

**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:

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PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. Subject to the conditions set forth in this act, the amounts listed in this part are appropriated for the department of corrections for the fiscal year ending September 30, 1999, from the funds

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SB 909 as amended March 25, 1998

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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.....	47,191	
6	Full-time equated unclassified positions.....	16.0	
7	Full-time equated classified positions.....	17,895.3	
8	GROSS APPROPRIATION.....		\$ 1,451,643,400
9	Interdepartmental grant revenues:		
10	Total interdepartmental grants and intradepartmental		
11	transfers.....		6,599,300
12	ADJUSTED GROSS APPROPRIATION.....		\$ 1,445,044,100
13	Federal revenues:		
14	Total federal revenues.....		19,007,800
15	Special revenue funds:		
16	Total local revenues.....		401,100
17	Total private revenues.....		0
18	Total other state restricted revenues.....		46,584,200
19	State general fund/general purpose.....		\$ 1,379,051,000
20	Sec. 102. EXECUTIVE		
21	Full-time equated unclassified positions.....	16.0	
22	Full-time equated classified positions.....	75.0	
23	Unclassified positions--16.0 FTE positions.....		\$ 1,253,300
24	Executive administration--11.0 FTE positions.....		1,136,100
25	Audit and internal affairs--19.0 FTE positions.....		1,080,400
26	Policy and hearings--45.0 FTE positions.....		<u>4,032,300</u>

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1	GROSS APPROPRIATION.....	\$	7,502,100
2	Appropriated from:		
3	State general fund/general purpose.....	\$	7,502,100
4	Sec. 103. ADMINISTRATION AND PROGRAMS		
5	Full-time equated classified positions.....		215.2
6	Administration and fiscal management--		36.5 FTE
7	positions.....	\$	2,672,200
8	Office of labor and personnel relations--		26.7 FTE
9	positions.....		1,680,200
10	Program services--15.0 FTE positions.....		1,284,600
11	Planning, research, and information services--		85.5
12	FTE positions.....		9,090,500
13	Federal education programs--19.0 FTE positions.....		2,984,800
14	Rent.....		1,799,100
15	Training administration--32.5 FTE positions.....		<u>3,284,700</u>
16	GROSS APPROPRIATION.....	\$	22,796,100
17	Appropriated from:		
18	Federal revenues:		
19	DED, life skills grant.....		300,000
20	DED-OVAE, vocational education, basic grants to		
21	states.....		1,820,600
22	DED-OESE, chapter 1 program for neglected and delin-		
23	quent children.....		500,100
24	DED-OVAE, state administered basic grant program.....		267,000
25	DED-OSERS, special education, grants to states.....		100,000
26	Special revenue funds:		

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1	Local-county reimbursement.....		116,200
2	Correctional industries revolving fund.....		93,500
3	Resident stores.....		271,800
4	State general fund/general purpose.....	\$	19,326,900
5	Sec. 104. CENTRAL SUPPORT ACCOUNTS		
6	Equipment.....	\$	341,900
7	Special maintenance.....		1,712,100
8	Worker's compensation.....		15,209,600
9	Compensatory buyout.....		225,000
10	Union leave bank.....		<u>50,000</u>
11	GROSS APPROPRIATION.....	\$	17,538,600
12	Appropriated from:		
13	State general fund/general purpose.....	\$	17,538,600
14	Sec. 105. TRAINING, COMMUNITY SUPPORT AND SUBSTANCE ABUSE		
15	PROGRAMS		
16	Inmate legal services program.....	\$	314,900
17	Reimbursement to counties, parole revocation hear-		
18	ings, and court settlements.....		3,421,000
19	Substance abuse administration and testing.....		17,240,700
20	Pilot drug treatment programs and studies.....		1,000,000
21	New employee training.....		13,311,000
22	Training projects.....		111,300
23	Criminal justice training fund.....		<u>601,800</u>
24	GROSS APPROPRIATION.....	\$	36,000,700
25	Appropriated from:		
26	Interdepartmental grant revenues:		

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1	IDG-MDSP, Michigan justice training fund.....		601,800
2	Federal revenues:		
3	DOJ, Office of justice programs, corrections pro-		
4	grams, grants to states.....		2,450,100
5	HHS-SAMHSA.....		563,000
6	State general fund/general purpose.....	\$	32,385,800
7	Sec. 106. PRISON INDUSTRIES OPERATIONS		
8	Full-time equated classified positions.....	169.8	
9	Personnel costs--169.8 FTE positions.....	\$	<u>12,099,200</u>
10	GROSS APPROPRIATION.....	\$	12,099,200
11	Appropriated from:		
12	Special revenue funds:		
13	Correctional industries revolving fund.....		12,099,200
14	State general fund/general purpose.....	\$	0
15	Sec. 107. FIELD OPERATIONS		
16	Full-time equated classified positions.....	1,648.0	
17	Personnel costs--1,544.0 FTE positions.....	\$	83,584,500
18	Operating costs.....		6,763,200
19	Community service work program--10.0 FTE positions...		503,000
20	Parole board operations--22.0 FTE positions.....		1,399,000
21	Building occupancy charges-property management.....		473,600
22	Rent.....		841,000
23	Loans to parolees.....		204,400
24	Boot camp-phase III, intensive supervision--72.0 FTE		
25	positions.....		2,487,700
26	Parole/probation services.....		<u>1,907,700</u>

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1	GROSS APPROPRIATION.....	\$	98,164,100
2	Appropriated from:		
3	Special revenue funds:		
4	Oversight fees.....		4,653,300
5	Supervision fees.....		1,907,700
6	State general fund/general purpose.....	\$	91,603,100
7	Sec. 108. COMMUNITY PLACEMENT		
8	Average population.....		1,306
9	Full-time equated classified positions.....		606.3
10	Community residential program operations--334.1 FTE		
11	positions.....	\$	26,810,900
12	Tether operations--167.3 FTE positions.....		7,582,900
13	Technical rule violator center--104.9 FTE positions..		<u>8,743,800</u>
14	GROSS APPROPRIATION.....	\$	43,137,600
15	Appropriated from:		
16	Special revenue funds:		
17	Resident contributions revenues.....		3,784,200
18	Local-community tether program reimbursement.....		284,900
19	Program participant contributions.....		3,971,200
20	Public works user fees.....		131,400
21	State general fund/general purpose.....	\$	34,965,900
22	Sec. 109. SPECIAL ALTERNATIVE INCARCERATION PROGRAM		
23	Full-time equated classified positions.....		135.0
24	Personnel costs--135.0 FTE positions.....	\$	7,316,500
25	Operational costs.....		<u>1,781,500</u>
26	GROSS APPROPRIATION.....	\$	9,098,000

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1	Appropriated from:		
2	Special revenue funds:		
3	Public works user fees.....		129,400
4	State general fund/general purpose.....	\$	8,968,600
5	Sec. 110. OFFICE OF COMMUNITY CORRECTIONS		
6	Full-time equated classified positions.....	17.0	
7	Personnel costs--17.0 FTE positions.....	\$	1,135,300
8	Operating costs.....		264,300
9	OCC board expenses.....		15,000
10	Probation residential centers.....		13,854,600
11	Community corrections comprehensive plans and		
12	services.....		11,480,000
13	Public education and training.....		50,000
14	Local facility expansion program.....		4,000,000
15	County jail reimbursement program.....		<u>18,612,200</u>
16	GROSS APPROPRIATION.....	\$	49,411,400
17	Appropriated from:		
18	Special revenue funds:		
19	Telephone fees and commissions.....		16,244,700
20	State general fund/general purpose.....	\$	33,166,700
21	Sec. 111. CONSENT DECREES		
22	Average population.....	400	
23	Full-time equated classified positions.....	577.4	
24	Hadix consent decree--157.0 FTE positions.....	\$	9,873,600
25	DOJ consent decree--166.5 FTE positions.....		10,189,200
26	Huron Valley Psychiatric Hospital - department of		
27	community health.....		49,487,700

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1	Average population.....	400	
2	Residential and outpatient treatment program -		
3	department of community health.....		15,123,000
4	Average population.....	665	
5	Department of community health bureau staff.....		672,400
6	Mental health custody staff - department of correc-		
7	tions security--253.9 FTE positions.....		14,059,600
8	Prisoner rehabilitation and education program.....		<u>1,020,100</u>
9	GROSS APPROPRIATION.....	\$	100,425,600
10	Appropriated from:		
11	State general fund/general purpose.....	\$	100,425,600
12	Sec. 112. OFFICE OF HEALTH CARE		
13	Full-time equated classified positions.....	18.0	
14	Health care administration--18.0 FTE positions.....		\$ 1,857,900
15	Hospital and specialty care services.....		36,889,400
16	Vaccination program.....		<u>956,900</u>
17	GROSS APPROPRIATION.....	\$	39,704,200
18	Appropriated from:		
19	State general fund/general purpose.....	\$	39,704,200
20	Sec. 113. CLINICAL OPERATIONS		
21	Full-time equated classified positions.....	797.1	
22	Adrian clinical complex--31.2 FTE positions.....		\$ 2,568,400
23	Baraga clinical complex--5.0 FTE positions.....		1,087,300
24	Coldwater clinical complex--35.8 FTE positions.....		3,162,300
25	Corrections camps clinical--18.5 FTE positions.....		872,700
26	Detroit clinical complex--18.2 FTE positions.....		2,469,500

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1	Ionia clinical complex--123.9 FTE positions.....		9,615,500
2	Jackson clinical complex--218.7 FTE positions.....		19,465,400
3	Kincheloe clinical complex--64.0 FTE positions.....		5,743,900
4	Lapeer clinical complex--15.7 FTE positions.....		984,600
5	Macomb clinical complex--17.0 FTE positions.....		1,306,500
6	Marquette clinical complex--47.0 FTE positions.....		3,815,100
7	Mid-Michigan clinical complex--16.1 FTE positions....		1,198,500
8	Muskegon clinical complex--56.5 FTE positions.....		3,482,400
9	Newberry clinical complex--4.0 FTE positions.....		1,214,100
10	Oaks clinical complex--4.0 FTE positions.....		1,205,300
11	Plymouth clinical complex--52.0 FTE positions.....		3,926,100
12	Saginaw clinical complex--17.0 FTE positions.....		1,278,400
13	Standish clinical complex--17.0 FTE positions.....		1,428,700
14	Ypsilanti clinical complex--35.5 FTE positions.....		<u>2,536,000</u>
15	GROSS APPROPRIATION.....	\$	67,360,700
16	Appropriated from:		
17	State general fund/general purpose.....	\$	67,360,700
18	Sec. 114. CORRECTIONAL FACILITIES - ADMINISTRATION		
19	Full-time equated classified positions.....		127.0
20	Conveying convicts to penal institutions.....	\$	248,300
21	Federal school lunch program.....		565,000
22	Correctional facilities administration--10.0 FTE		
23	positions.....		753,700
24	Extradition services.....		120,000
25	Housing inmates in federal institutions.....		394,000
26	Central region office--109.0 FTE positions.....		12,973,800

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1	Northern region office--2.0 FTE positions.....		180,500
2	Southeastern region office--1.0 FTE position.....		129,800
3	Southwestern region office--2.0 FTE positions.....		180,700
4	Leased beds.....		20,848,500
5	Food service operations.....		5,000,000
6	Surplus food program--3.0 FTE positions.....		<u>312,800</u>
7	GROSS APPROPRIATION.....	\$	41,707,100
8	Appropriated from:		
9	Intradepartmental grant revenues:		
10	IDT, surplus food user fees.....		238,200
11	IDT, food factory user fees.....		5,000,000
12	Federal revenues:		
13	BOP, federal prisoner reimbursement.....		314,000
14	DOJ, office of justice programs, VOITIS.....		5,000,000
15	DAG-FCS, national school lunch.....		565,000
16	State general fund/general purpose.....	\$	30,589,900
17	Sec. 115. ALGER MAXIMUM SECURITY CORRECTIONAL FACILITY -		
18	MUNISING		
19	Average population.....		524
20	Full-time equated classified positions.....		317.2
21	Personnel costs--313.2 FTE positions.....	\$	18,829,900
22	Operational costs.....		2,161,000
23	Academic/vocational programs--4.0 FTE positions.....		<u>273,000</u>
24	GROSS APPROPRIATION.....	\$	21,263,900
25	Appropriated from:		
26	Special revenue funds:		

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1	Resident stores.....		9,500
2	State general fund/general purpose.....	\$	21,254,400
3	Sec. 116. BARAGA MAXIMUM CORRECTIONAL FACILITY - BARAGA		
4	Average population.....		604
5	Full-time equated classified positions.....		356.4
6	Personnel costs--348.4 FTE positions.....	\$	19,473,900
7	Operational costs.....		2,326,100
8	Academic/vocational programs--8.0 FTE positions.....		<u>433,900</u>
9	GROSS APPROPRIATION.....	\$	22,233,900
10	Appropriated from:		
11	Special revenue funds:		
12	Resident stores.....		13,500
13	State general fund/general purpose.....	\$	22,220,400
14	Sec. 117. E.C. BROOKS CORRECTIONAL FACILITY - MUSKEGON		
15	Average population.....		2,200
16	Full-time equated classified positions.....		545.7
17	Personnel costs--524.7 FTE positions.....	\$	30,236,800
18	Operational costs.....		6,261,600
19	Academic/vocational programs--21.0 FTE positions.....		<u>1,308,100</u>
20	GROSS APPROPRIATION.....	\$	37,806,500
21	Appropriated from:		
22	Special revenue funds:		
23	Resident stores.....		142,000
24	State general fund/general purpose.....	\$	37,664,500
25	Sec. 118. CARSON CITY CORRECTIONAL FACILITY COMPLEX - CARSON		
26	CITY		

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1	Average population.....	2,200		
2	Full-time equated classified positions.....	551.2		
3	Personnel costs--533.2 FTE positions.....		\$	30,665,500
4	Operational costs.....			6,413,300
5	Academic/vocational programs--18.0 FTE positions.....			<u>1,092,300</u>
6	GROSS APPROPRIATION.....		\$	38,171,100
7	Appropriated from:			
8	Special revenue funds:			
9	Resident stores.....			93,200
10	State general fund/general purpose.....		\$	38,077,900
11	Sec. 119. CHIPPEWA CORRECTIONAL FACILITY - KINCHELOE			
12	Average population.....	2,094		
13	Full-time equated classified positions.....	508.3		
14	Personnel costs--492.3 FTE positions.....		\$	28,988,700
15	Operational costs.....			5,881,100
16	Academic/vocational programs--16.0 FTE positions.....			<u>1,136,200</u>
17	GROSS APPROPRIATION.....		\$	36,006,000
18	Appropriated from:			
19	Special revenue funds:			
20	Resident stores.....			148,400
21	State general fund/general purpose.....		\$	35,857,600
22	Sec. 120. COOPER STREET CORRECTIONAL FACILITY - JACKSON			
23	Average population.....	822		
24	Full-time equated classified positions.....	207.4		
25	Personnel costs--203.4 FTE positions.....		\$	11,801,900
26	Operational costs.....			2,235,500

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1	Academic/vocational programs--4.0 FTE positions.....		<u>294,700</u>
2	GROSS APPROPRIATION.....	\$	14,332,100
3	Appropriated from:		
4	Special revenue funds:		
5	Resident stores.....		9,800
6	Public works user fees.....		30,500
7	State general fund/general purpose.....	\$	14,291,800
8	Sec. 121. G. ROBERT COTTON CORRECTIONAL FACILITY - JACKSON		
9	Average population.....		1,692
10	Full-time equated classified positions.....		423.0
11	Personnel costs--412.0 FTE positions.....	\$	23,879,300
12	Operational costs.....		4,554,600
13	Academic/vocational programs--11.0 FTE positions.....		<u>869,800</u>
14	GROSS APPROPRIATION.....	\$	29,303,700
15	Appropriated from:		
16	Special revenue funds:		
17	Resident stores.....		111,500
18	State general fund/general purpose.....	\$	29,192,200
19	Sec. 122. FLORENCE CRANE WOMEN'S FACILITY - COLDWATER		
20	Average population.....		510
21	Full-time equated classified positions.....		209.6
22	Personnel costs--197.6 FTE positions.....	\$	11,991,800
23	Operational costs.....		1,798,300
24	Academic/vocational programs--12.0 FTE positions.....		<u>900,800</u>
25	GROSS APPROPRIATION.....	\$	14,690,900
26	Appropriated from:		

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1	Special revenue funds:	
2	Resident stores.....	47,000
3	State general fund/general purpose.....	\$ 14,643,900
4	Sec. 123. CHARLES E. EGELER CORRECTIONAL FACILITY - JACKSON	
5	Average population.....	1,006
6	Full-time equated classified positions.....	304.4
7	Personnel costs--296.4 FTE positions.....	\$ 15,821,200
8	Operational costs.....	2,071,500
9	Academic/vocational programs--8.0 FTE positions.....	<u>679,500</u>
10	GROSS APPROPRIATION.....	\$ 18,572,200
11	Appropriated from:	
12	Special revenue funds:	
13	Resident stores.....	93,900
14	State general fund/general purpose.....	\$ 18,478,300
15	Sec. 124. RICHARD A. HANDLON MICHIGAN TRAINING UNIT - IONIA	
16	Average population.....	1,315
17	Full-time equated classified positions.....	292.0
18	Personnel costs--268.0 FTE positions.....	\$ 15,161,300
19	Operational costs.....	3,248,500
20	Academic/vocational programs--24.0 FTE positions.....	<u>1,665,100</u>
21	GROSS APPROPRIATION.....	\$ 20,074,900
22	Appropriated from:	
23	Special revenue funds:	
24	Resident stores.....	74,400
25	State general fund/general purpose.....	\$ 20,000,500
26	Sec. 125. GUS HARRISON CORRECTIONAL FACILITY - ADRIAN	

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1	Average population.....	2,200	
2	Full-time equated classified positions.....	557.6	
3	Personnel costs--539.6 FTE positions.....		\$ 30,001,600
4	Operational costs.....		6,250,200
5	Academic/vocational programs--18.0 FTE positions.....		<u>1,187,900</u>
6	GROSS APPROPRIATION.....		\$ 37,439,700
7	Appropriated from:		
8	Special revenue funds:		
9	Resident stores.....		191,100
10	State general fund/general purpose.....		\$ 37,248,600
11	Sec. 126. HURON VALLEY MEN'S FACILITY - YPSILANTI		
12	Average population.....	482	
13	Full-time equated classified positions.....	291.8	
14	Personnel costs--285.8 FTE positions.....		\$ 16,212,900
15	Operational costs.....		2,926,200
16	Academic/vocational programs--6.0 FTE positions.....		<u>400,500</u>
17	GROSS APPROPRIATION.....		\$ 19,539,600
18	Appropriated from:		
19	Special revenue funds:		
20	Resident stores.....		46,900
21	State general fund/general purpose.....		\$ 19,492,700
22	Sec. 127. IONIA MAXIMUM FACILITY - IONIA		
23	Average population.....	636	
24	Full-time equated classified positions.....	348.6	
25	Personnel costs--341.6 FTE positions.....		\$ 19,926,800
26	Operational costs.....		2,152,600

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1	Academic/vocational programs--7.0 FTE positions.....		<u>531,400</u>
2	GROSS APPROPRIATION.....	\$	22,610,800
3	Appropriated from:		
4	Special revenue funds:		
5	Resident stores.....		9,200
6	State general fund/general purpose.....	\$	22,601,600
7	Sec. 128. IONIA TEMPORARY FACILITY - IONIA		
8	Average population.....		960
9	Full-time equated classified positions.....		222.4
10	Personnel costs--206.9 FTE positions.....	\$	12,117,500
11	Operational costs.....		2,834,500
12	Print shop operations.....		375,000
13	Academic/vocational programs--15.5 FTE positions.....		<u>1,091,300</u>
14	GROSS APPROPRIATION.....	\$	16,418,300
15	Appropriated from:		
16	Intradepartmental transfers:		
17	IDT, print shop user fees.....		375,000
18	Special revenue funds:		
19	Resident stores.....		47,900
20	Public works user fees.....		15,000
21	State general fund/general purpose.....	\$	15,980,400
22	Sec. 129. JACKSON MAXIMUM CORRECTIONAL FACILITY - JACKSON		
23	Average population.....		1,068
24	Full-time equated classified positions.....		445.1
25	Personnel costs--437.1 FTE positions.....	\$	24,967,100
26	Operational costs.....		3,142,800

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1	Academic/vocational programs--8.0 FTE positions.....		<u>420,800</u>
2	GROSS APPROPRIATION.....	\$	28,530,700
3	Appropriated from:		
4	Federal revenues:		
5	Federal revenues and reimbursements.....		1,915,300
6	Special revenue funds:		
7	Resident stores.....		82,900
8	State general fund/general purpose.....	\$	26,532,500
9	Sec. 130. KINROSS CORRECTIONAL FACILITY - KINCHELOE		
10	Average population.....		2,165
11	Full-time equated classified positions.....		543.5
12	Personnel costs--514.5 FTE positions.....	\$	29,768,600
13	Operational costs.....		7,163,100
14	Academic/vocational programs--29.0 FTE positions.....		<u>1,608,800</u>
15	GROSS APPROPRIATION.....	\$	38,540,500
16	Appropriated from:		
17	Special revenue funds:		
18	Resident stores.....		141,000
19	State general fund/general purpose.....	\$	38,399,500
20	Sec. 131. LAKELAND CORRECTIONAL FACILITY - COLDWATER		
21	Average population.....		1,200
22	Full-time equated classified positions.....		255.1
23	Personnel costs--245.1 FTE positions.....	\$	15,451,700
24	Operational costs.....		3,600,000
25	Academic/vocational programs--10.0 FTE positions.....		<u>865,900</u>
26	GROSS APPROPRIATION.....	\$	19,917,600

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1	Appropriated from:		
2	Special revenue funds:		
3	Resident stores.....		46,900
4	State general fund/general purpose.....	\$	19,870,700
5	Sec. 132. MACOMB CORRECTIONAL FACILITY - NEW HAVEN		
6	Average population.....		1,228
7	Full-time equated classified positions.....		350.3
8	Personnel costs--342.3 FTE positions.....	\$	17,652,100
9	Operational costs.....		3,469,300
10	Academic/vocational programs--8.0 FTE positions.....		<u>541,900</u>
11	GROSS APPROPRIATION.....	\$	21,663,300
12	Appropriated from:		
13	Special revenue funds:		
14	Resident stores.....		93,800
15	Public works user fees.....		11,200
16	State general fund/general purpose.....	\$	21,558,300
17	Sec. 133. MARQUETTE BRANCH PRISON - MARQUETTE		
18	Average population.....		1,129
19	Full-time equated classified positions.....		435.2
20	Personnel costs--425.2 FTE positions.....	\$	25,539,700
21	Operational costs.....		4,605,000
22	Academic/vocational programs--10.0 FTE positions.....		<u>887,300</u>
23	GROSS APPROPRIATION.....	\$	31,032,000
24	Appropriated from:		
25	Special revenue funds:		
26	Resident stores.....		142,400

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1	State general fund/general purpose.....	\$	30,889,600
2	Sec. 134. MICHIGAN REFORMATORY - IONIA		
3	Average population.....		1,338
4	Full-time equated classified positions.....		392.4
5	Personnel costs--376.4 FTE positions.....	\$	22,731,100
6	Operational costs.....		5,884,000
7	Academic/vocational programs--16.0 FTE positions.....		<u>1,320,600</u>
8	GROSS APPROPRIATION.....	\$	29,935,700
9	Appropriated from:		
10	Special revenue funds:		
11	Resident stores.....		140,700
12	State general fund/general purpose.....	\$	29,795,000
13	Sec. 135. MID-MICHIGAN CORRECTIONAL FACILITY - ST. LOUIS		
14	Average population.....		960
15	Full-time equated classified positions.....		228.4
16	Personnel costs--219.4 FTE positions.....	\$	12,626,200
17	Operational costs.....		2,805,300
18	Academic/vocational programs--9.0 FTE positions.....		<u>620,400</u>
19	GROSS APPROPRIATION.....	\$	16,051,900
20	Appropriated from:		
21	Special revenue funds:		
22	Resident stores.....		46,700
23	Public works user fees.....		8,200
24	State general fund/general purpose.....	\$	15,997,000
25	Sec. 136. MOUND CORRECTIONAL FACILITY - DETROIT		
26	Average population.....		1,044

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1	Full-time equated classified positions.....	363.4		
2	Personnel costs--353.4 FTE positions.....		\$	17,977,800
3	Operational costs.....			2,683,300
4	Academic/vocational programs--10.0 FTE positions.....			<u>536,500</u>
5	GROSS APPROPRIATION.....		\$	21,197,600
6	Appropriated from:			
7	Special revenue funds:			
8	Resident stores.....			94,300
9	State general fund/general purpose.....		\$	21,103,300
10	Sec. 137. MUSKEGON CORRECTIONAL FACILITY - MUSKEGON			
11	Average population.....	1,310		
12	Full-time equated classified positions.....	294.4		
13	Personnel costs--277.4 FTE positions.....		\$	18,445,000
14	Operational costs.....			3,918,500
15	Academic/vocational programs--17.0 FTE positions.....			<u>1,163,500</u>
16	GROSS APPROPRIATION.....		\$	23,527,000
17	Appropriated from:			
18	Special revenue funds:			
19	Resident stores.....			70,000
20	State general fund/general purpose.....		\$	23,457,000
21	Sec. 138. NEWBERRY CORRECTIONAL FACILITY - NEWBERRY			
22	Average population.....	928		
23	Full-time equated classified positions.....	319.4		
24	Personnel costs--306.4 FTE positions.....		\$	16,791,000
25	Operational costs.....			2,919,000
26	Academic/vocational programs--13.0 FTE positions.....			<u>796,700</u>

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1	GROSS APPROPRIATION.....	\$	20,506,700
2	Appropriated from:		
3	Special revenue funds:		
4	Resident stores.....		46,900
5	State general fund/general purpose.....	\$	20,459,800
6	Sec. 139. OAKS CORRECTIONAL FACILITY - EASTLAKE		
7	Average population.....		744
8	Full-time equated classified positions.....		363.8
9	Personnel costs--358.8 FTE positions.....	\$	20,728,200
10	Operational costs.....		3,053,300
11	Academic/vocational programs--5.0 FTE positions.....		<u>362,900</u>
12	GROSS APPROPRIATION.....	\$	24,144,400
13	Appropriated from:		
14	Special revenue funds:		
15	Resident stores.....		11,500
16	State general fund/general purpose.....	\$	24,132,900
17	Sec. 140. PARNELL CORRECTIONAL FACILITY - JACKSON		
18	Average population.....		1,448
19	Full-time equated classified positions.....		308.0
20	Personnel costs--295.0 FTE positions.....	\$	17,256,700
21	Operational costs.....		2,725,000
22	Academic/vocational programs--13.0 FTE positions.....		<u>891,100</u>
23	GROSS APPROPRIATION.....	\$	20,872,800
24	Appropriated from:		
25	Special revenue funds:		
26	Correctional industries revolving fund.....		76,600

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1	Resident stores.....		107,700
2	State general fund/general purpose.....	\$	20,688,500
3	Sec. 141. RIVERSIDE CORRECTIONAL FACILITY - IONIA		
4	Average population.....		1,034
5	Full-time equated classified positions.....		345.0
6	Personnel costs--339.0 FTE positions.....	\$	19,719,000
7	Operational costs.....		4,352,500
8	Academic/vocational programs--6.0 FTE positions.....		<u>379,200</u>
9	GROSS APPROPRIATION.....	\$	24,450,700
10	Appropriated from:		
11	Special revenue funds:		
12	Resident stores.....		46,800
13	State general fund/general purpose.....	\$	24,403,900
14	Sec. 142. RYAN CORRECTIONAL FACILITY - DETROIT		
15	Average population.....		1,044
16	Full-time equated classified positions.....		354.3
17	Personnel costs--344.3 FTE positions.....	\$	19,138,300
18	Operational costs.....		3,221,700
19	Academic/vocational programs--10.0 FTE positions.....		<u>616,100</u>
20	GROSS APPROPRIATION.....	\$	22,976,100
21	Appropriated from:		
22	Special revenue funds:		
23	Resident stores.....		94,200
24	State general fund/general purpose.....	\$	22,881,900
25	Sec. 143. SAGINAW CORRECTIONAL FACILITY - FREELAND		
26	Average population.....		1,228

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1	Full-time equated classified positions.....	355.9		
2	Personnel costs--341.4 FTE positions.....		\$	20,304,000
3	Operational costs.....			3,071,200
4	Academic/vocational programs--14.5 FTE positions.....			<u>664,500</u>
5	GROSS APPROPRIATION.....		\$	24,039,700
6	Appropriated from:			
7	Special revenue funds:			
8	Resident stores.....			94,200
9	State general fund/general purpose.....		\$	23,945,500
10	Sec. 144. SCOTT CORRECTIONAL FACILITY - PLYMOUTH			
11	Average population.....	847		
12	Full-time equated classified positions.....	355.7		
13	Personnel costs--338.7 FTE positions.....		\$	19,308,600
14	Operational costs.....			2,634,100
15	Academic/vocational programs--17.0 FTE positions.....			<u>1,223,600</u>
16	GROSS APPROPRIATION.....		\$	23,166,300
17	Appropriated from:			
18	Special revenue funds:			
19	Resident stores.....			93,700
20	State general fund/general purpose.....		\$	23,072,600
21	Sec. 145. STANDISH MAXIMUM CORRECTIONAL FACILITY - STANDISH			
22	Average population.....	524		
23	Full-time equated classified positions.....	320.8		
24	Personnel costs--314.8 FTE positions.....		\$	17,955,400
25	Operational costs.....			2,155,300
26	Academic/vocational programs--6.0 FTE positions.....			<u>176,300</u>

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1	GROSS APPROPRIATION.....	\$	20,287,000
2	Appropriated from:		
3	Special revenue funds:		
4	Resident stores.....		9,400
5	State general fund/general purpose.....	\$	20,277,600
6	Sec. 146. SOUTHERN MICHIGAN CORRECTIONAL FACILITY - JACKSON		
7	Average population.....		616
8	Full-time equated classified positions.....		339.2
9	Personnel costs--330.2 FTE positions.....	\$	20,489,100
10	Operational costs.....		1,318,800
11	Academic/vocational programs--9.0 FTE positions.....		574,700
12	Print shop operations.....		<u>282,000</u>
13	GROSS APPROPRIATION.....	\$	22,664,600
14	Appropriated from:		
15	Intradepartmental transfers:		
16	IDT, print shop user fees.....		282,000
17	Special revenue funds:		
18	Resident stores.....		93,700
19	State general fund/general purpose.....	\$	22,288,900
20	Sec. 147. THUMB CORRECTIONAL FACILITY - LAPEER		
21	Average population.....		954
22	Full-time equated classified positions.....		282.7
23	Personnel costs--271.7 FTE positions.....	\$	15,735,300
24	Operational costs.....		2,945,400
25	Academic/vocational programs--11.0 FTE positions.....		<u>574,100</u>
26	GROSS APPROPRIATION.....	\$	19,254,800

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1	Appropriated from:		
2	Special revenue funds:		
3	Resident stores.....		47,000
4	State general fund/general purpose.....	\$	19,207,800
5	Sec. 148. WESTERN WAYNE CORRECTIONAL FACILITY - PLYMOUTH		
6	Average population.....		775
7	Full-time equated classified positions.....		287.6
8	Personnel costs--284.1 FTE positions.....	\$	17,122,400
9	Operational costs.....		2,830,900
10	Academic/vocational programs--3.5 FTE positions.....		<u>267,000</u>
11	GROSS APPROPRIATION.....	\$	20,220,300
12	Appropriated from:		
13	Special revenue funds:		
14	Resident stores.....		99,000
15	State general fund/general purpose.....	\$	20,121,300
16	Sec. 149. YOUTH CORRECTIONAL FACILITY		
17	Average population.....		480
18	Full-time equated classified positions.....		2.0
19	Personnel costs--2.0 FTE positions.....	\$	179,300
20	Operational costs.....		2,964,600
21	Access roads.....		293,900
21	Academic/vocational programs.....		<u>2,794,500</u>
22	GROSS APPROPRIATION.....	\$	6,232,300
23	Appropriated from:		
24	DOJ, office of justice programs, VOITIS.....		5,212,700
25	State general fund/general purpose.....	\$	1,019,600
26	Sec. 150. CORRECTION CAMPS		

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1	Average population.....	3,800	
2	Full-time equated classified positions.....	850.3	
3	Personnel costs--834.3 FTE positions.....		\$ 43,960,100
4	Operational costs.....		13,162,000
5	Dental lab operations.....		102,300
6	Academic/vocational programs--16.0 FTE positions.....		<u>1,009,700</u>
7	GROSS APPROPRIATION.....		\$ 58,234,100
8	Intradepartmental transfers:		
9	IDT-dental lab user fees.....		102,300
10	Special revenue funds:		
11	Resident stores.....		103,400
12	Public works user fees.....		376,300
13	State general fund/general purpose.....		\$ 57,652,100
14	Sec. 151. INMATE HOUSING FUND		
15	Average population.....	2,376	
16	Full-time equated classified positions.....	581.4	
17	Inmate housing fund--581.4 FTE positions.....		\$ <u>20,788,300</u>
18	GROSS APPROPRIATION.....		\$ 20,788,300
19	Appropriated from:		
20	Resident stores.....		35,500
21	State general fund/general purpose.....		\$ 20,752,800

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1 PART 2

2 PROVISIONS CONCERNING APPROPRIATIONS

3 GENERAL SECTIONS

4 Sec. 201. (1) Pursuant to section 30 of article IX of the state
5 constitution of 1963, total state spending from state sources for fiscal
6 year 1998-99 is estimated at \$1,425,635,200.00 in this act and state
7 spending from state sources paid to local units of government for fiscal
8 year 1998-99 is estimated at \$77,323,000.00. The itemized statement
9 below identifies appropriations from which spending to units of local
10 governments will occur:

11 DEPARTMENT OF CORRECTIONS

12	Planning, research, and information services--ADP -	
13	assumption of county probation.....	\$ 472,300
14	Field operations - assumption of county probation	
15	staff.....	32,220,100
16	Reimbursement to counties, parole revocation hear-	
17	ings, and court settlements.....	3,421,000
18	Public service work projects.....	11,531,100
19	Community corrections comprehensive plans and	
20	services.....	11,480,000
21	Community corrections probation residential centers..	13,854,600
22	Community corrections public education and training..	50,000
22	Access roads.....	293,900
23	Local facility expansion program.....	<u>4,000,000</u>
24	TOTAL.....	\$ <u>77,323,000</u>

25 (2) When it appears to the director of the department that state
26 spending to local units of government will be less than the amount that
27 was projected to be expended for any quarter, the director of the

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1 department shall immediately give notice of the approximate shortfall to
2 the department of management and budget, the senate and house appropria-
3 tions committees, and the senate and house fiscal agencies.

4 Sec. 202. The expenditures and funding sources authorized under
5 this act are subject to the management and budget act, 1984 PA 431, MCL
6 18.1101 to 18.1594.

7 Sec. 203. As used in this act:

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

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

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

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

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

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

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

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

19 (i) "Department" or "MDOC" means the Michigan department of
20 corrections.

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

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

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

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

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1 (n) "IDG" means interdepartmental grant.

2 (o) "IDT" means intradepartmental transfer.

3 (p) "MDSP" means the Michigan department of state police.

4 (q) "OCC" means the office of community corrections.

5 (r) "OP-BFS" means the operating procedure, bureau of field
6 services.

7 (s) "PREP" means the prisoner rehabilitation and education program.

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

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

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

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

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

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

12 Sec. 208. Of the state general fund/general purpose revenue appro-
13 priated in part 1, \$271,423,200.00 represents a state spending increase
14 over the amount provided to the department for the fiscal year ending
15 September 30, 1994, and may be used to meet state match requirements of
16 programs contained in the violent crime control and law enforcement act
17 of 1994, Public Law 103-322, 108 Stat. 1796, or successor grant programs,
18 so that any additional federal funds received shall supplement funding
19 provided to the department in part 1.

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

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1 (2) The state budget director shall grant exceptions to this hiring
2 freeze when the state budget director believes that the hiring freeze
3 will result in the state department or agency being unable to deliver
4 basic services. The state budget director shall report by the fifteenth
5 of each month to the chairpersons of the senate and house of representa-
6 tives committees on appropriations the number of exceptions to the hiring
7 freeze approved during the previous month and the justifications for the
8 exceptions.

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

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

17 Sec. 211. Money appropriated in part 1 shall not be used for the
18 purchase of foreign goods or services when competitively priced and of
19 comparable quality American goods or services are available. By May 1,
20 1999, the department shall submit a report to the department of manage-
21 ment and budget, the speaker and minority leader of the house of repre-
22 sentatives, the majority and minority leaders of the senate, the chair-
23 persons of the house and senate appropriations committees on corrections,
24 and the senate and house fiscal agencies on efforts to comply with this
25 section.

26 Sec. 212. Notwithstanding any existing contracts for belts used by
27 corrections officers, if facilities and equipment are available, belts

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1 issued for use by corrections officers shall be manufactured by Michigan
2 state industries or another prison industry operation.

3 Sec. 213. (1) The department shall submit to the department of man-
4 agement and budget, the house and senate appropriations committees, the
5 house and senate standing committees having jurisdiction over technology
6 issues, and the house and senate fiscal agencies periodic reports on the
7 efforts to change the department's computer software and hardware as nec-
8 essary to perform properly in the year 2000 and beyond. These reports
9 shall identify actual progress in comparison to the department's approved
10 work plan for this effort.

11 (2) The department may present progress billings to the department
12 of management and budget for the costs incurred in changing computer
13 software and hardware as necessary to perform properly in the year 2000
14 and beyond. When progress billings are presented for reimbursement, the
15 department shall identify and forward as appropriate the funding sources
16 that should support the work performed.

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

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

22 Sec. 216. The department shall not allow the use of gym facilities
23 or weight lifting equipment by an inmate if the inmate has not obtained,
24 or is not satisfactorily working towards the completion of, a high school
25 diploma or its equivalent, unless the inmate has been exempted by the
26 department because of health, enrollment in a special education program,
27 or lack of availability of programs. The department shall utilize

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1 athletic directors to monitor prison use of gym facilities and weight
2 lifting equipment as prescribed by this section. This section does not
3 apply at a facility when, because of absenteeism, the department lacks
4 sufficient staff resources at the facility to enforce the restrictions.

5 Sec. 217. (1) In addition to the funds appropriated in part 1,
6 there is appropriated an amount not to exceed \$20,000,000.00 for federal
7 contingency funds. These funds are not available for expenditure until
8 they have been transferred to another line item in this act pursuant to
9 section 393(2) of the management and budget act, 1984 PA 431, MCL
10 18.1393.

11 (2) In addition to the funds appropriated in part 1, there is appro-
12 priated an amount not to exceed \$5,000,000.00 for state restricted con-
13 tingency funds. These funds are not available for expenditure until they
14 have been transferred to another line item in this act pursuant to sec-
15 tion 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

16 (3) In addition to the funds appropriated in part 1, there is appro-
17 priated an amount not to exceed \$500,000.00 for local contingency funds.
18 These funds are not available for expenditure until they have been trans-
19 ferred to another line item in this act pursuant to section 393(2) of the
20 management and budget act, 1984 PA 431, MCL 18.1393.

21 (4) In addition to the funds appropriated in part 1, there is appro-
22 priated an amount not to exceed \$500,000.00 for private contingency
23 funds. These funds are not available for expenditure until they have
24 been transferred to another line item in this act pursuant to section
25 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

26 Sec. 218. (1) The department shall screen and assess each prisoner
27 for substance abuse treatment needs. The assessment process shall be

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1 designed to identify prisoners based on program need and benefit of
2 program intervention.

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

8 **EXECUTIVE**

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

11 Sec. 302. The department shall report to the senate and house
12 appropriations subcommittees on corrections, the senate and house fiscal
13 agencies, and the state budget director by April 1, 1999 on the ratio of
14 correctional officers to prisoners for all correctional institutions, the
15 ratio of shift command staff to line custody staff, and the ratio of non-
16 custody institutional staff to prisoners for all correctional
17 institutions.

18 Sec. 303. The department shall submit 3-year and 5-year prison pop-
19 ulation projection updates by December 1, 1998 to the senate and house
20 appropriations subcommittees on corrections, the senate and house fiscal
21 agencies, and the state budget director.

22 Sec. 304. (1) The department shall annually prepare and submit
23 individual reports for the technical rule violator program, the community
24 residential program, the electronic tether program, and the special

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1 alternative to incarceration program. The reports shall include the
2 following:

3 (a) Monthly new participants.

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

5 (c) Number of successful terminations.

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

7 (e) Average length of placement.

8 (f) Return to prison statistics.

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

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

12 (i) Comparison with prior year statistics.

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

15 (2) Annual reports shall be prepared and submitted by April 1, 1999
16 to the corrections subcommittees of the house and senate appropriations
17 committees, the house and senate fiscal agencies, and the state budget
18 director.

19 Sec. 305. From the funds appropriated in section 102 for audit and
20 internal affairs, and as a condition of receiving those funds, the
21 department shall continue to maintain county jail services staff suffi-
22 cient to enable the department to continue to fulfill its functions of
23 providing technical support, inspections of county jails, and implementa-
24 tion of the jail reimbursement program.

25 Sec. 306. (1) Of the funds appropriated in section 105 for sub-
26 stance abuse administration and testing, an amount equal to the prior

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1 fiscal year for residential substance abuse treatment services shall be
2 used for residential substance abuse treatment services.

3 (2) Of the funds allocated in subsection (1), not less than
4 \$448,900.00 is for residential substance abuse treatment of probationers
5 who because of sentencing guidelines scores do not meet the eligibility
6 criteria for probation residential services funded under the community
7 corrections act, 1988 PA 511, MCL 791.401 to 791.414. The funds allo-
8 cated under this subsection shall supplement, not supplant, funding allo-
9 cated under the prior fiscal year for residential substance abuse treat-
10 ment of probationers.

11 (3) In expending residential substance abuse treatment services
12 funds appropriated by this act, the department shall ensure to the maxi-
13 mum extent possible that residential substance abuse treatment services
14 are available statewide.

15 (4) By April 1, 1999, the department shall report to the house and
16 senate appropriations subcommittees on corrections and the house and
17 senate fiscal agencies on the allocation, distribution, and expenditure
18 of all funds appropriated by the substance abuse administration and test-
19 ing line item.

20 (5) Of the funds appropriated in section 105 for substance abuse
21 administration and testing, \$1,950,000.00 will be allocated to Project
22 Rehab of Grand Rapids for substance abuse treatment.

23 (6) Of the funds allocated in section 105 for pilot drug treatment
24 programs and studies, \$1,000,000.00 shall be allocated to pilot programs
25 aimed at reducing parolee and probationer prison admissions for substance
26 abuse related technical violations or crimes.

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1 (7) Any additional funds secured by the department for pilot
2 substance abuse treatment programs through federal funding shall be used
3 for in-prison treatment of prisoners with identified substance abuse
4 problems.

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. To the extent the department
8 has insufficient policies or resources to affect the continued increase
9 in prison commitments among this offender population, the department
10 shall explore other policy options to allow for program alternatives,
11 including department or OCC funded programs, local level programs, and
12 programs available through private agencies that may be used as prison
13 alternatives for these offenders.

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

19 (3) The department shall report to the senate and house appropria-
20 tions subcommittees on corrections, senate and house fiscal agencies, and
21 state budget director by March 1, 1999 on the effect any recommended
22 policy changes for this offender population would have on admission to
23 prison and jail and the impact on other program alternatives.

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

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1 CENTRAL SUPPORT ACCOUNTS

2 Sec. 401. The department shall report on the disability management
3 project by April 1, 1999 to the senate and house appropriations subcom-
4 mittees on corrections, the senate and house fiscal agencies, and the
5 department of management and budget.

6 FIELD OPERATIONS

7 Sec. 501. The department shall maintain sentencing recommendation
8 guidelines for all probation personnel who are responsible for making
9 sentencing recommendations for convicted felons. The purposes of the
10 guidelines are to establish consistency in the recommendations by proba-
11 tion personnel to the judiciary for nonprison sanctions, provide for log-
12 ical and fair nonprison sanction recommendations that are effective yet
13 utilize the least restrictive and least expensive options while assuring
14 public safety, and ensure proportionality among sentences and disposi-
15 tional options. The state established guidelines shall allow for the use
16 of all sanctions and services available to the offender population. For
17 a sentence recommendation in a presentence investigation report under
18 section 14 of chapter XI of the code of criminal procedure, 1927 PA 175,
19 MCL 771.14, the guidelines shall require probation staff to recommend a
20 sentence other than prison for felons where the maximum sentencing guide-
21 line score is 18 months or less or recommend prison sentences only when
22 required by law or when no alternative community sentence will provide
23 public protection, pursuant to OP-BFS 71.01. Sentencing recommendation
24 guidelines shall require probation staff to review all alternatives to
25 prison and recommend nonprison sentences for all nonviolent offenders,

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1 excluding sentences for which there is a mandatory prison sentence. If
2 the probation staff deviates from these guidelines, reasons for the devi-
3 ation shall be attached to the recommended prison sentence and included
4 with the presentence investigation report. The department shall ensure
5 that these data are collected as part of the department's overall infor-
6 mation systems upgrade project and that it is compiled in an annual
7 report submitted to the senate and house appropriations subcommittees on
8 corrections, the senate and house fiscal agencies, and the department of
9 management and budget by April 1, 1999.

10 Sec. 502. A parole board member or a person on a parole board
11 member's direct staff shall not provide legal representation before the
12 parole board or provide legal assistance to a prisoner or parolee until
13 the expiration of 3 years after he or she is no longer a parole board
14 member or on a parole board member's direct staff.

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 shall reimburse the depart-
25 ment for the operational costs of the program. As an alternative method
26 of payment, the department may develop a community service work schedule

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1 for those individuals unable to meet reimbursement requirements
2 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 community corrections compre-
15 hensive plans shall include an explanation of how the public safety will
16 be maintained, the goals for the local jurisdiction, offender target pop-
17 ulations intended to be affected, offender eligibility criteria for pur-
18 poses outlined in the plan, and how the plans will meet the following
19 objectives, consistent with section 8(4) of the community corrections
20 act, 1988 PA 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 (4) Of the funds appropriated in section 110 for community correc-
17 tions comprehensive plans and services, \$450,000.00 shall be allocated to
18 Genesis I program of Jackson.

19 (5) On April 1, 1999, an estimate of the funds appropriated in sec-
20 tion 110 for community corrections comprehensive plans and services that
21 will lapse at the end of the fiscal year shall be made. The first
22 \$50,000.00 of these estimated lapse funds shall be transferred into a
23 work project account to be used for a comprehensive, statewide evaluation
24 of county community corrections policies, implementation processes, and
25 programs to assess their effect on offender behavior, utilization pat-
26 terns, local plan and program efficacy, and public education and training
27 opportunities.

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1 Sec. 803. (1) The community corrections comprehensive plans shall
2 also include, where appropriate, descriptive information on the full
3 range of sanctions and services which are available and utilized within
4 the local jurisdiction and an explanation of how jail beds, probation
5 residential services, the special alternative incarceration program (boot
6 camp), probation detention centers, the electronic monitoring program for
7 probationers, and treatment and rehabilitative services will be utilized
8 to support the objectives and priorities of the community corrections
9 comprehensive plan and the purposes and priorities of section 8(4) of the
10 community corrections act, 1988 PA 511, MCL 791.408. The plans shall
11 also include, where appropriate, provisions that detail how the local
12 communities plan to respond to sentencing guidelines pursuant to section
13 33 of chapter IX of the code of criminal procedure, 1927 PA 175, MCL
14 769.33, the development and implementation of probation sentencing recom-
15 mendation guidelines pursuant to section 501 of this act, and the use of
16 the county jail reimbursement program pursuant to section 808 of this
17 act.

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

26 Sec. 804. (1) As part of the March biannual report specified under
27 section 12(2) of the community corrections act, 1988 PA 511, MCL 791.412,

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1 which requires an analysis of the impact of that act on prison admissions
2 and jail utilization, the department shall submit to the senate and house
3 appropriations subcommittees on corrections, the senate and house fiscal
4 agencies, and the state budget director the following information for
5 each county and counties consolidated for community corrections compre-
6 hensive plans:

7 (a) Approved technical assistance grants and community corrections
8 comprehensive plans including each program and level of funding, the
9 utilization level of each program, and profile information of enrolled
10 offenders.

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

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

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

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

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

25 (3) It is the intent of the legislature that the funds appropriated
26 in section 110 for public education and training be fully expended. To
27 this end, the department shall submit by October 15, 1998 to the house

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1 and senate appropriations subcommittees on corrections plans for public
2 education grants to communities and annual training in cooperation with
3 local community corrections advisory boards based on full expenditure of
4 the funds appropriated in section 110 for public education and training.

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

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

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

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

22 Sec. 807. (1) The funds appropriated in section 110 for the local
23 facility expansion program are provided to allow local units of govern-
24 ment to directly or indirectly expand local capacities to house felons
25 who otherwise likely would be prison bound based on historical local sen-
26 tencing practices, or who currently are incarcerated in prison, including
27 but not limited to any of the following:

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

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

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

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

17 (2) Based upon approved applications received from local units of
18 government as recommended by local community corrections advisory boards,
19 the funding may be allocated by the department for construction or reno-
20 vation projects serving single counties or multicounty regions. An
21 application approved by the local unit of government as recommended by
22 the local community corrections advisory board shall be included as part
23 of the local comprehensive corrections plan. Applications shall clearly
24 identify target populations and clearly document how and when the expan-
25 sion in local bed space would either reduce prison commitment rates of
26 targeted felony offenders or maintain prison commitment rates if those
27 rates are below the state average for the targeted offender group. An

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1 application shall detail the data that will be reported to the department
2 to establish the reduction in prison commitments of targeted felony
3 offenders. Applications shall provide information on operating costs,
4 which may be funded as provided in subsection (5). The department shall
5 evaluate project proposals for programmatic design and cost
6 effectiveness. In allocating funds, the office of community corrections
7 shall give priority for funding to multicounty projects that would have
8 the greatest effect on the prison population, whether by minimizing com-
9 mitments to prison, reducing prison bed space needs, or a combination of
10 minimizing commitments and reducing prison bed space needs.

11 (3) Local facility expansion program funds included as part of
12 approved comprehensive corrections plans shall be awarded pursuant to
13 guidelines and priorities, which shall be developed by the department
14 consistent with this section by December 1, 1998. Funds shall be awarded
15 to eligible program applicants pursuant to the guidelines and priorities
16 developed by the department consistent with this section.

17 (4) Approved projects may receive up to \$8,000.00 per bed in actual
18 construction or renovation costs.

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

21 (a) Funding from funds appropriated in section 110 for probation
22 residential centers, pursuant to policies of the office of community
23 corrections.

24 (b) Funding from funds appropriated in section 110 for the county
25 jail reimbursement program, providing such funding meets the criteria set
26 forth in section 808.

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

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

5 (6) Funds appropriated in section 110 for the local facility expan-
6 sion program that remain unexpended at the end of the fiscal year shall
7 not revert to the general fund, but shall be retained for expenditure in
8 subsequent years as provided by this section.

9 (7) By April 1, 1999, and each 6 months after that, the department
10 shall report to the house and senate appropriations committees, the house
11 and senate appropriations subcommittees on corrections, and the house and
12 senate fiscal agencies on the disbursement of funds under this section.
13 Reports shall include, at a minimum, descriptions of projects funded
14 under this section, the amounts received and expended by each recipient,
15 and data reported or to be reported to the department to establish the
16 reduction in prison commitments of targeted felony offenders.

17 (8) As used in this section, "nonfelony offenders" includes persons
18 being detained before disposition, persons being detained for parole or
19 probation violations, and misdemeanants.

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

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

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

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

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

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

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

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

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

26 (5) Except as provided in subsection (6), state reimbursement under
27 this section for prisoner housing and custody expenses per diverted

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1 offender for the first 90 days of the offender's incarceration shall be
2 \$45.00 per diem for a county with a population of more than 100,000 and
3 \$40.00 per diem for a county with a population of 100,000 or less. After
4 the diverted offender has been incarcerated 90 days, state reimbursement
5 shall be \$38.00 per diem for the remainder of the incarceration up to 1
6 year total.

7 (6) For the first 90 days for diverted offenders housed in beds
8 developed under multicounty projects approved and funded under section
9 807, state reimbursement shall be \$45.00 per diem. After the diverted
10 offender has been incarcerated 90 days, state reimbursement shall be
11 \$38.00 per diem for the remainder of the incarceration up to 1 year
12 total.

13 (7) Upon enactment of sentencing guidelines into law, the qualifica-
14 tion for county jail reimbursement shall be reviewed by the senate and
15 house appropriations subcommittees on corrections, which are encouraged
16 to recommend and act on revisions to subsection (3) if it appears that
17 total funding requirements or individual county percentage of receipts
18 will change by more than 10%.

19 Sec. 809. (1) From the funds appropriated in section 110 for proba-
20 tion residential centers, funds are allocated for the operation of a pro-
21 bation detention program in a county that has adopted a charter pursuant
22 to 1966 PA 293, MCL 45.501 to 45.521. The probation detention program
23 shall have a capacity of 100 beds. The department shall provide the pro-
24 gram administrator monthly with 90-day projections of the numbers of beds
25 expected to be needed for probationers and parolees in Phase II residen-
26 tial placement under section 4(2) of the special alternative
27 incarceration act, 1988 PA 287, MCL 798.14, and the program administrator

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1 shall make beds available as necessary to house probationers and parolees
2 entering Phase II residential placement.

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

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

13 (a) Orientation and assessment.

14 (b) Substance abuse counseling.

15 (c) Life skills counseling.

16 (d) Education.

17 (e) Employment preparation.

18 (f) Vocational training.

19 (g) Employment.

20 (h) Community service.

21 (i) Physical training.

22 (j) Cognitive skill training.

23 (4) The probation detention program shall reduce the admission to
24 prison of probation violators directly or indirectly by providing a pro-
25 gram for direct sentencing of felony probation violators who likely would
26 be prison-bound based on historical local sentencing practices or by
27 removing probation violators from jail with a resulting increase in the

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1 number of jail beds available and used for felons who otherwise would be
2 likely to be sentenced to prison based on historical local sentencing
3 practices.

4 (5) The operation of the probation detention program shall be
5 included in an approved community corrections comprehensive plan for the
6 county described in subsection (1) pursuant to the community corrections
7 act, 1988 PA 511, MCL 791.401 to 791.414, and shall be consistent with
8 sections 801, 802, 803, and 806.

9 (6) The comprehensive plan shall specify the programs, eligibility
10 criteria, referral, and enrollment process, the assessment and
11 client-specific planning case management process, a program design that
12 includes a variable length of stay based on assessed need, and the evalu-
13 ation methodology to show the impact of the program on prison admissions
14 and recidivism.

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

20 (8) The department shall require the program administrator to report
21 quarterly to the department, the state budget director, the senate and
22 house fiscal agencies, and the senate and house appropriations subcommit-
23 tees on corrections on the performance indicators listed in section 804.
24 The department shall require the program administrator to report annually
25 to the department, the state budget director, the senate and house fiscal
26 agencies, and the senate and house appropriations subcommittees on
27 corrections concerning the program's impact on prison admissions and

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1 recidivism including, but not limited to, the numbers of offenders
2 released from the probation detention program who are arrested for a
3 felony offense within 1 year of their termination from the program.

4 **CONSENT DECREES**

5 Sec. 901. Expenditures from the funds appropriated in section 111
6 for the federal consent decree and the Hadix court consent decree shall
7 be made by administrative transfer to separate accounts created for the
8 purpose of separately identifying costs associated with each consent
9 decree.

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

13 **HEALTH CARE**

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

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

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

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1 Sec. 1004. (1) As a condition of expenditure of the funds
2 appropriated in sections 112 and 113, the department shall report to the
3 senate and house appropriations subcommittee on corrections on January 1,
4 1999 and July 1, 1999 the status of payments from contractors to vendors
5 for health care services provided to prisoners, as well as the status of
6 the contracts, and an assessment of prisoner health care quality.

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

11 **INSTITUTIONAL OPERATIONS**

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

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

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

23 (2) It is the intent of the legislature that the department petition
24 the federal court to modify the out-of-cell activity plan previously
25 adopted as part of the Hadix v Johnson consent decree. The modification

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1 proposed by the department shall eliminate state funded college and
2 university programming for prison inmates and replace such programming
3 with general education development, adult basic education, and vocational
4 education programming.

5 (3) If the department is successful in modifying the consent decree
6 to eliminate required college and university programming, it is the
7 intent of the legislature that all funding for the prisoner rehabilita-
8 tion and education program be transferred to vocational/education line
9 items in the budget to eliminate waiting lists for general education
10 development, adult basic education, and vocational education
11 programming. Transfers for this purpose shall be made through the legis-
12 lative transfer process pursuant to section 393(2) of the management and
13 budget act, 1984 PA 431, MCL 18.1393.

14 Sec. 1103. It is the intent of the legislature that if funds appro-
15 priated under part 1 for the prisoner rehabilitation and education pro-
16 gram are expended to pay for higher education expenses of a prisoner, the
17 prisoner, as a condition of receiving those funds, shall contractually
18 agree with the department to repay those funds. It is the intent of the
19 legislature that this requirement will not be implemented if a federal
20 judge determines that implementation would violate a federal consent
21 decree or court order.

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

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1 Sec. 1105. The appropriation in section 114 for central region food
2 service operations shall be operated through a revolving fund established
3 by the state budget director in accordance with the management and budget
4 act, 1984 PA 431, MCL 18.1101 to 18.1594.

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

7 Sec. 1107. (1) As a condition of expenditure of the funds appropri-
8 ated in part 1, the department shall ensure that smoking areas are desig-
9 nated for use by prisoners and staff at each facility. At a minimum, all
10 outdoor areas within each facility's perimeter shall be designated for
11 smoking, except that smoking may be forbidden within 20 feet of any
12 building designated as nonsmoking or smoke-free.

13 (2) The department shall study smoking cessation or healthy living
14 programs for prison employees and report to the senate and house appro-
15 priations subcommittees on corrections the feasibility and costs of
16 implementing that programming and the projected outcomes by April 1,
17 1999.

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

22 Sec. 1109. It is the intent of the legislature that possession and
23 use of personal property by prisoners be considered a privilege and not a
24 right.

25 Sec. 1110. As a condition of expenditure of funds appropriated in
26 part 1, the department shall prohibit prisoners from using
27 interdepartmental mail except to correspond with the department.

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

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

7 Sec. 1113. As a condition of expenditure of the funds appropriated
8 in part 1, the department shall study the feasibility of prisoners sleep-
9 ing in 2 shifts and report to the senate and house appropriations subcom-
10 mittees on corrections the advisability of this capacity management
11 technique.

 Sec. 1114. Of the funds allocated in section 149 for access roads,
\$293,900.00 shall be spent in Webber Township to improve access roads to the
youth correctional facility.

12 **INMATE HOUSING FUND**

13 Sec. 1201. (1) The inmate housing fund shall be used for the custo-
14 dy, treatment, clinical, and administrative costs associated with the
15 housing of prisoners other than those specifically budgeted for elsewhere
16 in this act. Expenditures from the inmate housing fund shall be made by
17 administrative transfer to existing accounts or to separate accounts cre-
18 ated to separately identify costs for specific purposes.

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