

**HOUSE SUBSTITUTE FOR
SENATE BILL NO. 909**

A bill to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 1999; 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:

1

PART 1

2

LINE-ITEM APPROPRIATIONS

3

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

4

amounts listed in this part are appropriated for the department of

5

corrections for the fiscal year ending September 30, 1999, from the funds

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

3 DEPARTMENT OF CORRECTIONS**4 APPROPRIATION SUMMARY:**

5	Average population.....	44,857	
6	Full-time equated unclassified positions.....	16.0	
7	Full-time equated classified positions.....	17,371.9	
8	GROSS APPROPRIATION.....	\$	1,445,825,300
9	Interdepartmental grant revenues:		
10	Total interdepartmental grants and intradepartmental		
11	transfers.....		6,599,300
12	ADJUSTED GROSS APPROPRIATION.....	\$	1,439,226,000
13	Federal revenues:		
14	Total federal revenues.....		19,828,800
15	Special revenue funds:		
16	Total local revenues.....		401,100
17	Total private revenues.....		0
18	Total other state restricted revenues.....		46,548,700
19	State general fund/general purpose.....	\$	1,372,447,400
20	Sec. 102. EXECUTIVE		
21	Full-time equated unclassified positions.....	16.0	
22	Full-time equated classified positions.....	75.0	
23	Director--1.0 FTE position.....	\$	106,100
24	Special assistant, audit and internal affairs--1.0		
25	FTE position.....		74,300
26	Deputy director, administration--1.0 FTE position....		93,700

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1	Legislative assistant--1.0 FTE position.....	57,300
2	Administrator, public information--1.0 FTE position..	61,000
3	Victim rights coordinator--1.0 FTE position.....	44,300
4	Parole board chair--1.0 FTE position.....	81,000
5	Parole board members--9.0 FTE positions.....	657,000
6	Executive administration--11.0 FTE positions.....	1,384,200
7	Audit and internal affairs--19.0 FTE positions.....	1,280,400
8	Policy and hearings--45.0 FTE positions.....	<u>4,032,300</u>
9	GROSS APPROPRIATION..... \$	7,871,600
10	Appropriated from:	
11	State general fund/general purpose..... \$	7,871,600
12	Sec. 103. ADMINISTRATION AND PROGRAMS	
13	Full-time equated classified positions.....215.2	
14	Administration and fiscal management--36.5 FTE	
15	positions..... \$	2,672,200
16	Office of personnel and labor relations--26.7 FTE	
17	positions.....	1,680,200
18	Program services--15.0 FTE positions.....	1,296,600
19	Planning, research, and information services--85.5	
20	FTE positions.....	9,090,500
21	Federal education programs--19.0 FTE positions.....	2,984,800
22	Rent.....	1,799,100
23	Training administration--32.5 FTE positions.....	<u>3,284,700</u>
24	GROSS APPROPRIATION..... \$	22,808,100
25	Appropriated from:	
26	Federal revenues:	

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1	DED-life skills grant.....	300,000
2	DED-OVAE, vocational education-basic grants to states	267,000
3	DED-OESE, chapter 1 program for neglected and delin-	
4	quent children.....	500,100
5	DED-OVAE, state administered basic grant program.....	1,820,600
6	DED-OSERS, special education-grants to states.....	100,000
7	Special revenue funds:	
8	Local-county reimbursement.....	116,200
9	Correctional industries revolving fund.....	93,500
10	Resident stores.....	271,800
11	State general fund/general purpose..... \$	19,338,900
12	Sec. 104. CENTRAL SUPPORT ACCOUNTS	
13	Equipment..... \$	341,900
14	Special maintenance.....	1,712,100
15	Workers compensation.....	15,209,600
16	Compensatory buyout.....	225,000
17	Union leave bank.....	<u>50,000</u>
18	GROSS APPROPRIATION..... \$	17,538,600
19	Appropriated from:	
20	State general fund/general purpose..... \$	17,538,600
21	Sec. 105. TRAINING, COMMUNITY SUPPORT AND SUBSTANCE ABUSE	
22	PROGRAMS	
23	Inmate legal services program..... \$	314,900
24	Reimbursement to counties, parole revocation hear-	
25	ings, and court settlements.....	3,421,000
26	Substance abuse administration and testing.....	19,061,700

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1	MDOC in-prison pilot drug treatment program.....	1,500,000
2	MDOC technical violator pilot drug treatment program.	1,000,000
3	New employee training.....	8,876,100
4	Training projects.....	111,300
5	Criminal justice training fund.....	<u>601,800</u>
6	GROSS APPROPRIATION.....	\$ 34,886,800
7	Appropriated from:	
8	Interdepartmental grant revenues:	
9	IDG-MDSP-Michigan justice training fund.....	601,800
10	Federal revenues:	
11	DOJ-Office of Justice Programs, corrections programs	
12	- grants to states.....	3,271,100
13	HHS-SAMHSA.....	563,000
14	State general fund/general purpose.....	\$ 30,450,900
15	Sec. 106. PRISON INDUSTRIES OPERATIONS	
16	Full-time equated classified positions.....169.8	
17	Personnel costs--169.8 FTE positions.....	\$ <u>12,099,200</u>
18	GROSS APPROPRIATION.....	\$ 12,099,200
19	Appropriated from:	
20	Special revenue funds:	
21	Correctional industries revolving fund.....	12,099,200
22	State general fund/general purpose.....	\$ 0
23	Sec. 107. FIELD OPERATIONS	
24	Full-time equated classified positions.....1,648.0	
25	Personnel costs--1,544.0 FTE positions.....	\$ 83,210,100
26	Operating costs.....	6,763,200

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1	Community service work program--10.0 FTE positions...	503,000
2	Parole board operations--22.0 FTE positions.....	1,399,000
3	Building occupancy charges-property management.....	473,600
4	Rent.....	841,000
5	Loans to parolees.....	204,400
6	Boot camp-phase III/intensive supervision--72.0 FTE	
7	positions.....	2,451,500
8	Parole/probation services.....	<u>1,907,700</u>
9	GROSS APPROPRIATION..... \$	97,753,500
10	Appropriated from:	
11	Special revenue funds:	
12	Oversight fees.....	4,653,300
13	Supervision fees.....	1,907,700
14	State general fund/general purpose..... \$	91,192,500
15	Sec. 108. COMMUNITY PLACEMENT	
16	Average population.....1,212.0	
17	Full-time equated classified positions.....606.3	
18	Tether operations--167.3 FTE positions..... \$	7,531,600
19	Community residential program operations--334.1 FTE	
20	positions.....	26,332,800
21	Technical rule violator center--104.9 FTE positions..	<u>8,757,400</u>
22	GROSS APPROPRIATION..... \$	42,621,800
23	Appropriated from:	
24	Special revenue funds:	
25	Resident contributions revenues.....	3,784,200
26	Local-community tether program reimbursement.....	284,900

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1	Program participant contributions.....	3,971,200
2	Public works user fees.....	131,400
3	State general fund/general purpose..... \$	34,450,100
4	Sec. 109. SPECIAL ALTERNATIVE INCARCERATION PROGRAM	
5	Full-time equated classified positions.....135.0	
6	Personnel costs--135.0 FTE positions..... \$	7,250,400
7	Operational costs.....	<u>1,781,500</u>
8	GROSS APPROPRIATION..... \$	9,031,900
9	Appropriated from:	
10	Special revenue funds:	
11	Public works user fees.....	129,400
12	State general fund/general purpose..... \$	8,902,500
13	Sec. 110. OFFICE OF COMMUNITY CORRECTIONS	
14	Full-time equated classified positions.....17.0	
15	Personnel costs--17.0 FTE positions.....	1,124,900
16	Operating costs.....	264,300
17	OCC board expenses.....	15,000
18	Probation residential centers.....	13,854,600
19	Community corrections comprehensive plans and	
20	services.....	11,480,000
21	Public education and training.....	50,000
22	Regional jail program.....	2,000,000
23	County jail reimbursement program.....	<u>18,612,200</u>
24	GROSS APPROPRIATION..... \$	47,401,000
25	Appropriated from:	
26	Special revenue funds:	

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1	Telephone fees and commissions.....	16,244,700
2	State general fund/general purpose..... \$	31,156,300
3	Sec. 111. CONSENT DECREES	
4	Average population.....	400
5	Full-time equated classified positions.....	577.4
6	Prisoner rehabilitation education program..... \$	1,020,100
7	Hadix consent decree--157.0 FTE positions.....	9,873,600
8	DOJ consent decree--166.5 FTE positions.....	10,189,200
9	Huron Valley psychiatric hospital - MDCH.....	49,487,700
10	Residential and outpatient treatment program - MDCH..	15,123,000
11	Department of community health bureau staff.....	672,400
12	Mental health custody staff - MDOC security -- 253.9	
13	FTE positions.....	<u>14,059,600</u>
14	GROSS APPROPRIATION..... \$	100,425,600
15	Appropriated from:	
16	State general fund/general purpose..... \$	100,425,600
17	Sec. 112. OFFICE OF HEALTH CARE	
18	Full-time equated classified positions.....	18.0
19	Health care administration--18.0 FTE positions..... \$	1,841,700
20	Hospital and specialty care services.....	36,371,300
21	Vaccination program.....	<u>956,900</u>
22	GROSS APPROPRIATION..... \$	39,169,900
23	Appropriated from:	
24	State general fund/general purpose..... \$	39,169,900
25	Sec. 113. CLINICAL OPERATIONS	
26	Full-time equated classified positions.....	797.1

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1	Adrian clinical complex--31.2 FTE positions.....	\$	2,568,400
2	Baraga clinical complex--5.0 FTE positions.....		1,084,900
3	Coldwater clinical complex--35.8 FTE positions.....		3,162,300
4	Corrections camps clinical--18.5 FTE positions.....		872,700
5	Detroit clinical complex--18.2 FTE positions.....		2,469,500
6	Ionia clinical complex--123.9 FTE positions.....		9,615,500
7	Jackson clinical complex--218.7 FTE positions.....		19,465,400
8	Kincheloe clinical complex--64.0 FTE positions.....		5,743,900
9	Lapeer clinical complex--15.7 FTE positions.....		1,202,900
10	Macomb clinical complex--17.0 FTE positions.....		1,217,900
11	Marquette clinical complex--47.0 FTE positions.....		3,815,100
12	Mid-Michigan clinical complex--16.1 FTE positions....		1,198,500
13	Muskegon clinical complex--56.5 FTE positions.....		3,482,400
14	Newberry clinical complex--4.0 FTE positions.....		1,348,300
15	Oaks clinical complex--4.0 FTE positions.....		1,108,200
16	Plymouth clinical complex--52.0 FTE positions.....		3,926,100
17	Saginaw clinical complex--17.0 FTE positions.....		1,212,700
18	Standish clinical complex--17.0 FTE positions.....		1,428,700
19	Ypsilanti clinical complex--35.5 FTE positions.....		<u>2,536,000</u>
20	GROSS APPROPRIATION.....	\$	67,459,400
21	Appropriated from:		
22	State general fund/general purpose.....	\$	67,459,400
23	Sec. 114. CORRECTIONAL FACILITIES-ADMINISTRATION		
24	Full-time equated classified positions.....		127.0
25	Conveying convicts to penal institutions.....	\$	248,300
26	Federal school lunch program.....		565,000

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1	Correctional facilities administration--10.0 FTE	
2	positions.....	773,900
3	Extradition services.....	120,000
4	Housing inmates in federal institutions.....	394,000
5	Leased beds.....	39,776,300
6	Central region office--109.0 FTE positions.....	12,994,400
7	Northern region office--2.0 FTE positions.....	180,500
8	Southeastern region office--1.0 FTE positions.....	129,800
9	Southwestern region office--2.0 FTE positions.....	180,700
10	Food service operations.....	5,000,000
11	Surplus food program--3.0 FTE positions.....	<u>312,800</u>
12	GROSS APPROPRIATION.....	\$ 60,675,700
13	Appropriated from:	
14	Intradepartmental transfer revenues:	
15	IDT-surplus food user fees.....	238,200
16	IDT - food factory user fees.....	5,000,000
17	Federal revenues:	
18	BOP, federal prisoner reimbursement.....	314,000
19	DOJ, office of justice programs, VOITIS.....	5,000,000
20	DAG-FNS, national school lunch program.....	565,000
21	Special revenue funds:	
22	State general fund/general purpose.....	\$ 49,558,500
23	Sec. 115. ALGER MAXIMUM SECURITY CORRECTIONAL FACILITY -	
24	MUNISING	
25	Average population.....	524
26	Full-time equated classified positions.....	317.2

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1	Personnel costs--313.2 FTE positions.....	\$	18,763,900
2	Operational costs.....		2,165,900
3	Academic/vocational programs--4.0 FTE positions.....		<u>273,600</u>
4	GROSS APPROPRIATION.....	\$	21,203,400
5	Appropriated from:		
6	Special revenue funds:		
7	Resident stores.....		9,500
8	State general fund/general purpose.....	\$	21,193,900
9	Sec. 116. BARAGA MAXIMUM CORRECTIONAL FACILITY - BARAGA		
10	Average population.....		604
11	Full-time equated classified positions.....		356.4
12	Personnel costs--348.4 FTE positions.....	\$	19,226,500
13	Operational costs.....		2,331,400
14	Academic/vocational programs--8.0 FTE positions.....		<u>434,900</u>
15	GROSS APPROPRIATION.....	\$	21,992,800
16	Appropriated from:		
17	Special revenue funds:		
18	Resident stores.....		13,500
19	State general fund/general purpose.....	\$	21,979,300
20	Sec. 117. E.C. BROOKS CORRECTIONAL FACILITY-MUSKEGON		
21	Average population.....		2,200
22	Full-time equated classified positions.....		545.7
23	Personnel costs--524.7 FTE positions.....	\$	30,225,100
24	Operational costs.....		6,275,800
25	Academic/vocational programs--21.0 FTE positions.....		<u>1,311,100</u>
26	GROSS APPROPRIATION.....	\$	37,812,000

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1	Appropriated from:	
2	Special revenue funds:	
3	Resident stores.....	142,000
4	State general fund/general purpose..... \$	37,670,000
5	Sec. 118. CARSON CITY CORRECTIONAL FACILITY COMPLEX - CARSON	
6	CITY	
7	Average population.....	2,200
8	Full-time equated classified positions.....	551.2
9	Personnel costs--533.2 FTE positions..... \$	30,620,400
10	Operational costs.....	6,427,900
11	Academic/vocational programs--18.0 FTE positions.....	<u>1,141,400</u>
12	GROSS APPROPRIATION..... \$	38,189,700
13	Appropriated from:	
14	Special revenue funds:	
15	Resident stores.....	93,200
16	State general fund/general purpose..... \$	38,096,500
17	Sec. 119. CHIPPEWA CORRECTIONAL FACILITY-KINCHELOE	
18	Average population.....	2,094
19	Full-time equated classified positions.....	508.3
20	Personnel costs--492.3 FTE positions..... \$	28,946,700
21	Operational costs.....	5,894,500
22	Academic/vocational programs--16.0 FTE positions.....	<u>1,138,800</u>
23	GROSS APPROPRIATION..... \$	35,980,000
24	Appropriated from:	
25	Special revenue funds:	
26	Resident stores.....	148,400

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1	State general fund/general purpose.....	\$	35,831,600
2	Sec. 120. COOPER STREET CORRECTIONAL FACILITY-JACKSON		
3	Average population.....		822
4	Full-time equated classified positions.....		207.4
5	Personnel costs--203.4 FTE positions.....	\$	11,694,900
6	Operational costs.....		2,240,600
7	Academic/vocational programs--4.0 FTE positions.....		<u>295,400</u>
8	GROSS APPROPRIATION.....	\$	14,230,900
9	Appropriated from:		
10	Special revenue funds:		
11	Resident stores.....		9,800
12	Public works user fees.....		30,500
13	State general fund/general purpose.....	\$	14,190,600
14	Sec. 121. G. ROBERT COTTON CORRECTIONAL FACILITY-JACKSON		
15	Average population.....		1,692
16	Full-time equated classified positions.....		423.0
17	Personnel costs--412.0 FTE positions.....	\$	23,968,000
18	Operational costs.....		4,565,000
19	Academic/vocational programs--11.0 FTE positions.....		<u>871,800</u>
20	GROSS APPROPRIATION.....	\$	29,404,800
21	Appropriated from:		
22	Special revenue funds:		
23	Resident stores.....		111,500
24	State general fund/general purpose.....	\$	29,293,300
25	Sec. 122. FLORENCE CRANE WOMEN'S FACILITY-COLDWATER		
26	Average population.....		510

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1	Full-time equated classified positions.....	209.6	
2	Personnel costs--197.6 FTE positions.....	\$	12,050,300
3	Operational costs.....		1,802,400
4	Academic/vocational programs--12.0 FTE positions.....		<u>902,800</u>
5	GROSS APPROPRIATION.....	\$	14,755,500
6	Appropriated from:		
7	Special revenue funds:		
8	Resident stores.....		47,000
9	State general fund/general purpose.....	\$	14,708,500
10	Sec. 123. CHARLES E. EGELER CORRECTIONAL FACILITY - JACKSON		
11	Average population.....		1,006
12	Full-time equated classified positions.....		304.4
13	Personnel costs--296.4 FTE positions.....	\$	15,898,600
14	Operational costs.....		2,076,200
15	Academic/vocational programs--8.0 FTE positions.....		<u>681,000</u>
16	GROSS APPROPRIATION.....	\$	18,655,800
17	Appropriated from:		
18	Special revenue funds:		
19	Resident stores.....		93,900
20	State general fund/general purpose.....	\$	18,561,900
21	Sec. 124. RICHARD A. HANDLON MICHIGAN TRAINING UNIT-IONIA		
22	Average population.....		1,315
23	Full-time equated classified positions.....		292.0
24	Personnel costs--264.0 FTE positions.....	\$	15,263,800
25	Operational costs.....		3,255,900
26	Academic/vocational programs--28.0 FTE positions.....		<u>1,668,900</u>

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1	GROSS APPROPRIATION.....	\$	20,188,600
2	Appropriated from:		
3	Special revenue funds:		
4	Resident stores.....		74,400
5	State general fund/general purpose.....	\$	20,114,200
6	Sec. 125. GUS HARRISON CORRECTIONAL FACILITY - ADRIAN		
7	Average population.....		2,200
8	Full-time equated classified positions.....		557.6
9	Personnel costs--539.6 FTE positions.....	\$	30,094,400
10	Operational costs.....		6,264,400
11	Academic/vocational programs--18.0 FTE positions.....		<u>1,190,600</u>
12	GROSS APPROPRIATION.....	\$	37,549,400
13	Appropriated from:		
14	Special revenue funds:		
15	Resident stores.....		191,100
16	State general fund/general purpose.....	\$	37,358,300
17	Sec. 126. HURON VALLEY MEN'S FACILITY-YPSILANTI		
18	Average population.....		482
19	Full-time equated classified positions.....		291.8
20	Personnel costs--286.8 FTE positions.....	\$	16,319,700
21	Operational costs.....		2,932,900
22	Academic/vocational programs--5.0 FTE positions.....		<u>422,800</u>
23	GROSS APPROPRIATION.....	\$	19,675,400
24	Appropriated from:		
25	Special revenue funds:		
26	Resident stores.....		46,900

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1	State general fund/general purpose.....	\$	19,628,500
2	Sec. 127. IONIA MAXIMUM FACILITY - IONIA		
3	Average population.....		636
4	Full-time equated classified positions.....		348.6
5	Personnel costs--341.6 FTE positions.....	\$	20,000,600
6	Operational costs.....		2,157,500
7	Academic/vocational programs--7.0 FTE positions.....		<u>532,600</u>
8	GROSS APPROPRIATION.....	\$	22,690,700
9	Appropriated from:		
10	Special revenue funds:		
11	Resident stores.....		9,200
12	State general fund/general purpose.....	\$	22,681,500
13	Sec. 128. IONIA TEMPORARY FACILITY - IONIA		
14	Average population.....		960
15	Full-time equated classified positions.....		222.4
16	Personnel costs--206.9 FTE positions.....	\$	12,119,000
17	Operational costs.....		2,840,900
18	Print shop operations.....		375,000
19	Academic/vocational programs--15.5 FTE positions.....		<u>1,093,800</u>
20	GROSS APPROPRIATION.....	\$	16,428,700
21	Appropriated from:		
22	Intradepartmental transfer revenues:		
23	IDT-print shop user fees.....		375,000
24	Special revenue funds:		
25	Resident stores.....		47,900
26	Public works user fees.....		15,000

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1	State general fund/general purpose.....	\$	15,990,800
2	Sec. 129. JACKSON MAXIMUM CORRECTIONAL FACILITY - JACKSON		
3	Average population.....		1,068
4	Full-time equated classified positions.....		445.1
5	Personnel costs--437.1 FTE positions.....	\$	25,187,400
6	Operational costs.....		3,149,900
7	Academic/vocational programs--8.0 FTE positions.....		<u>444,800</u>
8	GROSS APPROPRIATION.....	\$	28,782,100
9	Appropriated from:		
10	Federal revenues:		
11	Federal revenues and reimbursements.....		1,915,300
12	Special revenue funds:		
13	Resident stores.....		82,900
14	State general fund/general purpose.....	\$	26,783,900
15	Sec. 130. KINROSS CORRECTIONAL FACILITY - KINCHELOE		
16	Average population.....		2,165
17	Full-time equated classified positions.....		543.5
18	Personnel costs--514.5 FTE positions.....	\$	29,709,700
19	Operational costs.....		7,179,400
20	Academic/vocational programs--29.0 FTE positions.....		<u>1,638,900</u>
21	GROSS APPROPRIATION.....	\$	38,528,000
22	Appropriated from:		
23	Special revenue funds:		
24	Resident stores.....		141,000
25	State general fund/general purpose.....	\$	38,387,000
26	Sec. 131. LAKELAND CORRECTIONAL FACILITY - COLDWATER		

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1	Average population.....	1,200	
2	Full-time equated classified positions.....	255.1	
3	Personnel costs--245.1 FTE positions.....	\$	15,424,500
4	Operational costs.....		3,608,200
5	Academic/vocational programs--10.0 FTE positions.....		<u>867,900</u>
6	GROSS APPROPRIATION.....	\$	19,900,600
7	Appropriated from:		
8	Special revenue funds:		
9	Resident stores.....		46,900
10	State general fund/general purpose.....	\$	19,853,700
11	Sec. 132. MACOMB CORRECTIONAL FACILITY - NEW HAVEN		
12	Average population.....	1,228	
13	Full-time equated classified positions.....	350.3	
14	Personnel costs--342.3 FTE positions.....	\$	17,567,600
15	Operational costs.....		3,477,200
16	Academic/vocational programs--8.0 FTE positions.....		<u>543,100</u>
17	GROSS APPROPRIATION.....	\$	21,587,900
18	Appropriated from:		
19	Special revenue funds:		
20	Resident stores.....		93,800
21	Public works user fees.....		11,200
22	State general fund/general purpose.....	\$	21,482,900
23	Sec. 133. MARQUETTE BRANCH PRISON - MARQUETTE		
24	Average population.....	1,129	
25	Full-time equated classified positions.....	435.2	
26	Personnel costs--425.2 FTE positions.....	\$	25,652,300

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1	Operational costs.....	4,615,500
2	Academic/vocational programs--10.0 FTE positions.....	<u>889,300</u>
3	GROSS APPROPRIATION.....	\$ 31,157,100
4	Appropriated from:	
5	Special revenue funds:	
6	Resident stores.....	142,400
7	State general fund/general purpose.....	\$ 31,014,700
8	Sec. 134. MICHIGAN REFORMATORY - IONIA	
9	Average population.....	1,338
10	Full-time equated classified positions.....	392.4
11	Personnel costs--376.4 FTE positions.....	\$ 22,756,400
12	Operational costs.....	5,897,400
13	Academic/vocational programs--16.0 FTE positions.....	<u>1,323,600</u>
14	GROSS APPROPRIATION.....	\$ 29,977,400
15	Appropriated from:	
16	Special revenue funds:	
17	Resident stores.....	140,700
18	State general fund/general purpose.....	\$ 29,836,700
19	Sec. 135. MID-MICHIGAN CORRECTIONAL FACILITY - ST LOUIS	
20	Average population.....	960
21	Full-time equated classified positions.....	228.4
22	Personnel costs--219.4 FTE positions.....	\$ 12,672,400
23	Operational costs.....	2,840,900
24	Academic/vocational programs--9.0 FTE positions.....	<u>621,800</u>
25	GROSS APPROPRIATION.....	\$ 16,135,100
26	Appropriated from:	

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1	Special revenue funds:	
2	Resident stores.....	46,700
3	Public works user fees.....	8,200
4	State general fund/general purpose..... \$	16,080,200
5	Sec. 136. MOUND CORRECTIONAL FACILITY - DETROIT	
6	Average population.....	1,044
7	Full-time equated classified positions.....	363.4
8	Personnel costs--353.4 FTE positions..... \$	18,072,200
9	Operational costs.....	2,689,400
10	Academic/vocational programs--10.0 FTE positions.....	<u>537,700</u>
11	GROSS APPROPRIATION..... \$	21,299,300
12	Appropriated from:	
13	Special revenue funds:	
14	Resident stores.....	94,300
15	State general fund/general purpose..... \$	21,205,000
16	Sec. 137. MUSKEGON CORRECTIONAL FACILITY - MUSKEGON	
17	Average population.....	1,310
18	Full-time equated classified positions.....	325.4
19	Personnel costs--308.4 FTE positions..... \$	18,275,500
20	Operational costs.....	3,927,400
21	Academic/vocational programs--17.0 FTE positions.....	<u>1,166,100</u>
22	GROSS APPROPRIATION..... \$	23,369,000
23	Appropriated from:	
24	Special revenue funds:	
25	Resident stores.....	70,000
26	State general fund/general purpose..... \$	23,299,000

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1	Sec. 138. NEWBERRY CORRECTIONAL FACILITY - NEWBERRY		
2	Average population.....	928	
3	Full-time equated classified positions.....	319.4	
4	Personnel costs--307.4 FTE positions.....	\$	16,572,900
5	Operational costs.....		2,925,600
6	Academic/vocational programs--12.0 FTE positions.....		<u>798,500</u>
7	GROSS APPROPRIATION.....	\$	20,297,000
8	Appropriated from:		
9	Special revenue funds:		
10	Resident stores.....		46,900
11	State general fund/general purpose.....	\$	20,250,100
12	Sec. 139. OAKS CORRECTIONAL FACILITY - EASTLAKE		
13	Average population.....	744	
14	Full-time equated classified positions.....	363.8	
15	Personnel costs--358.8 FTE positions.....	\$	20,805,300
16	Operational costs.....		3,060,200
17	Academic/vocational programs--5.0 FTE positions.....		<u>363,700</u>
18	GROSS APPROPRIATION.....	\$	24,229,200
19	Appropriated from:		
20	Special revenue funds:		
21	Resident stores.....		11,500
22	State general fund/general purpose.....	\$	24,217,700
23	Sec. 140. PARNALL CORRECTIONAL FACILITY-JACKSON		
24	Average population.....	1,448	
25	Full-time equated classified positions.....	308.0	
26	Personnel costs--295.0 FTE positions.....	\$	17,320,100

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1	Operational costs.....	2,731,200
2	Academic/vocational programs--13.0 FTE positions.....	<u>893,100</u>
3	GROSS APPROPRIATION.....	\$ 20,944,400
4	Appropriated from:	
5	Special revenue funds:	
6	Correctional industries revolving fund.....	76,600
7	Resident stores.....	107,700
8	State general fund/general purpose.....	\$ 20,760,100
9	Sec. 141. RIVERSIDE CORRECTIONAL FACILITY - IONIA	
10	Average population.....	1,034
11	Full-time equated classified positions.....	345.0
12	Personnel costs--339.0 FTE positions.....	\$ 19,634,300
13	Operational costs.....	4,362,400
14	Academic/vocational programs--6.0 FTE positions.....	<u>380,100</u>
15	GROSS APPROPRIATION.....	\$ 24,376,800
16	Appropriated from:	
17	Special revenue funds:	
18	Resident stores.....	46,800
19	State general fund/general purpose.....	\$ 24,330,000
20	Sec. 142. RYAN CORRECTIONAL FACILITY - DETROIT	
21	Average population.....	1,044
22	Full-time equated classified positions.....	354.3
23	Personnel costs--344.3 FTE positions.....	\$ 19,152,000
24	Operational costs.....	3,229,000
25	Academic/vocational programs--10.0 FTE positions.....	<u>637,000</u>
26	GROSS APPROPRIATION.....	\$ 23,018,000

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1	Appropriated from:	
2	Special revenue funds:	
3	Resident stores.....	94,200
4	State general fund/general purpose..... \$	22,923,800
5	Sec. 143. SAGINAW CORRECTIONAL FACILITY - FREELAND	
6	Average population.....	1,228
7	Full-time equated classified positions.....	355.9
8	Personnel costs--341.4 FTE positions..... \$	20,140,400
9	Operational costs.....	3,078,200
10	Academic/vocational programs--14.5 FTE positions.....	<u>666,000</u>
11	GROSS APPROPRIATION..... \$	23,884,600
12	Appropriated from:	
13	Special revenue funds:	
14	Resident stores.....	94,200
15	State general fund/general purpose..... \$	23,790,400
16	Sec. 144. SCOTT CORRECTIONAL FACILITY - PLYMOUTH	
17	Average population.....	847
18	Full-time equated classified positions.....	355.7
19	Personnel costs--338.7 FTE positions..... \$	19,094,300
20	Operational costs.....	2,640,100
21	Academic/vocational programs--17.0 FTE positions.....	<u>1,226,400</u>
22	GROSS APPROPRIATION..... \$	22,960,800
23	Appropriated from:	
24	Special revenue funds:	
25	Resident stores.....	93,700
26	State general fund/general purpose..... \$	22,867,100

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1	Sec. 145. STANDISH MAXIMUM CORRECTIONAL FACILITY - STANDISH	
2	Average population.....	524
3	Full-time equated classified positions.....	320.8
4	Personnel costs--314.8 FTE positions.....	\$ 17,901,500
5	Operational costs.....	2,160,200
6	Academic/vocational programs--6.0 FTE positions.....	<u>228,000</u>
7	GROSS APPROPRIATION.....	\$ 20,289,700
8	Appropriated from:	
9	Special revenue funds:	
10	Resident stores.....	9,400
11	State general fund/general purpose.....	\$ 20,280,300
12	Sec. 146. SOUTHERN MICHIGAN CORRECTIONAL FACILITY -JACKSON	
13	Average population.....	616
14	Full-time equated classified positions.....	339.2
15	Personnel costs--330.2 FTE positions.....	\$ 18,564,100
16	Operational costs.....	1,321,800
17	Academic/vocational programs--9.0 FTE positions.....	576,000
18	Print shop operations.....	<u>282,000</u>
19	GROSS APPROPRIATION.....	\$ 20,743,900
20	Appropriated from:	
21	Intradepartmental transfer revenues:	
22	IDT-print shop user fees.....	282,000
23	Special revenue funds:	
24	Resident stores.....	93,700
25	State general fund/general purpose.....	\$ 20,368,200
26	Sec. 147. THUMB CORRECTIONAL FACILITY - LAPEER	

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1	Average population.....	954	
2	Full-time equated classified positions.....	282.7	
3	Personnel costs--271.7 FTE positions.....	\$	15,816,700
4	Operational costs.....		2,952,100
5	Academic/vocational programs--11.0 FTE positions.....		<u>589,300</u>
6	GROSS APPROPRIATION.....	\$	19,358,100
7	Appropriated from:		
8	Special revenue funds:		
9	Resident stores.....		47,000
10	State general fund/general purpose.....	\$	19,311,100
11	Sec. 148. WESTERN WAYNE CORRECTIONAL FACILITY - PLYMOUTH		
12	Average population.....	775	
13	Full-time equated classified positions.....	287.6	
14	Personnel costs--284.1 FTE positions.....	\$	17,104,400
15	Operational costs.....		2,837,300
16	Academic/vocational programs--3.5 FTE positions.....		<u>311,400</u>
17	GROSS APPROPRIATION.....	\$	20,253,100
18	Appropriated from:		
19	Special revenue funds:		
20	Resident stores.....		99,000
21	State general fund/general purpose.....	\$	20,154,100
22	Sec. 149. YOUTH CORRECTIONAL FACILITY		
23	Average population.....	480	
24	Full-time equated classified positions.....	2.0	
25	Administration--2.0 FTE positions.....	\$	179,300
26	Management services.....		2,964,600

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1	Lease payments.....		<u>2,794,500</u>
2	GROSS APPROPRIATION.....	\$	5,938,400
3	Appropriated from:		
4	Federal revenues:		
5	DOJ, office of justice programs, VOITIS.....		5,212,700
6	State general fund/general purpose.....	\$	725,700
7	Sec. 150. CORRECTION CAMPS		
8	Average population.....		3,800
9	Full-time equated classified positions.....		850.3
10	Personnel costs--834.3 FTE positions.....	\$	44,127,300
11	Operational costs.....		13,191,900
12	Dental lab operations.....		102,300
13	Academic/vocational programs--16.0 FTE positions.....		<u>1,012,000</u>
14	GROSS APPROPRIATION.....	\$	58,433,500
15	Appropriated from:		
16	Intradepartmental transfer revenues:		
17	IDT-dental lab user fees.....		102,300
18	Special revenue funds:		
19	Resident stores.....		103,400
20	Public works user fees.....		376,300
21	State general fund/general purpose.....	\$	57,851,500
22	Sec. 151. INMATE HOUSING FUND		
23	Average population.....		136
24	Full-time equated classified positions.....		27.0
25	Inmate housing fund--27.0 FTE positions.....	\$	<u>1,860,500</u>
26	GROSS APPROPRIATION.....	\$	1,860,500

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1 Regional jail program..... 2,000,000

2 TOTAL..... \$ 75,029,100

3 (2) When it appears to the director of the department that state
4 spending to local units of government will be less than the amount that
5 was projected to be expended for any quarter, the director of the depart-
6 ment shall immediately give notice of the approximate shortfall to the
7 department of management and budget, the senate and house appropriations
8 committees, and the senate and house fiscal agencies.

9 Sec. 202. The expenditures and funding sources authorized under
10 this act are subject to the management and budget act, 1984 PA 431, MCL
11 18.1101 to 18.1594.

12 Sec. 203. As used in this act:

13 (a) "ADP" means automated data processing.

14 (b) "BOP" means the federal bureau of prisons.

15 (c) "DAG" means the United States department of agriculture.

16 (d) "DAG-FCS" means the DAG food and consumer service.

17 (e) "DED" means the United States department of education.

18 (f) "DED-OESE" means the DED office of elementary and secondary
19 education.

20 (g) "DED-OSERS" means the DED office of special education and
21 rehabilitative services.

22 (h) "DED-OVAE" means the DED office of vocational and adult
23 education.

24 (i) "Department" or "MDOC" means the Michigan department of
25 corrections.

26 (j) "DOJ" means the United States department of justice.

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1 (k) "FTE" means full-time equated position.

2 (l) "HHS" means the United States department of health and human
3 services.

4 (m) "HHS-SAMHSA" means the HHS substance abuse and mental health
5 services administration.

6 (n) "IDG" means interdepartmental grant.

7 (o) "IDT" means intradepartmental transfer.

8 (p) "MDCH" means the Michigan department of community health.

9 (q) "MDSP" means the Michigan department of state police.

10 (r) "OCC" means the office of community corrections.

11 (s) "OP-BFS" means the operating procedure, bureau of field
12 services.

13 (t) "PREP" means the prisoner rehabilitation and education program.

14 (u) "VOITIS" means the DOJ violent offender incarceration and truth
15 in sentencing program contained in the violent crime control and law
16 enforcement act of 1994, Public Law 103-322, 108 Stat. 1796.

17 Sec. 204. The department shall annually compile the number and per-
18 cent by county of prisoners for which the state felony sentencing guide-
19 lines upper limit for the recommended minimum sentence is 12 months or
20 less. The compilation shall include for each county the number and per-
21 cent of such offenders who were sentenced to prison, the number and per-
22 cent who received jail sentences, the number and percent who received
23 probation, and the number and percent who received split jail/probation
24 sentences. The department shall report these data to the senate and
25 house fiscal agencies and the state budget director for the previous cal-
26 endar year by April 1 of each year.

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1 Sec. 205. (1) Pursuant to the provisions of civil service rules and
2 regulations and applicable collective bargaining agreements, individuals
3 seeking employment with the department shall submit to a controlled sub-
4 stance test. The test shall be administered by the department.

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

8 Sec. 206. The department of civil service shall bill departments or
9 agencies at the end of the first fiscal quarter for the 1% charges autho-
10 rized by section 5 of article XI of the state constitution of 1963.
11 Payments shall be made for the total amount of the billing by the end of
12 the second fiscal quarter.

13 Sec. 207. The department may charge fees and collect revenues in
14 excess of appropriations in part 1 not to exceed the cost of employee
15 meals, academic/vocational services, custody escorts, compassionate
16 visits, union steward activities, and public work programs. The revenues
17 and fees collected shall be appropriated for all expenses associated with
18 these services and activities.

19 Sec. 208. Of the state general fund/general purpose revenue appro-
20 priated in part 1, \$265,113,500.00 represents a state spending increase
21 over the amount provided to the department for the fiscal year ending
22 September 30, 1994, and may be used to meet state match requirements of
23 programs contained in the violent crime control and law enforcement act
24 of 1994, Public Law 103-322, 108 Stat. 1796, or successor grant programs,
25 so that any additional federal funds received shall supplement funding
26 provided to the department in part 1.

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1 Sec. 209. (1) Beginning October 1, 1998, a hiring freeze is imposed
2 on the state classified civil service. State departments and agencies
3 are prohibited from hiring any new full-time state classified civil serv-
4 ice employees and prohibited from filling any vacant state classified
5 civil service positions. This hiring freeze does not apply to internal
6 transfers of classified employees from 1 position to another within a
7 department or to positions that are funded with 80% or more federal or
8 restricted funds.

9 (2) The state budget director shall grant exceptions to this hiring
10 freeze when the state budget director believes that the hiring freeze
11 will result in the state department or agency being unable to deliver
12 basic services. The state budget director shall report by the fifteenth
13 of each month to the chairpersons of the senate and house of representa-
14 tives committees on appropriations the number of exceptions to the hiring
15 freeze approved during the previous month and the justifications for the
16 exceptions.

17 Sec. 210. (1) The director of the department shall take all reason-
18 able steps to ensure businesses in deprived and depressed communities
19 compete for and perform contracts to provide services or supplies or both
20 for the department.

21 (2) The director of the department shall strongly encourage firms
22 with which the department contracts to subcontract with certified busi-
23 nesses in depressed and deprived communities for services or supplies or
24 both.

25 Sec. 211. Money appropriated in part 1 shall not be used for the
26 purchase of foreign goods or services when competitively priced and of
27 comparable quality American goods or services are available. By May 1,

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1 1999, the department shall submit a report to the department of
2 management and budget, the speaker and minority leader of the house of
3 representatives, the majority and minority leaders of the senate, the
4 chairpersons of the house and senate appropriations committees on correc-
5 tions, and the senate and house fiscal agencies on efforts to comply with
6 this section.

7 Sec. 212. Notwithstanding any existing contracts for belts used by
8 corrections officers, if facilities and equipment are available, belts
9 issued for use by corrections officers shall be manufactured by Michigan
10 state industries or another prison industry operation.

11 Sec. 213. (1) The department shall submit to the department of man-
12 agement and budget, the house and senate appropriations committees, the
13 house and senate standing committees having jurisdiction over technology
14 issues, and the house and senate fiscal agencies periodic reports on the
15 efforts to change the department's computer software and hardware as nec-
16 essary to perform properly in the year 2000 and beyond. These reports
17 shall identify actual progress in comparison to the department's approved
18 work plan for this effort.

19 (2) The department may present progress billings to the department
20 of management and budget for the costs incurred in changing computer
21 software and hardware as necessary to perform properly in the year 2000
22 and beyond. When progress billings are presented for reimbursement, the
23 department shall identify and forward as appropriate the funding sources
24 that should support the work performed.

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

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1 Sec. 215. A prisoner who wins money in a lottery shall pay from
2 those winnings the amount necessary to reimburse the state for the
3 accrued cost of incarcerating that prisoner.

4 Sec. 216. The department shall not allow the use of gym facilities
5 or weight lifting equipment by an inmate if the inmate has not obtained,
6 or is not satisfactorily working towards the completion of, a high school
7 diploma or its equivalent, unless the inmate has been exempted by the
8 department because of health, enrollment in a special education program,
9 or lack of availability of programs. The department shall utilize ath-
10 letic directors to monitor prison use of gym facilities and weight lift-
11 ing equipment as prescribed by this section. This section does not apply
12 at a facility when, because of absenteeism, the department lacks suffi-
13 cient staff resources at the facility to enforce the restrictions.

14 Sec. 218. (1) The department shall screen and assess each prisoner
15 for alcohol and other drug involvement to determine the need for further
16 treatment. The assessment process shall be designed to identify the
17 severity of alcohol and other drug addiction and determine the treatment
18 plan, if appropriate.

19 (2) Subject to the availability of funding resources, the department
20 shall provide substance abuse treatment to prisoners with priority given
21 to those prisoners who are most in need of treatment and who can best
22 benefit from program intervention based on the screening and assessment
23 provided under subsection (1).

24 Sec. 219. (1) Of the funds appropriated in section 105 for sub-
25 stance abuse administration and testing, an amount not less than the
26 amount allocated in the prior fiscal year shall be used for residential
27 substance abuse treatment services.

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1 (2) Of the funds appropriated in section 105 for substance abuse
2 administration and testing, \$500,000.00 represents an increase over the
3 prior fiscal year for drug testing of probationers, parolees, and commu-
4 nity residential programs prisoners pursuant to department policy that
5 stipulates variable drug testing protocols based on offender risk. The
6 department shall use for drug testing at least the sum of this amount
7 plus the amount allocated in the prior fiscal year for drug testing.

8 (3) Of the funds appropriated in section 105 for substance abuse
9 administration and testing, \$500,000.00 represents an increase over the
10 prior fiscal year for alcohol and substance abuse treatment for proba-
11 tioners, parolees, and community residential programs prisoners. The
12 department shall use for alcohol and substance abuse treatment of these
13 offenders at least the sum of this amount plus the amount allocated in
14 the prior fiscal year for these services.

15 (4) As a condition of expenditure of funds appropriated in
16 section 105 for substance abuse administration and testing, the depart-
17 ment shall ensure that a system of monitoring and reporting the drug
18 testing process is instituted by March 1, 1999 which, at a minimum, indi-
19 cates the results of drug tests, the number of referrals to treatment
20 resulting from positive drug test results, the number of enrollments as a
21 result of referrals, and the subsequent results of drug treatment.

22 (5) In expending residential substance abuse treatment services
23 funds appropriated by this act, the department shall ensure to the maxi-
24 mum extent possible that residential substance abuse treatment services
25 are available statewide.

26 (6) From the funds appropriated in section 105 for substance abuse
27 administration and testing, the department shall expand residential

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1 substance abuse treatment services consistent with the terms of the grant
2 received under the federal residential substance abuse treatment for
3 state prisoners grant program administered by the office of justice pro-
4 grams, United States department of justice.

5 (7) By April 1, 1999, the department shall report to the house and
6 senate appropriations subcommittees on corrections and the house and
7 senate fiscal agencies on the allocation, distribution, and expenditure
8 of all funds appropriated by the substance abuse administration and test-
9 ing line item, and on the performance data required under
10 subsection (4). Information required by this subsection shall, where
11 possible, be separated by MDOC administrative region and by offender
12 type, including at a minimum a distinction between prisoners, parolees,
13 and probationers.

14 Sec. 220. Subject to section 222, the \$1,500,000.00 appropriated in
15 section 105 for the MDOC in-prison drug treatment program shall be used
16 by the department to implement a minimum of 2 in-prison drug treatment
17 programs, with at least 1 program being for male prisoners and 1 for
18 female prisoners.

19 Sec. 221. Subject to section 222, the \$1,000,000.00 appropriated in
20 section 105 for the technical violator pilot drug treatment program shall
21 be used by the department to implement a pilot program aimed at reducing
22 parolee and probationer prison admissions for substance abuse related
23 technical violations or crimes.

24 Sec. 222. (1) Not later than October 15, 1998, the department shall
25 convene a meeting between the state interagency work group appointed by
26 the governor, consisting of representatives of the office of drug control
27 policy, the departments of state police, corrections, community health,

1 and family independence agency, and an ad hoc group of key service
2 provider groups including the Michigan association of community correc-
3 tions advisory boards, the Michigan association for community corrections
4 advancement, the Michigan council on crime and delinquency, the Michigan
5 chapter of the national association on alcoholism and drug dependency,
6 and the Michigan association of substance abuse coordinating agencies.
7 The purpose of this meeting shall be for the state interagency work group
8 to develop recommendations for program criteria, elements, and goals
9 found to be successful in model program trials for substance abuse treat-
10 ment of prisoners. The state interagency work group shall develop recom-
11 mendations for a minimum of 3 separate pilot projects of differing modal-
12 ities and durations for the pilot projects provided by sections 220 and
13 221.

14 (2) Recommendations developed under subsection (1) shall include the
15 following:

16 (a) Offender eligibility criteria for each pilot project.

17 (b) Offender screening and assessment.

18 (c) Duration of in-prison and postprison components of each pilot
19 project.

20 (d) Services to be provided under each pilot project.

21 (e) Coordination with existing programs providing services to
22 offenders.

23 (f) Evaluation component design which shall at a minimum measure
24 each program's effect on offender relapse and recidivism, especially with
25 regard to readmission to prison.

26 (g) Type and form of data to be compiled.

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1 (h) The use of technical violator guidelines to direct offenders
2 into treatment.

3 (i) Any other matters concerning program design and evaluation con-
4 sidered appropriate by the interagency work group and the key service
5 providers.

6 (3) Recommendations required by this section shall be developed by
7 December 15, 1998.

8 (4) With the agreement of the interagency work group, the department
9 shall employ the recommendations developed under this section in imple-
10 menting the pilot programs required by sections 220 and 221.

11 Sec. 223. (1) The purpose of the programs funded under
12 sections 219(6), 220, and 221 is to evaluate and compare various sub-
13 stance abuse treatment modalities with regard to cost and impact on
14 prison admission, length of stay, jail utilization, and offender relapse
15 and recidivism. To this end, it is the intent of the legislature to pro-
16 vide for continued monitoring of offenders and evaluation of program
17 efficacy.

18 (2) The department shall contract with 1 or more independent third
19 parties for evaluation of alcohol and substance abuse programs adminis-
20 tered by the department, including in-prison programs and programs pro-
21 vided through community placement or field programs. The evaluation
22 shall measure the impact of alcohol and other substance abuse programs on
23 prison admission, length of stay, jail utilization, and offender relapse
24 and recidivism. The evaluation of a program funded under section 219(6)
25 shall be consistent with any requirements contained in the federal resi-
26 dential substance abuse and treatment grant for that program. Evaluation
27 of programs funded under sections 220 and 221 shall be consistent with

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1 recommendations developed and agreed to under section 222, and shall be
2 structured so as to allow programs funded in sections 220 and 221 to be
3 compared with each other and with the program funded under
4 section 219(6). Evaluation of programs funded under sections 220 and 221
5 shall to the extent feasible compare offenders treated under those pro-
6 grams with other offenders of similar characteristics.

7 (3) The department shall develop agreements with 1 or more indepen-
8 dent third parties for monitoring of implementation of programs funded
9 under sections 220 and 221.

10 (4) The department shall report by April 1, 1999 to the house and
11 senate appropriations subcommittees on corrections and the house and
12 senate fiscal agencies on the progress on implementation of the pilot
13 programs provided by sections 219(6), 220, and 221 and on implementation
14 of evaluation and monitoring requirements provided by this section.

[Sec. 224. (1) The department shall offer human relations and
diversity/sensitivity training to all employees where the need for such
training is identified.

(2) The department shall contract with an independent third party
for evaluation of human relations and diversity/sensitivity training provided
to employees. The evaluation shall examine the impact of the training on
department employees with regard to mutual employee cooperation, respect, and
ability to work as part of a team. The evaluation required by this section
shall be completed and contained in a report provided to the house and senate
appropriations subcommittees on corrections by April 1, 1999. By June 1,
1999, the department shall provide to the house and senate appropriations
subcommittees on corrections its response to the evaluation report, including
its plans for any policy changes based on the evaluation.

(3) Diversity/sensitivity training is developed to get employees to
appreciate and be sensitive to cultural, racial, ethnic, and gender
differences that impact their understanding of each other and their ability to
work as a team.]

15 **EXECUTIVE**

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

18 Sec. 302. The department shall report to the senate and house
19 appropriations subcommittees on corrections, the senate and house fiscal
20 agencies, and the state budget director by April 1, 1999 on the ratio of
21 correctional officers to prisoners for all correctional institutions, the
22 ratio of shift command staff to line custody staff, and the ratio of non-
23 custody institutional staff to prisoners for all correctional
24 institutions.

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1 Sec. 303. The department shall submit 3-year and 5-year prison
2 population projection updates by December 1, 1998 to the senate and house
3 appropriations subcommittees on corrections, the senate and house fiscal
4 agencies, and the state budget director.

5 Sec. 304. (1) The department shall annually prepare and submit
6 individual reports for the technical rule violator program, the community
7 residential program, the electronic tether program, and the special
8 alternative to incarceration program. The reports shall include the
9 following:

10 (a) Monthly new participants.

11 (b) Monthly participant unsuccessful terminations, including cause.

12 (c) Number of successful terminations.

13 (d) End month population by facility/program.

14 (e) Average length of placement.

15 (f) Return to prison statistics.

16 (g) Description of program location(s), capacity, and staffing.

17 (h) Sentencing guideline scores and actual sentence statistics for
18 participants, if applicable.

19 (i) Comparison with prior year statistics.

20 (j) Analysis of the impact on prison admissions and jail utilization
21 and the cost effectiveness of the program.

22 (2) Annual reports shall be prepared and submitted by April 1, 1999
23 to the corrections subcommittees of the house and senate appropriations
24 committees, the house and senate fiscal agencies, and the state budget
25 director.

26 Sec. 305. From the funds appropriated in section 102 for audit and
27 internal affairs, and as a condition of receiving those funds, the

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1 department shall continue to maintain county jail services staff
2 sufficient to enable the department to continue to fulfill its functions
3 of providing technical support, inspections of county jails, and imple-
4 mentation of the jail reimbursement program.

5 Sec. 307. (1) The department shall develop policy proposals that
6 provide alternatives to prison for offenders being sentenced to prison as
7 a result of technical probation violations and technical parole
8 violations. To the extent the department has insufficient policies or
9 resources to affect the continued increase in prison commitments among
10 these offender populations, the department shall explore other policy
11 options to allow for program alternatives, including department or OCC
12 funded programs, local level programs, and programs available through
13 private agencies that may be used as prison alternatives for these
14 offenders.

15 (2) To the extent policies or programs described in subsection (1)
16 are used, developed, or contracted for, the department may request that
17 funds appropriated in part 1 be transferred under section 393(2) of the
18 management and budget act, 1984 PA 431, MCL 18.1393, for their
19 operation.

20 (3) The department shall continue to utilize parole violator pro-
21 cessing guidelines that require parole agents to utilize all available
22 appropriate community-based, nonincarcerative postrelease sanctions and
23 services when appropriate. The department shall periodically evaluate
24 such guidelines for modification, in response to emerging information
25 from the pilot projects for substance abuse treatment provided under
26 sections 219(6), 220, and 221. To the extent appropriate, the department

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1 also shall consider any modifications to the guidelines recommended under
2 section 222.

3 (4) By March 1, 1999, the department shall report to the senate and
4 house appropriations subcommittees on corrections, senate and house
5 fiscal agencies, and state budget director on the effect that any recom-
6 mended policy changes for technical violators of parole and technical
7 violators of probation would have on admission to prison and jail and the
8 impact on other program alternatives.

9 Sec. 308. The department shall receive and retain copies of all
10 reports funded from part 1 appropriations.

11 **FIELD OPERATIONS**

12 Sec. 501. The department shall maintain sentencing recommendation
13 guidelines for all probation personnel who are responsible for making
14 sentencing recommendations for convicted felons. The purposes of the
15 guidelines are to establish consistency in the recommendations by proba-
16 tion personnel to the judiciary for nonprison sanctions, provide for log-
17 ical and fair nonprison sanction recommendations that are effective yet
18 utilize the least restrictive and least expensive options while assuring
19 public safety, and ensure proportionality among sentences and disposi-
20 tional options. The state established guidelines shall allow for the use
21 of all sanctions and services available to the offender population. For
22 a sentence recommendation in a presentence investigation report under
23 section 14 of chapter XI of the code of criminal procedure, 1927 PA 175,
24 MCL 771.14, the guidelines shall require probation staff to recommend a
25 sentence other than prison for felons where the maximum sentencing

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1 guideline score is 18 months or less or recommend prison sentences only
2 when required by law or when no alternative community sentence will pro-
3 vide public protection, pursuant to OP-BFS 71.01. Sentencing recommenda-
4 tion guidelines shall require probation staff to review all alternatives
5 to prison and recommend nonprison sentences for all nonviolent offenders,
6 excluding sentences for which there is a mandatory prison sentence. If
7 the probation staff departs from these guidelines, reasons for the depar-
8 ture shall be attached to the recommended prison sentence and included
9 with the presentence investigation report. The department shall ensure
10 that data on adherence to these guidelines are collected as part of the
11 department's overall information systems upgrade project and that it is
12 compiled in an annual report submitted to the senate and house appropria-
13 tions subcommittees on corrections, the senate and house fiscal agencies,
14 and the state budget director by April 1, 1999.

15 Sec. 503. It is the intent of the legislature that the funding
16 appropriated in section 107 for parole and probation agents will provide
17 sufficient parole and probation agents to maintain a ratio of 90 workload
18 units per agent.

19 Sec. 504. (1) The \$503,000.00 appropriated in part 1 for the commu-
20 nity service work program shall be used for salaries and wages and fringe
21 benefit costs of community service coordinators employed by the depart-
22 ment to supervise offenders participating in work crew assignments.
23 Funds shall also be used to cover motor transport division rates on state
24 vehicles used to transport offenders to community service work project
25 sites.

26 (2) The community service work program shall provide adult offenders
27 with community service work of tangible benefit to a community while

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1 fulfilling court-ordered community service work sanctions and other
2 postconviction obligations.

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

7 Sec. 505. It is the intent of the legislature that no funds be used
8 to support the mail-in supervision program for parolees on minimum
9 supervision/mail reporting status for a parolee serving a sentence for a
10 crime listed in section 34(5) of 1893 PA 118, MCL 800.34.

11 **OFFICE OF FIELD PROGRAMS**

12 Sec. 601. (1) All prisoners, probationers, and parolees involved
13 with the electronic tether program shall reimburse the department for the
14 equipment costs and telephone charges associated with their participation
15 in the program. The department may require community service work reim-
16 bursement as a means of payment for those able-bodied individuals unable
17 to pay for the cost of the equipment.

18 (2) Program participant contributions and local community tether
19 program reimbursement for the electronic tether program appropriated in
20 section 108 are related to program expenditures and may be used to offset
21 expenditures for this purpose.

22 (3) Included in the appropriation in section 108 is adequate funding
23 to implement the community tether program to be administered by the
24 department. The community tether program is intended to provide
25 sentencing judges and county sheriffs in coordination with local

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1 community corrections advisory boards access to the state's electronic
2 tether program to reduce prison admissions and improve local jail
3 utilization. The department shall determine the appropriate distribution
4 of the tether units throughout the state based upon locally developed
5 comprehensive corrections plans pursuant to the community corrections
6 act, 1988 PA 511, MCL 791.401 to 791.414. The counties shall reimburse
7 the department according to the following reimbursement schedule:

8 (a) For the rate of \$5.30 per diem, the department will provide
9 counties with the tether equipment, replacement parts, administrative
10 oversight of the equipment's operation, notification of violators, and
11 periodic reports regarding county program participants. Counties are
12 responsible for tether equipment installation and service and apprehen-
13 sion of program violators.

14 (b) For the rate of \$7.50 per diem, the department will provide
15 counties with the tether equipment, replacement parts, administrative
16 oversight of the equipment's operation, notification of program viola-
17 tors, and periodic reports regarding county program participants. In
18 addition, the department will provide staff to install and service the
19 equipment. Counties are responsible for the coordination and apprehen-
20 sion of program violators.

21 (4) Any county with tether charges outstanding over 60 days shall be
22 considered in violation of the community tether program agreement and
23 lose access to the program.

24 Sec. 602. Community-placement prisoners and parolees shall reim-
25 burse the department for the operational costs of the program. As an
26 alternative method of payment, the department may develop a community

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1 service work schedule for those individuals unable to meet reimbursement
2 requirements established by the department.

3 Sec. 603. It is the legislature's intent that the department avoid
4 locating a new community corrections center in a residential neighborhood
5 unless the location of the proposed community corrections center has the
6 support of the local unit of government in whose jurisdiction the commu-
7 nity corrections center is proposed to be located. If the local unit of
8 government does not give its support for that location, the local unit of
9 government within 60 days shall provide an alternative site for the pro-
10 posed community corrections center within the local governmental unit's
11 jurisdiction that is acceptable to the department.

12 **SPECIAL ALTERNATIVE INCARCERATION PROGRAM**

13 Sec. 701. The department shall establish a uniform rate to be paid
14 by agencies that benefit from public work services provided by special
15 alternative incarceration participants and prisoners.

16 **OFFICE OF COMMUNITY CORRECTIONS**

17 Sec. 801. The office of community corrections shall provide and
18 coordinate the delivery and implementation of services in communities to
19 facilitate successful offender reintegration into the community.
20 Programs and services to be offered shall include, but are not limited
21 to, technical assistance for comprehensive corrections plan development,
22 new program start-up funding, program funding for those programs
23 delivering services for eligible offenders in geographic areas identified

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1 by the office of community corrections as having a shortage of available
2 services, technical assistance, referral services for education, employ-
3 ment services, and substance abuse and family counseling. As used in
4 this act:

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

10 (b) "Goal" means the intended or projected result of a comprehensive
11 corrections plan or community corrections program to reduce prison com-
12 mitment rates, to reduce the length of stay in a jail, or to improve the
13 utilization of a jail.

14 (c) "Jail" means a facility operated by a local unit of government
15 for the physical detention and correction of persons charged with or con-
16 victed of criminal offenses.

17 (d) "Offender eligibility criteria" means particular criminal viola-
18 tions, state felony sentencing guidelines descriptors, and offender char-
19 acteristics developed by advisory boards and approved by local units of
20 government that identify the offenders suitable for community corrections
21 programs funded through the office of community corrections.

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

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

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

6 (ii) A currently incarcerated felon or misdemeanor who is granted
7 early release from incarceration to a community corrections program or
8 who is granted early release from incarceration as a result of a commu-
9 nity corrections program.

10 Sec. 802. (1) The funds included in section 110 for community cor-
11 rections comprehensive plans and services are to encourage the develop-
12 ment through technical assistance grants, implementation, and operation
13 of community corrections programs which serve as an alternative to incar-
14 ceration in a state facility or jail. The comprehensive corrections
15 plans shall include an explanation of how the public safety will be main-
16 tained, the goals for the local jurisdiction, offender target populations
17 intended to be affected, offender eligibility criteria for purposes out-
18 lined in the plan, and how the plans will meet the following objectives,
19 consistent with section 8(4) of the community corrections act, 1988 PA
20 511, MCL 791.408:

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

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

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1 (c) Open jail beds through the increase of pretrial release
2 options.

3 (d) Reduce the readmission to prison of parole violators.

4 (e) Reduce the admission or readmission to prison of offenders,
5 including probation violators and parole violators, for substance abuse
6 violations.

7 (2) The award of community corrections comprehensive plans funds
8 must be based on criteria that shall include, but not be limited to, the
9 prison commitment rate by category of offenders, trends in prison commit-
10 ment rates and jail utilization, historical trends in community correc-
11 tions program capacity and program utilization, and the projected impact
12 and outcome of annual policies and procedures of programs on prison com-
13 mitment rates and jail utilization.

14 (3) Funds awarded for probation residential centers in section 110
15 shall provide for a per diem reimbursement of not more than \$40.00.

16 Sec. 803. (1) The comprehensive corrections plans shall also
17 include, where appropriate, descriptive information on the full range of
18 sanctions and services which are available and utilized within the local
19 jurisdiction and an explanation of how jail beds, probation residential
20 services, the special alternative incarceration program (boot camp), pro-
21 bation detention centers, the electronic monitoring program for proba-
22 tioners, and treatment and rehabilitative services will be utilized to
23 support the objectives and priorities of the comprehensive corrections
24 plan and the purposes and priorities of section 8(4) of the community
25 corrections act, 1988 PA 511, MCL 791.408. The plans shall also include,
26 where appropriate, provisions that detail how the local communities plan
27 to respond to sentencing guidelines pursuant to section 33 of chapter IX

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1 of the code of criminal procedure, 1927 PA 175, MCL 769.33, the
2 development and implementation of probation sentencing recommendation
3 guidelines pursuant to section 501 of this act, and the use of the county
4 jail reimbursement program pursuant to section 808 of this act. The
5 state community corrections board shall encourage local community correc-
6 tions boards to include in their comprehensive corrections plans strate-
7 gies to collaborate with local alcohol and drug treatment agencies of the
8 department of community health for the provision of alcohol and drug
9 screening, assessment, case management planning, and delivery of treat-
10 ment to alcohol and drug involved offenders, including but not limited to
11 probation and parole violators who are at risk of revocation.

12 (2) The department shall promulgate detailed and specific guidelines
13 for probation staff serving on local community corrections advisory
14 boards about their responsibilities in assisting local communities to
15 meet the obligation of subsection (1). The guidelines shall include, but
16 not be limited to, annual goals and objectives for the use of department
17 programs, sentencing information, sentencing recommendation guidelines
18 development and monitoring, jail reimbursement program, annual planning
19 efforts, and maintenance of sentencing recommendation guidelines.

20 Sec. 804. (1) As part of the March biannual report specified under
21 section 12(2) of the community corrections act, 1988 PA 511, MCL 791.412,
22 which requires an analysis of the impact of that act on prison admissions
23 and jail utilization, the department shall submit to the senate and house
24 appropriations subcommittees on corrections, the senate and house fiscal
25 agencies, and the state budget director the following information for
26 each county and counties consolidated for comprehensive corrections
27 plans:

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1 (a) Approved technical assistance grants and comprehensive
2 corrections plans including each program and level of funding, the utili-
3 zation level of each program, and profile information of enrolled
4 offenders.

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

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

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

13 (e) Offender disposition data by sentencing guideline range, by dis-
14 position type, number and percent statewide and by county, current year,
15 and comparisons to prior 3 years.

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

19 (3) It is the intent of the legislature that the funds appropriated
20 in section 110 for public education and training be fully expended. To
21 this end, the department shall submit by October 15, 1998 to the house
22 and senate appropriations subcommittees on corrections plans for public
23 education grants to communities and yearly training in cooperation with
24 local community corrections advisory boards based on full expenditure of
25 the funds appropriated in section 110 for public education and training.

26 (4) By December 21, 1998, the department shall develop an agreement
27 with an independent third party for a comprehensive statewide evaluation

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1 of departmental community corrections policies and implementation
2 processes. The purpose of the evaluation shall be to evaluate policies
3 and the impact of policies on targeting of offenders, state and local
4 planning processes, comprehensive corrections plans, the use of
5 research-based risk or needs assessment, the efficacy of state and local
6 plans, and the impact of policies on minimizing admissions to prison.
7 The name of the selected independent evaluator shall be submitted to the
8 house and senate appropriations subcommittees on corrections for review.

9 Sec. 805. (1) The department shall identify and coordinate informa-
10 tion regarding the availability of and the demand for community correc-
11 tions programs, jail-based community corrections programs, and basic
12 state required jail data.

13 (2) The department shall be responsible for the collection, analy-
14 sis, and reporting of state required jail data.

15 (3) As a prerequisite to participation in the programs and services
16 offered through the department, counties shall provide basic jail data to
17 the department.

18 Sec. 806. From the funds appropriated in section 110 for community
19 corrections comprehensive plans and services and probation residential
20 services, no funds shall be awarded to local jurisdictions that have not
21 had their community corrections comprehensive plans, budget requests, and
22 substantial modifications approved by the local community corrections
23 advisory board and the local governing authority, officially reviewed by
24 the state community corrections board, and approved by the director of
25 the department.

26 Sec. 807. (1) The funds appropriated in section 110 for the
27 regional jail program are provided to allow local units of government to

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1 directly or indirectly expand local capacities to house felons who
2 otherwise likely would be prison bound based on historical local sentenc-
3 ing practices, or who currently are incarcerated in prison, including but
4 not limited to any of the following:

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

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

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

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

21 (2) Based upon approved applications received from local units of
22 government as recommended by local community corrections advisory boards,
23 the funding may be allocated only for multicounty construction or renova-
24 tion projects providing regional jail beds through intercounty agreements
25 to mutually develop and maintain 1 or more regional jail facilities. An
26 application approved by the local unit of government as recommended by
27 the local community corrections advisory board shall be included as part

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1 of the local comprehensive corrections plan. Applications shall clearly
2 identify target populations and clearly document how and when the expan-
3 sion in regional jail bed space would either reduce prison commitment
4 rates of targeted felony offenders or maintain prison commitment rates if
5 the rates for the multicounty region are below the state average for the
6 targeted offender group. An application shall detail the data that will
7 be reported to the department to establish the reduction in prison com-
8 mitments of targeted felony offenders. Applications shall provide infor-
9 mation on operating costs. The department shall evaluate project propos-
10 als for programmatic design and cost effectiveness. In allocating funds,
11 the office of community corrections shall give priority for funding to
12 regional jail projects that would have the greatest effect on the prison
13 population, whether by minimizing commitments to prison, reducing prison
14 bed space needs, or a combination of minimizing commitments and reducing
15 prison bed space needs.

16 (3) Regional jail program funds included as part of approved compre-
17 hensive corrections plans shall be awarded pursuant to guidelines and
18 priorities, which shall be developed by the department consistent with
19 this section by December 1, 1998. Funds shall be awarded to eligible
20 program applicants pursuant to the guidelines and priorities developed by
21 the department consistent with this section.

22 (4) By April 1, 1999, and each 6 months after that, the department
23 shall report to the house and senate appropriations committees, the house
24 and senate appropriations subcommittees on corrections, and the house and
25 senate fiscal agencies on the disbursement of funds under this section.
26 Reports shall include, at a minimum, descriptions of applications
27 received under this section, descriptions of projects funded under this

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1 section, the amounts received and expended by each recipient, and data
2 reported or to be reported to the department to establish the reduction
3 in prison commitments of targeted felony offenders.

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

7 Sec. 808. (1) The department shall administer a county jail reim-
8 bursement program from the funds appropriated in section 110 for the pur-
9 pose of reimbursing counties for housing in jails felons who historically
10 have been sent to prison. These include felons who are generally consid-
11 ered prison bound based on past sentencing practices within the jurisdic-
12 tion and offender characteristics, including but not limited to sentenc-
13 ing guideline scores indicative of prison risk, felony type, probation or
14 parole status, or number of prior convictions.

15 (2) The county jail reimbursement program shall reimburse counties
16 for housing and custody of convicted felons if sentencing guidelines
17 enacted into law do not apply to the offense and 1 of the following
18 applies:

19 (a) The felon would otherwise have been sentenced to a state prison
20 term with a minimum minimum sentence recommendation of 12 months or more,
21 under applicable sentencing guidelines.

22 (b) The felon was convicted of a violation of section 625(1) of the
23 Michigan vehicle code, 1949 PA 300, MCL 257.625, that is punishable as a
24 felony.

25 (c) The felon was sentenced under section 11 or 12 of chapter IX of
26 the code of criminal procedure, 1927 PA 175, MCL 769.11 and 769.12.

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1 (3) The county jail reimbursement program shall reimburse counties
2 for housing and custody of convicted felons if sentencing guidelines
3 enacted into law apply to the offense and 1 of the following applies:

4 (a) The felon would otherwise have been sentenced to a state prison
5 term with a minimum minimum sentencing guideline recommendation of more
6 than 12 months.

7 (b) The felon was convicted of a violation of section 625(1) of the
8 Michigan vehicle code, 1949 PA 300, MCL 257.625, that is punishable as a
9 felony.

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

14 (5) Except as provided in subsection (6), state reimbursement under
15 this section for prisoner housing and custody expenses per diverted
16 offender for the first 90 days of the offender's incarceration shall be
17 \$45.00 per diem for a county with a population of more than 100,000 and
18 \$40.00 per diem for a county with a population of 100,000 or less. After
19 the diverted offender has been incarcerated 90 days, state reimbursement
20 shall be \$38.00 per diem for the remainder of the incarceration up to 1
21 year total.

22 (6) For the first 90 days for diverted offenders housed in beds
23 developed under multicounty projects approved and funded under section
24 807, state reimbursement shall be \$45.00 per diem. After the diverted
25 offender has been incarcerated 90 days, state reimbursement shall be
26 \$38.00 per diem for the remainder of the incarceration up to 1 year
27 total.

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1 (7) Upon enactment of sentencing guidelines into law, the
2 qualification for county jail reimbursement shall be reviewed by the
3 senate and house appropriations subcommittees on corrections, which are
4 encouraged to recommend and act on revisions to the criteria if it
5 appears that the sentencing guidelines will negatively affect local suc-
6 cessful approaches to house otherwise prison-bound felons locally.

7 Sec. 809. (1) From the funds appropriated in section 110 for proba-
8 tion residential centers, funds are allocated for the operation of a pro-
9 bation detention program in a county that has adopted a charter pursuant
10 to 1966 PA 293, MCL 45.501 to 45.521. The probation detention program
11 shall have a capacity of 100 beds. The department shall provide the pro-
12 gram administrator monthly with 90-day projections of the numbers of beds
13 expected to be needed for probationers and parolees in Phase II residen-
14 tial placement under section 4(2) of the special alternative incarceration
15 tion act, 1988 PA 287, MCL 798.14, and the program administrator shall
16 make beds available as necessary to house probationers and parolees
17 entering Phase II residential placement.

18 (2) Payments under this section for operation of the probation
19 detention program shall be made at the same rates applicable to disburse-
20 ment of other funds awarded under the probation residential centers line
21 item, not to exceed a total expenditure of \$1,442,200.00.

22 (3) The purpose of the probation detention program is to reduce the
23 admission to prison of probation violators by providing a community pun-
24 ishment program within a secure environment with 24-hour supervision and
25 programming with an emphasis on structured daily activities. Programming
26 shall include, but need not be limited to, the following components that
27 may be provided directly or by referral:

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- 1 (a) Orientation and assessment.
- 2 (b) Substance abuse counseling.
- 3 (c) Life skills counseling.
- 4 (d) Education.
- 5 (e) Employment preparation.
- 6 (f) Vocational training.
- 7 (g) Employment.
- 8 (h) Community service.
- 9 (i) Physical training.
- 10 (j) Cognitive skill training.
- 11 (4) The probation detention program shall reduce the admission to
- 12 prison of probation violators directly or indirectly by providing a pro-
- 13 gram for direct sentencing of felony probation violators who likely would
- 14 be prison-bound based on historical local sentencing practices or by
- 15 removing probation violators from jail with a resulting increase in the
- 16 number of jail beds available and used for felons who otherwise would be
- 17 likely to be sentenced to prison based on historical local sentencing
- 18 practices.
- 19 (5) The operation of the probation detention program shall be
- 20 included in an approved community corrections comprehensive plan for the
- 21 county described in subsection (1) pursuant to the community corrections
- 22 act, 1988 PA 511, MCL 791.401 to 791.414, and shall be consistent with
- 23 sections 801, 802, 803, and 806.
- 24 (6) The comprehensive plan shall specify the programs, eligibility
- 25 criteria, referral, and enrollment process, the assessment and
- 26 client-specific planning case management process, a program design that
- 27 includes a variable length of stay based on assessed need, and the

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1 evaluation methodology to show the impact of the program on prison
2 admissions and recidivism.

3 (7) The length of stay for a probationer or parolee in Phase II res-
4 idential placement shall be at the department's discretion based on the
5 offender assessment and client-specific planning case management process
6 and the offender's progress at meeting the case management objectives,
7 but shall not exceed 120 days.

8 (8) The department shall require the program administrator to report
9 on the program pursuant to section 804. The reports shall also be sub-
10 mitted to the state budget director, the senate and house fiscal agen-
11 cies, and the senate and house appropriations subcommittees on
12 corrections. The department shall require the program administrator to
13 report annually to the department, the state budget director, the senate
14 and house fiscal agencies, and the senate and house appropriations sub-
15 committees on corrections concerning the program's impact on prison
16 admissions and recidivism including, but not limited to, the numbers of
17 offenders released from the probation detention program who are arrested
18 for a felony offense within 1 year of their termination from the
19 program.

20 **CONSENT DECREES**

21 Sec. 901. Funding appropriated in section 111 for consent decree
22 line items is appropriated into separate control accounts created for
23 each line item. Funding in each control account shall be distributed as
24 necessary into separate accounts created for the purpose of separately
25 identifying costs and expenditures associated with each consent decree.

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1 Sec. 902. The funds appropriated in section 111 for the psychiatric
2 hospital or for residential and outpatient treatment program beds may
3 only be expended if specifically required in the DOJ consent decree.

[Sec. 903. The department shall report by April 1, 1999 to the house and senate appropriations subcommittees on corrections, the house and senate standing committees having jurisdiction over corrections issues, and the house and senate fiscal agencies on the numbers of prisoners who are processed through the reception and guidance centers who have a current or prior diagnosis of serious mental illness as defined in section 100d of the mental health code, 1974 PA 258, MCL 330.1100d, or developmental disability as defined in section 100a of the Mental Health Code, 1974 PA 258, MCL 330.1100a.]

4 HEALTH CARE

5 Sec. 1001. The department shall report by June 1, 1999 to the house
6 and senate fiscal agencies and to the state budget director the results
7 of the restructuring of clinical operations and the implementation of
8 managed care contracts for hospital services.

9 Sec. 1002. The department shall not expend funds appropriated under
10 this act for any surgery, procedure, or treatment to provide or maintain
11 a prisoner's sex change unless it is determined medically necessary by a
12 physician.

13 Sec. 1003. The department may require prisoners to pay a co-payment
14 of not less than \$3.00 for nonemergency medical care.

15 Sec. 1004. (1) As a condition of expenditure of the funds appropri-
16 ated in sections 112 and 113, the department shall report to the senate
17 and house appropriations subcommittee on corrections on January 1, 1999
18 and July 1, 1999 the status of payments from contractors to vendors for
19 health care services provided to prisoners, as well as the status of the
20 contracts, and an assessment of prisoner health care quality.

21 (2) It is the intent of the legislature that the auditor general
22 conduct an annual audit of vendor payments for health care services pro-
23 vided to prisoners and report the amount of total vendor payments, esti-
24 mated administrative costs, and the amount of outstanding payments.

1 INSTITUTIONAL OPERATIONS

2 Sec. 1101. (1) The maximum reimbursement to colleges participating
3 in the prisoner rehabilitation and education program (PREP) shall be
4 limited to \$4.00 per student contact hour not to exceed 19.5 contact
5 hours per semester credit hour.

6 (2) The department shall report annually by April 1, 1999 on the
7 PREP program. Information shall include types of programs offered and
8 the number of students awarded a degree or certificate.

9 Sec. 1102. (1) It is the intent of the legislature that no appro-
10 priations in this act be used to pay any costs associated with college or
11 university programming for prison inmates, unless such payments are
12 required by existing court orders or consent decrees.

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

20 (3) If the department is successful in modifying the consent decree
21 to eliminate required college and university programming, it is the
22 intent of the legislature that all funding for the prisoner rehabilita-
23 tion and education program be transferred to vocational/education line
24 items in the budget to eliminate waiting lists for general education
25 development, adult basic education, and vocational education
26 programming. Transfers for this purpose shall be made through the

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1 legislative transfer process pursuant to section 393(2) of the management
2 and budget act, 1984 PA 431, MCL 18.1393.

3 Sec. 1103. It is the intent of the legislature that if funds appro-
4 priated under part 1 for the prisoner rehabilitation and education pro-
5 gram are expended to pay for higher education expenses of a prisoner, the
6 prisoner, as a condition of receiving those funds, shall contractually
7 agree with the department to repay those funds. It is the intent of the
8 legislature that this requirement will not be implemented if a federal
9 judge determines that implementation would violate a federal consent
10 decree or court order.

11 Sec. 1104. The department shall report annually by April 1, 1999 to
12 the senate and house appropriations subcommittees on corrections, the
13 senate and house fiscal agencies, and the department of management and
14 budget on the number of prisoners who enroll in but do not complete
15 course work through the academic/vocational program.

16 Sec. 1106. Funds appropriated under part 1 shall not be expended to
17 purchase a color television for prisoner use.

18 Sec. 1107. As a condition of expenditure of the funds appropriated
19 in part 1, the department shall ensure that smoking areas are designated
20 for use by prisoners and staff at each facility. At a minimum, all out-
21 door areas within each facility's perimeter shall be designated for smok-
22 ing, except that smoking may be forbidden within 20 feet of any building
23 designated as nonsmoking or smoke-free.

24 Sec. 1108. From the funds appropriated in part 1, the department
25 shall allocate sufficient funds to develop a pilot children's visitation
26 program. The pilot program shall teach parenting skills and arrange for
27 day visitation at these facilities for parents and their children.

1 Sec. 1109. It is the intent of the legislature that possession and
2 use of personal property by prisoners be considered a privilege and not a
3 right.

4 Sec. 1110. As a condition of expenditure of funds appropriated in
5 part 1, the department shall prohibit prisoners from using interdepart-
6 mental mail except to correspond with the department.

7 Sec. 1111. Funds appropriated under part 1 shall not be expended to
8 provide prisoners with access to or use of the Internet or any similar
9 system.

10 Sec. 1112. Any department employee who, in the course of his or her
11 job, is determined by a physician to have had a potential exposure to the
12 hepatitis B virus, shall receive a hepatitis B vaccination upon request.

[Sec. 1113. The department shall charge each prisoner who uses a television, VCR, stereo, or computer a monthly fee of \$3.00 for electricity. The department shall annually collect the fees and forward them to the state treasurer for deposit in the crime victim's rights fund created under section 4 of 1989 PA 196, MCL 780.904.]

Sec. 1114. It is the intent of the legislature that the department require all able-bodied level 1 prisoners who have not been convicted of an assaultive crime including, but not limited to, criminal sexual conduct, murder, assault, kidnapping, and home invasion, to work a minimum of 50 hours per week performing physical labor. The physical labor may include, but need not be limited to including, working in swamps, clearing roads, environmental resource recovery, forestry operations, and cleaning up beaches. While performing the physical labor required under this section, each prisoner shall be restrained by a security device considered appropriate by the department and prisoners may be chained or otherwise linked together, as the department considers appropriate.

Sec. 1115. As a condition of the expenditure of funds appropriated under part 1, the department shall require a prisoner convicted of assaulting a department employee, including a corrections officer, or another prisoner or who is determined responsible for that misconduct through departmental proceedings, to be placed in solitary confinement for not less than 60 days or more than 300 days. The solitary confinement shall preclude contact with other prisoners and visitors and shall minimize contact with department employees. The prisoner shall be allowed 1 hour per week out of his or her confinement for exercise or equivalent activity. The place of the prisoner's confinement area shall contain only prison-issued plumbing fixtures and bedding, and the prisoner shall possess only prison-issued clothing. As used in this section, "assaulting a department employee" means the intentional and knowing commission of a physical assault against an employee or contractual employee of the department.]

13 INMATE HOUSING FUND

14 Sec. 1201. (1) The inmate housing fund shall be used for the custo-
15 dy, treatment, clinical, and administrative costs associated with the
16 housing of prisoners other than those specifically budgeted for elsewhere
17 in this act. Funding in the inmate housing fund is appropriated into a
18 separate control account. Funding in the control account shall be dis-
19 tributed as necessary into separate accounts created to separately iden-

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21 (2) Quarterly reports on all expenditures from the inmate housing
22 fund shall be submitted by the department to the state budget director,
23 the senate and house appropriations subcommittees on corrections, and the
24 senate and house fiscal agencies.