTE positions			902,300
GROSS APPROPRIATION		\$	13,976,800
Appropriated from:			
Special revenue funds:			
Resident stores			37,600
State general fund/general purpose		\$	13,939,200

HANDLON MICHIGAN TRAINING UNIT-IONIA

Average population	1,315		
Full-time equated classified positions	296.0		
Personnel costs—269.0 FTE positions		\$	15,745,700
Operational costs			3,102,100
Academic/vocational programs—27.0 FTE positions			1,607,800
GROSS APPROPRIATION		\$	20,455,600
Appropriated from:			
Special revenue funds:			
Resident stores			55,400
State general fund/general purpose		\$	20,400,200

HARRISON CORRECTIONAL FACILITY

Average population	2,184	
Full-time equated classified positions.....	547.2	
Personnel costs—529.2 FTE positions.....	\$	29,204,200
Operational costs		5,933,500
Academic/vocational programs—18.0 FTE positions.....		1,199,700
GROSS APPROPRIATION.....	\$	36,337,400
Appropriated from:		
Special revenue funds:		
Resident stores		178,500
State general fund/general purpose	\$	36,158,900

HURON VALLEY CORRECTIONAL FACILITY-YPSILANTI

Average population	482	
Full-time equated classified positions.....	294.8	
Personnel costs—289.8 FTE positions.....	\$	16,694,600
Operational costs		2,748,900
Academic/vocational programs—5.0 FTE positions.....		426,100
GROSS APPROPRIATION.....	\$	19,869,600
Appropriated from:		
Special revenue funds:		
Resident stores		40,100
State general fund/general purpose	\$	19,829,500

IONIA MAXIMUM CORRECTIONAL FACILITY

Average population	636	
Full-time equated classified positions.....	348.6	
Personnel costs—341.6 FTE positions.....	\$	19,933,600
Operational costs		1,997,800
Academic/vocational programs—7.0 FTE positions.....		536,600
GROSS APPROPRIATION.....	\$	22,468,000
Appropriated from:		
Special revenue funds:		
Resident stores		7,300
State general fund/general purpose	\$	22,460,700

IONIA TEMPORARY FACILITY

Average population	960	
Full-time equated classified positions.....	221.4	
Personnel costs—205.9 FTE positions.....	\$	11,493,100
Operational costs		2,663,700
Print shop operations.....		375,000
Academic/vocational programs—15.5 FTE positions.....		956,700
GROSS APPROPRIATION.....	\$	15,488,500
Appropriated from:		
Intradepartmental transfer 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	\$	15,029,200

KINROSS CORRECTIONAL FACILITY-KINCHELOE

Average population	2,165	
Full-time equated classified positions.....	544.5	
Personnel costs—519.5 FTE positions.....	\$	30,203,600
Operational costs		6,759,600
Academic/vocational programs—25.0 FTE positions.....		1,405,900
GROSS APPROPRIATION.....	\$	38,369,100

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Appropriated from:	
Special revenue funds:	
Resident stores	\$ 120,600
Steam heat user fees	35,000
State general fund/general purpose	\$ 38,213,500

LAKELAND CORRECTIONAL FACILITY-COLDWATER

Average population	1,200
Full-time equated classified positions	264.0
Personnel costs—257.0 FTE positions	\$ 16,367,000
Operational costs	3,439,200
Academic/vocational programs—7.0 FTE positions	685,000
GROSS APPROPRIATION	\$ 20,491,200

Appropriated from:	
Special revenue funds:	
Resident stores	40,200
State general fund/general purpose	\$ 20,451,000

MACOMB CORRECTIONAL FACILITY

Average population	1,212
Full-time equated classified positions	339.0
Personnel costs—333.0 FTE positions	\$ 17,373,200
Operational costs	3,227,100
Academic/vocational programs—6.0 FTE positions	454,500
GROSS APPROPRIATION	\$ 21,054,800

Appropriated from:	
Special revenue funds:	
Resident stores	90,600
State general fund/general purpose	\$ 20,964,200

MARQUETTE BRANCH PRISON

Average population	825
Full-time equated classified positions	391.8
Personnel costs—381.8 FTE positions	\$ 23,236,600
Operational costs	3,212,400
Academic/vocational programs—10.0 FTE positions	781,700
GROSS APPROPRIATION	\$ 27,230,700

Appropriated from:	
Special revenue funds:	
Resident stores	88,800
State general fund/general purpose	\$ 27,141,900

MICHIGAN REFORMATORY-IONIA

Average population	1,258
Full-time equated classified positions	379.4
Personnel costs—362.4 FTE positions	\$ 22,296,400
Operational costs	4,835,000
Academic/vocational programs—17.0 FTE positions	1,168,600
GROSS APPROPRIATION	\$ 28,300,000

Appropriated from:	
Special revenue funds:	
Resident stores	118,200
State general fund/general purpose	\$ 28,181,800

MID-MICHIGAN TEMPORARY FACILITY-ST. LOUIS

Average population	960
Full-time equated classified positions	228.4
Personnel costs—219.4 FTE positions	\$ 12,189,700
Operational costs	2,643,400

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Academic/vocational programs—9.0 FTE positions.....	\$	625,100
GROSS APPROPRIATION.....	\$	15,458,200
Appropriated from:		
Special revenue funds:		
Resident stores		43,200
Public works user fees.....		11,000
State general fund/general purpose	\$	15,404,000
MOUND CORRECTIONAL FACILITY		
Average population		1,044
Full-time equated classified positions.....		363.4
Personnel costs—353.4 FTE positions.....	\$	18,209,000
Operational costs		2,548,400
Academic/vocational programs—10.0 FTE positions.....		541,600
GROSS APPROPRIATION.....	\$	21,299,000
Appropriated from:		
Special revenue funds:		
Resident stores		69,700
State general fund/general purpose	\$	21,229,300
MUSKEGON CORRECTIONAL FACILITY		
Average population		1,310
Full-time equated classified positions.....		291.5
Personnel costs—274.5 FTE positions.....	\$	16,658,500
Operational costs		3,591,200
Academic/vocational programs—17.0 FTE positions.....		1,172,900
GROSS APPROPRIATION.....	\$	21,422,600
Appropriated from:		
Special revenue funds:		
Resident stores		63,100
State general fund/general purpose	\$	21,359,500
NEWBERRY CORRECTIONAL FACILITY		
Average population		800
Full-time equated classified positions.....		297.0
Personnel costs—285.0 FTE positions.....	\$	15,697,300
Operational costs		2,384,200
Academic/vocational programs—12.0 FTE positions.....		800,900
GROSS APPROPRIATION.....	\$	18,882,400
Appropriated from:		
Special revenue funds:		
Resident stores		23,500
State general fund/general purpose	\$	18,858,900
OAKS MAXIMUM CORRECTIONAL FACILITY		
Average population		744
Full-time equated classified positions.....		365.8
Personnel costs—360.8 FTE positions.....	\$	20,936,800
Operational costs		2,814,400
Academic/vocational programs—5.0 FTE positions.....		362,600
GROSS APPROPRIATION.....	\$	24,113,800
Appropriated from:		
Special revenue funds:		
Resident stores		8,500
State general fund/general purpose	\$	24,105,300
RIVERSIDE CORRECTIONAL FACILITY-IONIA		
Average population		1,034
Full-time equated classified positions.....		347.0

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Personnel costs—341.0 FTE positions.....	\$	20,122,400
Operational costs		4,164,600
Academic/vocational programs—6.0 FTE positions.....		382,500
GROSS APPROPRIATION.....	\$	24,669,500
Appropriated from:		
Special revenue funds:		
Resident stores		41,500
State general fund/general purpose	\$	24,628,000
RYAN CORRECTIONAL FACILITY		
Average population		1,044
Full-time equated classified positions.....		355.1
Personnel costs—345.1 FTE positions.....	\$	19,272,800
Operational costs		3,013,900
Academic/vocational programs—10.0 FTE positions.....		638,700
Optical lab operations		126,000
GROSS APPROPRIATION.....	\$	23,051,400
Appropriated from:		
Intradepartmental transfer revenues:		
IDT-optical lab user fees.....		126,000
Special revenue funds:		
Resident stores		75,200
State general fund/general purpose	\$	22,850,200
SAGINAW CORRECTIONAL FACILITY		
Average population		1,212
Full-time equated classified positions.....		345.5
Personnel costs—330.0 FTE positions.....	\$	18,054,800
Operational costs		2,812,100
Academic/vocational programs—15.5 FTE positions.....		468,100
GROSS APPROPRIATION.....	\$	21,335,000
Appropriated from:		
Special revenue funds:		
Resident stores		83,400
State general fund/general purpose	\$	21,251,600
SCOTT CORRECTIONAL FACILITY-PLYMOUTH		
Average population		847
Full-time equated classified positions.....		340.5
Personnel costs—323.5 FTE positions.....	\$	18,686,200
Operational costs		2,416,200
Academic/vocational programs—17.0 FTE positions.....		1,233,100
GROSS APPROPRIATION.....	\$	22,335,500
Appropriated from:		
Special revenue funds:		
Resident stores		71,700
State general fund/general purpose	\$	22,263,800
STANDISH MAXIMUM CORRECTIONAL FACILITY		
Average population		524
Full-time equated classified positions.....		320.8
Personnel costs—314.8 FTE positions.....	\$	18,179,700
Operational costs		2,043,900
Academic/vocational programs—6.0 FTE positions.....		310,100
GROSS APPROPRIATION.....	\$	20,533,700
Appropriated from:		
Special revenue funds:		
Resident stores		7,500
State general fund/general purpose	\$	20,526,200

STATE PRISON OF SOUTHERN MICHIGAN-JACKSON

Average population	3,548	
Full-time equated classified positions	1,106.2	
Personnel costs—973.6 FTE positions		\$ 56,601,500
Operational costs		10,827,500
Academic/vocational programs—29.3 FTE positions		1,765,500
Hospital security—103.3 FTE positions		6,309,700
GROSS APPROPRIATION		\$ 75,504,200
Appropriated from:		
Special revenue funds:		
Correctional industries revolving fund		77,500
Resident stores		229,000
State general fund/general purpose		\$ 75,197,700

STATE PRISON OF SOUTHERN MICHIGAN "B" -JACKSON

Average population	616	
Full-time equated classified positions	339.2	
Personnel costs—330.2 FTE positions		\$ 20,751,200
Operational costs		1,281,600
Academic/vocational programs—9.0 FTE positions		583,800
Print shop operations		282,100
GROSS APPROPRIATION		\$ 22,898,700
Appropriated from:		
Intradepartmental transfer revenues:		
IDT-print shop user fees		282,100
Special revenue funds:		
Resident stores		94,600
State general fund/general purpose		\$ 22,522,000

THUMB CORRECTIONAL FACILITY-LAPEER

Average population	954	
Full-time equated classified positions	275.4	
Personnel costs—264.4 FTE positions		\$ 15,534,600
Operational costs		2,741,300
Academic/vocational programs—11.0 FTE positions		578,500
GROSS APPROPRIATION		\$ 18,854,400
Appropriated from:		
Special revenue funds:		
Resident stores		46,100
State general fund/general purpose		\$ 18,808,300

WESTERN WAYNE CORRECTIONAL FACILITY-PLYMOUTH

Average population	775	
Full-time equated classified positions	281.4	
Personnel costs—277.9 FTE positions		\$ 16,269,800
Operational costs		2,537,500
Academic/vocational programs—3.5 FTE positions		286,800
GROSS APPROPRIATION		\$ 19,094,100
Appropriated from:		
Special revenue funds:		
Resident stores		61,000
State general fund/general purpose		\$ 19,033,100

CORRECTION CAMPS PROGRAM

Average population	4,362	
Full-time equated classified positions	952.9	
Personnel costs—936.9 FTE positions		\$ 52,311,400
Operational costs		12,942,100

		For Fiscal Year Ending Sept. 30, 1997
Dental lab operations	\$	102,300
Academic/vocational programs—16.0 FTE positions		1,148,400
GROSS APPROPRIATION	\$	66,504,200
Appropriated from:		
Intradepartmental transfer revenues:		
IDT-dental lab user fees		102,300
Special revenue funds:		
Resident stores		266,600
Public works user fees		846,000
State general fund/general purpose	\$	65,289,300
INMATE HOUSING FUND		
Inmate housing fund	\$	1,041,800
GROSS APPROPRIATION	\$	1,041,800
Appropriated from:		
State general fund/general purpose	\$	1,041,800

GENERAL SECTIONS

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 \$1,352,019,200.00 and state spending to units of local government is as follows:

Planning, research, and information services—Assumption of county probation	\$	438,700
Field operations—Assumption of county probation staff		20,673,200
Reimbursement to counties, parole revocation hearings, and court settlements		3,421,000
Public service work projects		11,498,600
Community service work program		501,300
Community corrections grants and assistance		11,480,000
Community corrections probation residential services		11,770,500
Local bed space expansion program		3,500,000
Total	\$	63,283,300

(2) When it appears to the director of the 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 director of the department 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. 202. 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. 203. 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) "MDCH" means the Michigan department of community 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. 204. 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 compilation shall include for each county the number and percent of such offenders who were sentenced to prison, the number and percent who received jail sentences, the number and percent who received probation, and the number and percent who received split jail/probation sentences. The department shall report these 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. 205. (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. (1) In addition to the funds appropriated in section 101, there is appropriated an amount not to exceed \$10,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this bill 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.

(2) In addition to the funds appropriated in section 101, there is appropriated an amount not to exceed \$1,700,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this bill pursuant to section 393(2) of Act No. 431 of the Public Acts of 1984.

(3) In addition to the funds appropriated in section 101, there is appropriated an amount not to exceed \$400,000.00 for local and private contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this bill pursuant to section 393(2) of Act No. 431 of the Public Acts of 1984.

Sec. 207. (1) A joint legislative work group on program performance assessment for the department is established. This work group shall consist of representatives of the house and senate standing committees with responsibility for corrections and the house and senate appropriations subcommittees on corrections. Members of this work group shall be appointed on a bipartisan basis by the speaker of the house of representatives and the senate majority leader. Assistance and staff support to the work group may be provided by the house and senate fiscal agencies. The work group shall issue a report on February 1, 1997, to members of the legislature addressing basic program assessment requirements. These recommendations should include suggested measures of need and demand, work load, and outcomes for each program.

(2) The department shall prepare annual performance objectives. Program performance objectives shall be provided to the work group on program performance assessment created in subsection (1) on November 1, 1996. The work group shall review these program performance objectives and any associated outcomes and make recommendations in the report issued on February 1, 1997, to the members of the legislature.

Sec. 208. 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. 209. 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. 210. Of the general fund/general purpose revenue appropriated in section 101, \$46,505,700.00 represents a state spending increase over the amount provided to the department of corrections for the fiscal year ending September 30, 1996, 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. 211. (1) Beginning October 1, 1996, a hiring freeze is imposed on the state classified civil service. State departments and agencies are prohibited from hiring any new full-time state classified civil service employees and prohibited from filling any vacant state classified civil service positions. This hiring freeze does not apply to internal transfers of classified employees from one 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 this hiring freeze when the director believes that the hiring freeze will result in rendering a state department or agency unable to deliver basic 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 of representatives standing committees on appropriations the number of exceptions to the hiring freeze approved during the previous month and the reasons to justify the exceptions.

Sec. 212. (1) The director of the department shall take all reasonable steps to ensure 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 certified businesses in depressed and deprived communities for services or supplies or both.

Sec. 213. Money appropriated in section 101 shall not be used for the purchase of foreign goods or services when competitively priced and of comparable quality American goods or services are available. By May 1, 1997, the department shall submit a report to the department of management and budget, the speaker and minority leader of the house of representatives, the majority and minority leader of the senate, and the chairpersons of the house and senate appropriations committees on efforts to comply with this section.

Sec. 214. It is the intent of the legislature that the department reduce middle management positions departmentwide.

Sec. 215. (1) If the director of the department of management and budget determines that the federal government has failed to enact comprehensive reforms in the federal cash welfare and medicaid programs by October 1, 1996, and notifies the senate and house appropriations committees of that determination, the line-item appropriations contained in section 101 of this appropriation act are adjusted by the amounts listed in subsection (5). A contingency fund account is created in an amount equal to these adjustments.

(2) Effective October 1, 1996, the director of the department of management and budget may adjust the annual allotments and payment schedules of the line-item appropriations in section 101 in accordance with the items listed in subsection (5).

(3) Contingency fund transfers are authorized in an amount necessary to reverse these adjustments. These transfers shall conform with the provisions of 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. Transfers may restore all or part of the adjustments listed in subsection (5).

(4) If any of the appropriation adjustments listed in subsection (5) have not been reversed through contingency fund transfers by April 1, 1997, the directors of the department of management and budget, the house fiscal agency, and the senate fiscal agency shall jointly determine the extent of the remaining fiscal imbalance that results from failure to achieve federal medicaid and cash welfare reform. All remaining appropriation adjustments, not previously reversed by contingency fund transfers, shall be made on the same proportionate basis.

(5) The line-item appropriations contained in section 101 of this act are adjusted by the following amounts:

CONSENT DECREES

Huron Valley psychiatric hospital - department of community health	\$	(3,000,000)
Mental health custody staff - department of corrections security	\$	(600,000)

FIELD OPERATIONS

Boot camp - phase III/intensive supervision	\$	(250,000)
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COMMUNITY PLACEMENT

Community residential program operations	\$	(225,000)
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OFFICE OF COMMUNITY CORRECTIONS

Local bed space expansion program	\$	(1,500,000)
County jail reimbursement program enhancement	\$	(1,896,400)

CORRECTIONAL FACILITIES ADMINISTRATION

Security improvements	\$	(175,000)
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ALGER MAXIMUM CORRECTIONAL FACILITY	
Personnel costs.....	\$ (150,000)
BARAGA MAXIMUM CORRECTIONAL FACILITY	
Personnel costs.....	\$ (300,000)
BROOKS CORRECTIONAL FACILITY - MUSKEGON	
Personnel costs.....	\$ (48,900)
CARSON CITY CORRECTIONAL FACILITY	
Personnel costs.....	\$ (48,900)
CHIPPEWA CORRECTIONAL FACILITY - KINCHELOE	
Personnel costs.....	\$ (48,900)
HARRISON CORRECTIONAL FACILITY	
Personnel costs.....	\$ (48,800)
HANDLON MICHIGAN TRAINING UNIT - IONIA	
Personnel costs.....	\$ (300,000)
OAKS MAXIMUM CORRECTIONAL FACILITY	
Personnel costs.....	\$ (300,000)
STATE PRISON OF SOUTHERN MICHIGAN - JACKSON	
Operational costs	\$ (300,000)
GROSS APPROPRIATION.....	\$ 0
Federal - state criminal alien assistance program.....	\$ 1,900,000
General fund/general purpose	\$ (1,900,000)
CORRECTIONS CAMPS PROGRAM	
Personnel costs.....	\$ (1,866,300)
INMATE HOUSING FUND	
Inmate housing fund	\$ (1,041,800)

(6) Adjustments to line-item appropriations identified in subsection (5) for Harrison correctional facility - personnel costs, Brooks correctional facility - personnel costs, Carson City correctional facility - personnel costs, and Chippewa correctional facility - personnel costs are to be made from allocations for athletic directors at those facilities.

Sec. 216. From the funds appropriated in section 101, the department shall by January 1, 1997, conduct an assessment of projected prison bed space needs and report its findings to the senate and house appropriations committees, the senate and house appropriations subcommittees on corrections, and the senate and house fiscal agencies. The report shall, at a minimum, include findings and relevant data on the degree to which prison bed space needs, by security level, could be affected by the increased use of various alternative punishment options and changes in statute and practices, including but not limited to the elimination of mandatory terms of imprisonment for various offenses, the use of local punishments for offenders convicted under section 625(7)(d) of the Michigan vehicle code, Act No. 300 of the Public Acts of 1949, being section 257.625 of the Michigan Compiled Laws, the use of local punishments for offenders for whom the maximum sentencing guidelines score is 18 months or less, the increased use of residential substance abuse treatment, and the recommendations of any house or senate subcommittee reports or task force reports of the 1995-96 legislative session.

Sec. 217. From the funds appropriated in section 101, the department shall develop and implement a pilot project to determine the effects of substance abuse treatment for parolees and probationers on recidivism. The study shall compare groups of parolees and probationers who complete substance abuse treatment with groups of parolees and probationers who receive the customary level of substance abuse treatment, as determined by the department. The study shall control for factors of prior criminal history, most recent offense conviction, and other factors which may reasonably be assumed to affect recidivism rates between the control and experimental groups. The study shall be constructed so as to allow a valid comparison with other recidivism studies conducted by the department.

Sec. 219. The department shall not implement an affirmative action plan unless it has been submitted to the Michigan civil rights commission for approval in accordance with section 210 of the Elliott-Larsen civil rights act, Act No. 453 of the Public Acts of 1976, being section 37.2210 of the Michigan Compiled Laws, and the Michigan civil rights commission has approved the plan.

Sec. 220. From the funds appropriated in section 101, the department shall determine the feasibility and cost effectiveness of assuring appropriate substance abuse evaluation and treatment for inmates regardless of length of sentence or time to be served prior to the earliest release date. If the department determines that it is feasible and cost effective, the department shall assure appropriate substance abuse evaluation and treatment to inmates regardless of length of sentence or time to be served prior to earliest release date.

Sec. 223. The department shall not allow the use of gym facilities or weight lifting equipment by an inmate if the inmate has not obtained, or is not satisfactorily working towards the completion of, a high school diploma or its equivalent, unless the inmate has been exempted by the department because of health or lack of availability of programs. The department shall utilize athletic directors to monitor prisoner use of gym facilities and weight lifting equipment as prescribed by this section. This section does not apply at a facility when, because of absenteeism, the department lacks sufficient staff resources at the facility to enforce the restrictions.

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, 1997 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, 1996 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, 1997.

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) End month population by facility/program.
- (e) Average length of placement.
- (f) Return to prison statistics.
- (g) Description of program location(s), capacity, and staffing.
- (h) Sentencing guideline scores and actual sentence statistics for participants, if applicable.
- (i) Comparison with prior year statistics.
- (j) Analysis of the impact on prison admissions and/or jail utilization and the cost effectiveness of the program.

(2) Annual reports shall be prepared and submitted by April 1, 1997, 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. 401. The department may use up to 5% of the amount expended in fiscal year 1996-97 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, 1997 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. 501. The department shall develop sentencing recommendation guidelines for all probation personnel who are responsible for making sentencing recommendations for convicted felons. The purposes of the guidelines are to establish consistency in the recommendations by probation personnel to the judiciary for nonprison sanctions, provide for logical and fair nonprison sanction recommendations that are effective yet utilize the least restrictive and least expensive options while assuring public safety, and ensure proportionality among sentences and dispositional options. The state established guidelines shall allow for the use of all sanctions and services available to the offender population. 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 felons where the maximum sentencing guideline score is 18 months or less consistent with section 33(3) of chapter IX of Act No. 175 of the Public Acts of 1927, being section 769.83 of the Michigan Compiled Laws, 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. Sentencing recommendation guidelines shall require probation staff to review all alternatives to prison 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 these data are 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, 1997.

Sec. 502. 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. 503. It is the intent of the legislature that the funding appropriated in section 101 for parole and probation agents will provide sufficient parole and probation agents to achieve a ratio of 90 workload units per agent.

Sec. 504. Repayment of any loans provided to parolees shall be made a condition of parole.

Sec. 506. (1) The \$501,300.00 appropriated in section 101 for the community service work program shall be used for salaries and wages and fringe benefit costs of community service coordinators employed by the department to supervise offenders participating in work crew assignments. Funds shall also be used to cover motor transport division rates on state vehicles used to transport offenders to community service work project sites.

(2) As used in this section, "community service work" means work performed by an offender in an unpaid position with a nonprofit or tax supported agency for a specified number of hours of work or service within a given time period.

(3) The community service work program shall provide adult offenders with community service work of tangible benefit to a community while fulfilling court-ordered community service work sanctions and other postconviction obligations.

Sec. 507. It is the intent of the legislature that no funds be used to support the mail-in supervision program for parolees on minimum supervision/mail reporting status, if the parolee was serving a sentence for a crime listed in section 34(5)(a), (b), (c), (d), (e), (f), or (g) of Act No. 218 of the Public Acts of 1994.

Sec. 508. (1) If the department proposes to close the probation detention center, it shall announce this decision by December 1, 1996. If the department proposes to close the probation detention center, from the funds appropriated in section 101, the department in conjunction with the department of management and budget shall, by January 1, 1997, solicit open and competitive bids for the operation of the probation detention center in its current location. The probation detention center shall have a minimum capacity of 50 beds for probation violators, excluding additional beds on-site which may be allocated or developed for Phase II residential placement under section 4(2) of the special alternative incarceration act, Act No. 287 of the Public Acts of 1988, being section 798.14 of the Michigan Compiled Laws.

(2) The purpose of the probation detention center program is to reduce the admission to prison of probation violators by providing a community punishment program within a secure environment with 24-hour supervision and programming with an emphasis on structured daily activities including, but not limited to, community service, vocational training, employment, and substance abuse counseling.

(3) The probation detention center program may reduce the admission to prison of probation violators directly or indirectly by providing a program for direct sentencing of felony probation violators who likely would be prison-bound based on historical local sentencing practices or by removing probation violators from jail with a resulting increase in the number of jail beds available and used for felons who otherwise would be likely to be sentenced to prison based on historical local sentencing practices.

(4) If a contract for the operation of the probation detention center is awarded, the contract shall specify that in addition to the probation violator target population, the probation detention center facility shall also be available for Phase II residential placement under section 4(2) of Act No. 287 of the Public Acts of 1988. Offenders in Phase II residential placement may be under the control and supervision of department staff, as approved by the department.

(5) Funds appropriated in section 101 for the probation detention center shall be allocated on a proportionate per-bed basis between the probation detention center program for probation violators and the Phase II residential placement program.

(6) A request for proposal shall require information describing the eligibility criteria, referral, and enrollment process, the assessment and client-specific planning case management process, a program design which includes a variable length of stay based on assessed need, and the evaluation methodology to show the impact of the program on prison admissions and recidivism. The program design may include, but need not be limited to, the following program components which may be provided directly or by referral:

- (a) Orientation and assessment.
- (b) Substance abuse counseling.
- (c) Life skills counseling.
- (d) Education.
- (e) Employment preparation.
- (f) Vocational training.
- (g) Employment.
- (h) Community service.
- (i) Physical training.
- (j) Cognitive skill training.

(7) A contract entered into under this section shall require the vendor to report quarterly on the performance indicators listed in section 305(1). The reports shall be provided by the vendor to the department, the senate and house appropriations subcommittees on corrections, and the senate and house fiscal agencies.

Sec. 509. 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 field operations administration shall transmit the certification to the house and senate appropriations committees.

OFFICE OF RESIDENTIAL AND ELECTRONIC PROGRAMS (OREP)

Sec. 601. (1) All 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 advisory boards access to the state's electronic tether program in order to reduce prison admissions and improve local jail utilization 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 level of need identified in locally developed comprehensive corrections plans, pursuant to the community corrections act, Act No. 511 of the Public Acts of 1988, being sections 791.401 to 791.414 of the Michigan Compiled Laws, shall be used to determine the appropriate distribution of the tether units for probationers throughout the state. 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. 602. 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. 603. 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. 701. 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. 801. 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, technical assistance for comprehensive corrections plan development, 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. As used in this act:

(a) "Alternative to incarceration in a state facility or jail" means a program that involves offenders who receive a sentencing disposition which appears to be in place of incarceration in a state correctional facility or jail based on historical local sentencing patterns or which amounts to a reduction in the length of sentence in a jail.

(b) "Goal" means the intended or projected result of a comprehensive corrections plan or community corrections program to reduce prison commitment rates, to reduce the length of stay in a jail, or to improve the utilization of a jail.

(c) "Jail" means a facility operated by a local unit of government for the physical detention and correction of persons charged with or convicted of criminal offenses.

(d) "Offender eligibility criteria" means particular criminal violations, state felony sentencing guidelines descriptors, and offender characteristics developed by advisory boards and approved by local units of government that identify the offenders suitable for community corrections programs funded by the office of community corrections.

(e) "Offender target population" means felons or misdemeanants who would likely be sentenced to imprisonment in a state correctional facility or jail, who would not increase the risk to the public safety, who have not demonstrated a pattern of violent behavior, and who do not have criminal records that indicate a pattern of violent offenses.

(f) "Offender who would likely be sentenced to imprisonment" means either of the following:

(i) A felon or misdemeanor who receives a sentencing disposition that appears to be in place of incarceration in a state correctional facility or jail, according to historical local sentencing patterns.

(ii) A currently incarcerated felon or misdemeanor who is granted early release from incarceration to a community corrections program or who is granted early release from incarceration as a result of a community corrections program.

Sec. 802. (1) The funds included in section 101 for comprehensive corrections plans are to encourage the development through technical assistance grants, implementation, and operation of community corrections programs which serve as an alternative to incarceration in a state facility or jail. The comprehensive corrections plans shall include an explanation of how the public safety will be maintained, the goals for the local jurisdiction, offender target populations intended to be impacted, offender eligibility criteria for purposes outlined in the plan, and how the plans will meet the following objectives, consistent with section 8(4) of the community corrections act, Act No. 511 of the Public Acts of 1988, being section 791.408 of the Michigan Compiled Laws:

(a) Reduce admissions to prison of nonviolent offenders who would have otherwise received an active sentence, including probation violators.

(b) Improve the appropriate utilization of jail facilities, the first priority of which is to open jail beds intended to house otherwise prison-bound felons, and the second priority being to appropriately utilize jail beds so that jail crowding does not occur.

- (c) Open jail beds through the increase of pretrial release options.
- (d) Reduce the readmission to prison of parole violators.
- (e) Reduce the admission or readmission to prison of offenders, including probation violators and parole violators, for substance abuse violations.

(2) The award of comprehensive corrections plans funds must be based on criteria which shall include, but not be limited to, the prison commitment rate by category of offenders, trends in prison commitment rates and jail utilization, historical trends in community corrections program capacity and program utilization, and the projected impact and outcome of annual policies and procedures of programs on prison commitment rates and jail utilization.

Sec. 803. The comprehensive corrections plans shall also include, where appropriate, descriptive information on the full range of sanctions and services which are available and utilized within the local jurisdiction and an explanation of how jail beds, probation residential services, the special alternative incarceration program (boot camp), probation detention centers, the electronic monitoring program for probationers, and treatment and rehabilitative services will be utilized to support the objectives and priorities of the comprehensive corrections plan and the purposes and priorities of section 8(4) of the community corrections act, Act No. 511 of the Public Acts of 1988, being section 791.408 of the Michigan Compiled Laws. The plans shall also include, where appropriate, provisions that detail how the local communities plan to respond to sentencing guidelines pursuant to section 33 of chapter IX of Act No. 175 of the Public Acts of 1927, being section 769.33 of the Michigan Compiled Laws, the development of probation sentencing recommendation guidelines pursuant to section 501 of this act, and the use of the county jail reimbursement program pursuant to section 808 of this act.

Sec. 804. (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 technical assistance grants and 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.
- (e) Offender disposition data by sentencing guideline range, by disposition type, number and percent statewide and by county, current year, and comparisons to prior 3 years.

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

Sec. 805. (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. 806. 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. 807. (1) The funds appropriated in section 101 for the local bed space expansion program are provided to allow local units of government to directly or indirectly expand local capacities to house felons who otherwise likely would be prison bound based on historical local sentencing practices, or who currently are incarcerated in prison, including but not limited to any of the following:

(a) An increase in local capacity to house felons who are considered prison bound based on historical local sentencing practices.

(b) An increase in local bed space for felony and nonfelony offenders combined, providing this increase alleviates jail crowding and expands sentencing options for felons who otherwise would be prison bound based on past local sentencing practices.

(c) An increase in local bed space capacity that allowed a local unit of government to better utilize existing jail beds so that the most appropriate level of confinement is available for felony and nonfelony offenders, providing that the increase in local capacity improves local ability to appropriately house felons who otherwise would be prison bound based on past local sentencing practices or who are currently incarcerated in prison.

(d) An increase in local beds available and appropriate for the incarceration of felons committed to the department, as approved by the department.

(2) Based upon approved applications received from local units of government as recommended by local community corrections advisory boards, the funding shall be allocated by the office of community corrections for construction or renovation projects servicing single counties or multicounty regions. An application approved by the local unit of government as recommended by the local community corrections advisory board shall be considered to be part of the local comprehensive corrections plan. Applications shall clearly identify target populations and clearly document how the expansion in local bed space would affect prison commitments or the prison population. Applications shall provide information on operating costs, which may be funded as provided in subsection (5). The office of community corrections shall evaluate project proposals for programmatic design and cost effectiveness. In allocating funds, the office of community corrections shall give priority for funding to projects that would have the greatest effect on the prison population, whether by minimizing commitments to prison, reducing prison bed space needs, or a combination of minimizing commitments and reducing prison bed space needs.

(3) Local bed space expansion program funds shall be awarded pursuant to guidelines and priorities which shall be developed by the department consistent with this section by December 1, 1996. The department shall require letters of intent from prospective grant applicants to be submitted by February 1, 1997. The department shall accept program proposals and applications for local bed space expansion program funds through March 1, 1997. By April 1, 1997, funds shall be awarded to eligible program applicants pursuant to the guidelines and priorities developed by the department consistent with this section.

(4) Approved projects may receive up to \$8,000.00 per bed in actual construction or renovation costs, but not to exceed actual costs less any other federal, state, local, or private funding obtained for such costs.

(5) Approved projects may receive funding for actual operational costs, including but not limited to the following sources of funding:

(a) Funding from funds appropriated in section 101 for probation residential centers, pursuant to policies of the office of community corrections.

(b) Funding from funds appropriated in section 101 for the jail reimbursement program, providing such funding meets the criteria set forth in section 808.

(c) Funding from payments for housing state prisoners according to agreements developed with the department, as appropriate.

(d) Funding from any other federal, state, local, or private source.

(6) As used in this section, "nonfelony offenders" includes persons being detained prior to disposition, persons being detained for parole or probation violations, and misdemeanants.

Sec. 808. (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 and custody of 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(7)(d) of Act No. 300 of the Public Acts of 1949, 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.

(3) The county jail reimbursement program shall reimburse counties for housing and custody of 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 enhanced for prisoner housing and custody expenses in the amount of \$12.00 per diem per diverted offender for the first 90 days of incarceration for all counties where the county population is greater than 400,000; \$7.00 per diem per diverted offender for the first 90 days for counties whose

population is greater than 100,000 but not greater than 400,000; and \$2.00 per diem per diverted offender for the first 90 days for counties whose population is not greater than 100,000. Except as otherwise provided in this subsection, the base reimbursement under this section shall be \$38.00 per diem per diverted offender for all counties for not to exceed 1 year of incarceration.

CONSENT DECREES

Sec. 901. 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. 902. The funds appropriated in section 101 for the psychiatric hospital or for residential and outpatient treatment program beds may only be expended if specifically required in the DOJ consent decree.

HEALTH CARE

Sec. 1001. (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, 1997, to the house and senate fiscal agencies and to the department of management and budget the results of the telemedicine pilot program, the restructuring of clinical operations, and the implementation of managed care contracts for hospital services.

Sec. 1002. 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. 1101. (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, 1997 on the PREP program. Information shall include types of programs offered and the number of students awarded a degree or certificate.

Sec. 1102. (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. 1103. 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. 1104. The department shall report annually by April 1, 1997 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. 1106. The appropriation in section 101 for central region food service operations shall be operated through a revolving fund established by the department of management and budget 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. 1107. The department shall maintain the Michigan braille transcribing service at its current location at the state prison of southern Michigan complex.

Sec. 1108. 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. 1109. Funds appropriated under section 101 shall not be expended to purchase a color television for prisoner use.

Sec. 1110. (1) At least 1 facility within each region shall be a nonsmoking facility 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.

(2) By January 1, 1997, all segregation units and all reception centers shall be nonsmoking.

(3) It is the intent of the legislature that all facilities shall be nonsmoking facilities by January 1, 1998.

(4) By April 1, 1997, the department shall provide a progress report identifying nonsmoking facilities and units, and specifying a timetable for making all facilities nonsmoking facilities by January 1, 1998.

Sec. 1111. From the funds appropriated in section 101, the department shall allocate sufficient funds to develop a pilot children's visitation program. The pilot program shall teach parenting skills and arrange for day visitation at these facilities for parents and their children.

Sec. 1112. It is the intent of the legislature that the department shall not expend appropriated funds to purchase or repair beyond the purchase price motorized lawn mowers for use within the security perimeter of prisons and camps. It is the intent of the legislature that the department replace motorized lawn mowers as needed with nonmotorized equipment and use prisoner labor where feasible to perform landscaping tasks within the security perimeters of prisons and camps.

Sec. 1113. (1) From the funds appropriated in section 101 for the Handlon Michigan training unit-Ionia personnel costs, and as a condition of expenditure of those funds, the department shall provide staffing by corrections officers at guard towers as specified by this section. Subject to subsection (2), tower number 2, tower number 4, and tower number 7 shall be staffed daily from 6 a.m. through 10 p.m., and tower number 5 shall be staffed during periods when prisoners are in outdoor recreational yards.

(2) The department shall convene a task force to review continued staffing of the towers. At least 25% of the task force members shall be local community participants. By January 1, 1997, the task force shall report its findings in writing to the director and to the members of the house and senate appropriations subcommittees on corrections. The director may implement the findings of the task force after the expiration of 2 weeks following the date the report was received by the members of the house and senate subcommittees on corrections.

Sec. 1114. Funds appropriated in section 101 for administration and fiscal management shall not be expended if any request for proposal for a youth correctional facility has been released to vendors for bid without first being submitted to the house and senate appropriations committees and the house and senate appropriations subcommittees on corrections at least 14 calendar days before the request for proposal is released to vendors. It is the intent of the legislature that if a request for proposal for a youth correctional facility is released without approval by the house and senate appropriations committees and the house and senate appropriations subcommittees on corrections, future appropriations will not be made for a youth correctional facility.

Sec. 1115. The department shall provide by January 15, 1997, a final report regarding the evaluation of the effects of higher education on inmates in the prison system as required by section 1205a of Act No. 153 of the Public Acts of