

SENATE BILL NO. 909

EXECUTIVE BUDGET BILL

February 24, 1998, Introduced by Senators CISKY, HOFFMAN, GOUGEON,
GEAKE, STEIL, and MC MANUS and referred to the Committee on
Appropriations.

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 Sec. 101. There is appropriated for the department of corrections
2 for the fiscal year ending September 30, 1999, from the following funds:
3 DEPARTMENT OF CORRECTIONS
4 APPROPRIATIONS SUMMARY:
5 Average population 47,191
6 Full-time equated unclassified positions . . . 16.0
7 Full-time equated classified positions . . 17,895.3

1	GROSS APPROPRIATION	\$ 1,451,649,500
2	Interdepartmental grant revenues:	
3	Total interdepartmental grants and	
4	intradepartmental transfers	6,599,300
5	ADJUSTED GROSS APPROPRIATION	\$ 1,445,050,200
6	Federal revenues:	
7	Total federal revenues	19,007,800
8	Special revenue funds:	
9	Total local revenues	401,100
10	Total private revenues	0
11	Total other state restricted revenues	46,584,200
12	State general fund/general purpose	\$ 1,379,057,100
13	EXECUTIVE	
14	Full-time equated unclassified positions	16.0
15	Full-time equated classified positions	75.0
16	Unclassified positions	\$ 1,253,300
17	Executive administration--11.0 FTE positions	1,165,100
18	Audit and internal affairs--19.0 FTE positions	1,280,400
19	Policy and hearings--45.0 FTE positions	<u>4,032,300</u>
20	GROSS APPROPRIATION	\$ 7,731,100
21	Appropriated from:	
22	State general fund/general purpose	\$ 7,731,100
23	ADMINISTRATION AND PROGRAMS	
24	Full-time equated classified positions	215.2
25	Administration and fiscal management--36.5 FTE	
26	positions	\$ 2,672,200
27	Office of personnel and labor relations--26.7 FTE	
28	positions	1,680,200
29	Program services--15.0 FTE positions	1,296,600
30	Planning, research, and information services--	
31	85.5 FTE positions	9,090,500
32	Federal education programs--19.0 FTE positions	2,984,800
33	Rent	1,799,100
34	Training administration--32.5 FTE positions	<u>3,284,700</u>
35	GROSS APPROPRIATION	\$ 22,808,100
36	Appropriated from:	

1	Federal revenues:		
2	DED, life skills grant		300,000
3	DED-OVAE, state administered basic grant program		1,820,600
4	DED-OESE, chapter 1 program for neglected and		
5	delinquent children		500,100
6	DED-OVAE, vocational education-basic		
7	grants to states		267,000
8	DED-OSERS, special education-grants to states		100,000
9	Special revenue funds:		
10	Local-county reimbursement		116,200
11	Correctional industries revolving fund		93,500
12	Resident stores		271,800
13	State general fund/general purpose	\$	19,338,900
14	CENTRAL SUPPORT ACCOUNTS		
15	Equipment	\$	341,900
16	Special maintenance		1,712,100
17	Workers' compensation		15,209,600
18	Compensatory buyout		225,000
19	Union leave bank		<u>50,000</u>
20	GROSS APPROPRIATION	\$	17,538,600
21	Appropriated from:		
22	State general fund/general purpose	\$	17,538,600
23	TRAINING, COMMUNITY SUPPORT AND SUBSTANCE ABUSE PROGRAMS		
24	Inmate legal services program	\$	314,900
25	Reimbursement to counties, parole revocation		
26	hearings, and court settlements		3,421,000
27	Substance abuse administration and testing		17,240,700
28	New employee training		13,811,000
29	Training projects		111,300
30	Criminal justice training fund		<u>601,800</u>
31	GROSS APPROPRIATION	\$	35,500,700
32	Appropriated from:		
33	Interdepartmental grant revenues:		
34	IDG-MDSP, Michigan justice training fund		601,800
35	Federal revenues:		
36	DOJ, office of justice programs, corrections		

1	programs - grants to states		2,450,100
2	HHS-SAMHSA		563,000
3	State general fund/general purpose	\$	31,885,800
4	PRISON INDUSTRIES OPERATIONS		
5	Full-time equated classified positions . . .	169.8	
6	Personnel costs--169.8 FTE positions	\$	<u>12,099,200</u>
7	GROSS APPROPRIATION	\$	12,099,200
8	Appropriated from:		
9	Special revenue funds:		
10	Correctional industries revolving fund		12,099,200
11	State general fund/general purpose	\$	0
12	FIELD OPERATIONS		
13	Full-time equated classified positions . . .	1,648.0	
14	Personnel costs--1,544.0 FTE positions	\$	84,084,400
15	Operating costs		6,763,200
16	Community service work program--10.0 FTE positions		503,000
17	Parole board operations--22.0 FTE positions . . .		1,399,000
18	Rent		941,000
19	Building occupancy charges-property		
20	management services		473,600
21	Loans to parolees		204,400
22	Boot camp-phase III/intensive supervision--		
23	72.0 FTE positions		2,487,700
24	Parole/probation services		<u>1,907,700</u>
25	GROSS APPROPRIATION	\$	98,764,000
26	Appropriated from:		
27	Special revenue funds:		
28	Oversight fees		4,653,300
29	Supervision fees		1,907,700
30	State general fund/general purpose	\$	92,203,000
31	COMMUNITY PLACEMENT		
32	Average population	1,306	
33	Full-time equated classified positions . . .	606.3	
34	Community residential program operations--		
35	334.1 FTE positions	\$	26,810,900
36	Tether operations--167.3 FTE positions		7,582,900

1	Technical rule violator center--104.9 FTE		
2	positions		<u>8,757,400</u>
3	GROSS APPROPRIATION	\$	43,151,200
4	Appropriated from:		
5	Special revenue funds:		
6	Local-community tether program reimbursement . . .		284,900
7	Resident contributions revenues		3,784,200
8	Program participant contributions		3,971,200
9	Public works user fees		131,400
10	State general fund/general purpose	\$	34,979,500
11	SPECIAL ALTERNATIVE INCARCERATION PROGRAM		
12	Full-time equated classified positions . . . 135.0		
13	Personnel costs--135.0 FTE positions	\$	7,316,500
14	Operational costs		<u>1,781,500</u>
15	GROSS APPROPRIATION	\$	9,098,000
16	Appropriated from:		
17	Special revenue funds:		
18	Public works user fees		129,400
19	State general fund/general purpose	\$	8,968,600
20	OFFICE OF COMMUNITY CORRECTIONS		
21	Full-time equated classified positions 17.0		
22	Personnel costs--17.0 FTE positions	\$	1,135,300
23	Operating costs		264,300
24	OCC board expenses		15,000
25	Probation residential centers		13,854,600
26	Community corrections comprehensive plans and		
27	services		11,480,000
28	Public education and training		50,000
29	County jail reimbursement program		<u>18,612,200</u>
30	GROSS APPROPRIATION	\$	45,411,400
31	Appropriated from:		
32	Special revenue funds:		
33	Telephone fees and commissions		16,244,700
34	State general fund/general purpose	\$	29,166,700
35	CONSENT DECREES		
36	Average population		400

1	Full-time equated classified positions . . .	577.4	
2	Hadix consent decree--157.0 FTE positions		\$ 9,873,600
3	DOJ consent decree--166.5 FTE positions		10,189,200
4	Huron Valley psychiatric hospital -		
5	department of community health		49,487,700
6	Residential and outpatient treatment program -		
7	department of community health		15,123,000
8	Department of community health bureau staff . . .		672,400
9	Mental health custody staff - department of		
10	corrections security--253.9 FTE positions . . .		14,059,600
11	Prisoner rehabilitation education program		<u>1,020,100</u>
12	GROSS APPROPRIATION		\$ 100,425,600
13	Appropriated from:		
14	State general fund/general purpose		\$ 100,425,600
15	OFFICE OF HEALTH CARE		
16	Full-time equated classified positions	18.0	
17	Health care administration--18.0 FTE		
18	positions		\$ 1,857,900
19	Hospital and specialty care services		36,889,400
20	Vaccination program		<u>956,900</u>
21	GROSS APPROPRIATION		\$ 39,704,200
22	Appropriated from:		
23	State general fund/general purpose		\$ 39,704,200
24	CLINICAL OPERATIONS		
25	Full-time equated classified positions . . .	797.1	
26	Adrian clinical complex--31.2 FTE positions . . .		\$ 2,568,400
27	Baraga clinical complex--5.0 FTE positions		1,157,300
28	Coldwater clinical complex--35.8 FTE positions . .		3,162,300
29	Corrections camps clinical--18.5 FTE positions . .		872,700
30	Detroit clinical complex--18.2 FTE positions . . .		2,469,500
31	Ionia clinical complex--123.9 FTE positions . . .		9,615,500
32	Jackson clinical complex--218.7 FTE positions . .		19,465,400
33	Kincheloe clinical complex--64.0 FTE positions . .		5,743,900
34	Lapeer clinical complex--15.7 FTE positions . . .		1,124,600
35	Macomb clinical complex--17.0 FTE positions . . .		1,346,500
36	Marquette clinical complex--47.0 FTE positions . .		3,815,100

1	Mid-Michigan clinical complex--16.1 FTE positions	1,198,500
2	Muskegon clinical complex--56.5 FTE positions . . .	3,482,400
3	Newberry clinical complex--4.0 FTE positions . . .	1,424,100
4	Oaks clinical complex--4.0 FTE positions	1,205,300
5	Plymouth clinical complex--52.0 FTE positions . . .	3,926,100
6	Saginaw clinical complex--17.0 FTE positions . . .	1,318,400
7	Standish clinical complex--17.0 FTE positions . . .	1,428,700
8	Ypsilanti clinical complex--35.5 FTE positions . . .	<u>2,536,000</u>
9	GROSS APPROPRIATION	\$ 67,860,700
10	Appropriated from:	
11	State general fund/general purpose	\$ 67,860,700
12	CORRECTIONAL FACILITIES-ADMINISTRATION	
13	Full-time equated classified positions	127.0
14	Conveying convicts to penal institutions	\$ 248,300
15	Federal school lunch program	565,000
16	Correctional facilities administration--10.0 FTE	
17	positions	773,900
18	Extradition services	120,000
19	Housing inmates in federal institutions	394,000
20	Leased beds	20,848,500
21	Central region office--109.0 FTE positions	12,994,400
22	Northern region office--2.0 FTE positions	180,500
23	Southeastern region office--1.0 FTE position	129,800
24	Southwestern region office--2.0 FTE positions	180,700
25	Food service operations	5,000,000
26	Surplus food program--3.0 FTE positions	<u>312,800</u>
27	GROSS APPROPRIATION	\$ 41,747,900
28	Appropriated from:	
29	Intradepartmental transfer revenues:	
30	IDT, surplus food user fees	238,200
31	IDT, food factory user fees	5,000,000
32	Federal revenues:	
33	BOP, federal prisoner reimbursement	314,000
34	DOJ, office of justice programs, VOITIS	5,000,000
35	DAG-FCS, national school lunch program	565,000
36	State general fund/general purpose	\$ 30,630,700

1	ALGER MAXIMUM CORRECTIONAL FACILITY		
2	Average population	524	
3	Full-time equated classified positions	317.2	
4	Personnel costs--313.2 FTE positions	\$	19,388,200
5	Operational costs		2,165,900
6	Academic/vocational programs--4.0 FTE		
7	positions		<u>273,600</u>
8	GROSS APPROPRIATION	\$	21,827,700
9	Appropriated from:		
10	Special revenue funds:		
11	Resident stores		9,500
12	State general fund/general purpose	\$	21,818,200
13	BARAGA MAXIMUM CORRECTIONAL FACILITY		
14	Average population	604	
15	Full-time equated classified positions	356.4	
16	Personnel costs--348.4 FTE positions	\$	19,518,100
17	Operational costs		2,331,400
18	Academic/vocational programs--8.0 FTE positions		<u>434,900</u>
19	GROSS APPROPRIATION	\$	22,284,400
20	Appropriated from:		
21	Special revenue funds:		
22	Resident stores		13,500
23	State general fund/general purpose	\$	22,270,900
24	BROOKS CORRECTIONAL FACILITY-MUSKEGON		
25	Average population	2,200	
26	Full-time equated classified positions	545.7	
27	Personnel costs--524.7 FTE positions	\$	30,340,700
28	Operational costs		6,275,800
29	Academic/vocational programs--21.0 FTE positions		<u>1,311,100</u>
30	GROSS APPROPRIATION	\$	37,927,600
31	Appropriated from:		
32	Special revenue funds:		
33	Resident stores		142,000
34	State general fund/general purpose	\$	37,785,600
35	CARSON CITY CORRECTIONAL FACILITY		
36	Average population	2,200	

1	Full-time equated classified positions . . .	551.2		
2	Personnel costs--533.2 FTE positions		\$	30,735,200
3	Operational costs			6,427,900
4	Academic/vocational programs--18.0 FTE positions .			<u>1,141,400</u>
5	GROSS APPROPRIATION		\$	38,304,500
6	Appropriated from:			
7	Special revenue funds:			
8	Resident stores			93,200
9	State general fund/general purpose		\$	38,211,300
10	CHIPPEWA CORRECTIONAL FACILITY-KINCHELOE			
11	Average population	2,094		
12	Full-time equated classified positions . . .	508.3		
13	Personnel costs--492.3 FTE positions		\$	29,054,500
14	Operational costs			5,894,500
15	Academic/vocational programs--16.0 FTE positions .			<u>1,138,800</u>
16	GROSS APPROPRIATION		\$	36,087,800
17	Appropriated from:			
18	Special revenue funds:			
19	Resident stores			148,400
20	State general fund/general purpose		\$	35,939,400
21	COOPER STREET CORRECTIONAL FACILITY-JACKSON			
22	Average population	822		
23	Full-time equated classified positions . . .	207.4		
24	Personnel costs--203.4 FTE positions		\$	11,828,700
25	Operational costs			2,240,600
26	Academic/vocational programs--4.0 FTE positions .			<u>295,400</u>
27	GROSS APPROPRIATION		\$	14,364,700
28	Appropriated from:			
29	Special revenue funds:			
30	Resident stores			9,800
31	Public works users fees			30,500
32	State general fund/general purpose		\$	14,324,400
33	COTTON CORRECTIONAL FACILITY-JACKSON			
34	Average population	1,692		
35	Full-time equated classified positions . . .	423.0		
36	Personnel costs--412.0 FTE positions		\$	23,933,500

1	Operational costs		4,565,000
2	Academic/vocational programs--11.0 FTE		
3	positions		<u>871,800</u>
4	GROSS APPROPRIATION	\$	29,370,300
5	Appropriated from:		
6	Special revenue funds:		
7	Resident stores		111,500
8	State general fund/general purpose	\$	29,258,800
9	FLORENCE CRANE CORRECTIONAL FACILITY-COLDWATER		
10	Average population	510	
11	Full-time equated classified positions	209.6	
12	Personnel costs--197.6 FTE positions	\$	12,034,200
13	Operational costs		1,802,400
14	Academic/vocational programs--12.0 FTE positions		<u>902,800</u>
15	GROSS APPROPRIATION	\$	14,739,400
16	Appropriated from:		
17	Special revenue funds:		
18	Resident stores		47,000
19	State general fund/general purpose	\$	14,692,400
20	EGELER CORRECTIONAL FACILITY-JACKSON		
21	Average population	1,006	
22	Full-time equated classified positions	304.4	
23	Personnel costs--296.4 FTE positions	\$	15,876,200
24	Operational costs		2,076,200
25	Academic/vocational programs--8.0 FTE positions		<u>681,000</u>
26	GROSS APPROPRIATION	\$	18,633,400
27	Appropriated from:		
28	Special revenue funds:		
29	Resident stores		93,900
30	State general fund/general purpose	\$	18,539,500
31	HANDLON MICHIGAN TRAINING UNIT-IONIA		
32	Average population	1,315	
33	Full-time equated classified positions	292.0	
34	Personnel costs--264.0 FTE positions	\$	15,242,500
35	Operational costs		3,255,900
36	Academic/vocational programs--28.0 FTE positions		<u>1,668,900</u>

1	GROSS APPROPRIATION	\$	20,167,300
2	Appropriated from:		
3	Special revenue funds:		
4	Resident stores		74,400
5	State general fund/general purpose	\$	20,092,900
6	HARRISON CORRECTIONAL FACILITY		
7	Average population	2,200	
8	Full-time equated classified position	557.6	
9	Personnel costs--539.6 FTE positions	\$	30,126,200
10	Operational costs		6,264,400
11	Academic/vocational programs--18.0 FTE positions		<u>1,190,600</u>
12	GROSS APPROPRIATION	\$	37,581,200
13	Appropriated from:		
14	Special revenue funds:		
15	Resident stores		191,100
16	State general fund/general purpose	\$	37,390,100
17	HURON VALLEY CORRECTIONAL FACILITY-YPSILANTI		
18	Average population	482	
19	Full-time equated classified positions	291.8	
20	Personnel costs--286.8 FTE positions	\$	16,316,500
21	Operational costs		2,932,900
22	Academic/vocational programs--5.0 FTE positions		<u>422,800</u>
23	GROSS APPROPRIATION	\$	19,672,200
24	Appropriated from:		
25	Special revenue funds:		
26	Resident stores		46,900
27	State general fund/general purpose	\$	19,625,300
28	IONIA MAXIMUM CORRECTIONAL FACILITY		
29	Average population	636	
30	Full-time equated classified positions	348.6	
31	Personnel costs--341.6 FTE positions	\$	19,972,100
32	Operational costs		2,157,500
33	Academic/vocational programs--7.0 FTE positions		<u>532,600</u>
34	GROSS APPROPRIATION	\$	22,662,200
35	Appropriated from:		
36	Special revenue funds:		

1	Resident stores		9,200
2	State general fund/general purpose	\$	22,653,000
3	IONIA TEMPORARY FACILITY		
4	Average population	960	
5	Full-time equated classified positions	222.4	
6	Personnel costs--206.9 FTE positions	\$	12,162,800
7	Operational costs		2,840,900
8	Print shop operations		375,000
9	Academic/vocational programs--15.5 FTE		
10	positions		<u>1,093,800</u>
11	GROSS APPROPRIATION	\$	16,472,500
12	Appropriated from:		
13	Interdepartmental grant revenues:		
14	IDT, print shop user fees		375,000
15	Special revenue funds:		
16	Resident stores		47,900
17	Public works user fees		15,000
18	State general fund/general purpose	\$	16,034,600
19	JACKSON MAXIMUM CORRECTIONAL FACILITY-JACKSON		
20	Average population	1,068	
21	Full-time equated classified positions	445.1	
22	Personnel costs--437.1 FTE positions	\$	25,151,600
23	Operational costs		3,149,900
24	Academic/vocational programs--8.0 FTE positions		<u>444,800</u>
25	GROSS APPROPRIATION	\$	28,746,300
26	Appropriated from:		
27	Federal revenues:		
28	Federal revenues and reimbursements		1,915,300
29	Special revenue funds:		
30	Resident stores		82,900
31	State general fund/general purpose	\$	26,748,100
32	KINROSS CORRECTIONAL FACILITY-KINCHELOE		
33	Average population	2,165	
34	Full-time equated classified positions	543.5	
35	Personnel costs--514.5 FTE positions	\$	29,836,300
36	Operational costs		7,179,400

1	Academic/vocational programs--29.0 FTE positions		<u>1,638,900</u>
2	GROSS APPROPRIATION	\$	38,654,600
3	Appropriated from:		
4	Special revenue funds:		
5	Resident stores		141,000
6	State general fund/general purpose	\$	38,513,600
7	LAKELAND CORRECTIONAL FACILITY-COLDWATER		
8	Average population	1,200	
9	Full-time equated classified positions	255.1	
10	Personnel costs--245.1 FTE positions	\$	15,562,800
11	Operational costs		3,608,200
12	Academic/vocational programs--10.0 FTE positions		<u>867,900</u>
13	GROSS APPROPRIATION	\$	20,038,900
14	Appropriated from:		
15	Special revenue funds:		
16	Resident stores		46,900
17	State general fund/general purpose	\$	19,992,000
18	MACOMB CORRECTIONAL FACILITY		
19	Average population	1,228	
20	Full-time equated classified positions	350.3	
21	Personnel costs--342.3 FTE positions	\$	17,692,200
22	Operational costs		3,477,200
23	Academic/vocational programs--8.0 FTE positions		<u>543,100</u>
24	GROSS APPROPRIATION	\$	21,712,500
25	Appropriated from:		
26	Special revenue funds:		
27	Resident stores		93,800
28	Public works user fees		11,200
29	State general fund/general purpose	\$	21,607,500
30	MARQUETTE BRANCH PRISON		
31	Average population	1,129	
32	Full-time equated classified positions	435.2	
33	Personnel costs--425.2 FTE positions	\$	25,617,000
34	Operational costs		4,615,500
35	Academic/vocational programs--10.0 FTE positions		<u>889,300</u>
36	GROSS APPROPRIATION	\$	31,121,800

1	Appropriated from:		
2	Special revenue funds:		
3	Resident stores		142,400
4	State general fund/general purpose	\$	30,979,400
5	MICHIGAN REFORMATORY-IONIA		
6	Average population	1,338	
7	Full-time equated classified positions	392.4	
8	Personnel costs--376.4 FTE positions	\$	22,793,400
9	Operational costs		5,897,400
10	Academic/vocational programs--16.0 FTE positions		<u>1,323,600</u>
11	GROSS APPROPRIATION	\$	30,014,400
12	Appropriated from:		
13	Special revenue funds:		
14	Resident stores		140,700
15	State general fund/general purpose	\$	29,873,700
16	MID-MICHIGAN TEMPORARY FACILITY-ST. LOUIS		
17	Average population	960	
18	Full-time equated classified positions	228.4	
19	Personnel costs--219.4 FTE positions	\$	12,655,000
20	Operational costs		2,840,900
21	Academic/vocational programs--9.0 FTE positions		<u>621,800</u>
22	GROSS APPROPRIATION	\$	16,117,700
23	Appropriated from:		
24	Special revenue funds:		
25	Resident stores		46,700
26	Public works user fees		8,200
27	State general fund/general purpose	\$	16,062,800
28	MOUND CORRECTIONAL FACILITY		
29	Average population	1,044	
30	Full-time equated classified positions	363.4	
31	Personnel costs--353.4 FTE positions	\$	18,046,200
32	Operational costs		2,689,400
33	Academic/vocational programs--10.0 FTE positions		<u>537,700</u>
34	GROSS APPROPRIATION	\$	21,273,300
35	Appropriated from:		
36	Special revenue funds:		

1	Resident stores		94,300
2	State general fund/general purpose	\$	21,179,000
3	MUSKEGON CORRECTIONAL FACILITY		
4	Average population	1,310	
5	Full-time equated classified positions	294.4	
6	Personnel costs--277.4 FTE positions	\$	18,487,000
7	Operational costs		3,927,400
8	Academic/vocational programs--17.0 FTE positions		<u>1,166,100</u>
9	GROSS APPROPRIATION	\$	23,580,500
10	Appropriated from:		
11	Special revenue funds:		
12	Resident stores		70,000
13	State general fund/general purpose	\$	23,510,500
14	NEWBERRY CORRECTIONAL FACILITY		
15	Average population	928	
16	Full-time equated classified positions	319.4	
17	Personnel costs--307.4 FTE positions	\$	16,829,200
18	Operational costs		2,925,600
19	Academic/vocational programs--12.0 FTE positions		<u>798,500</u>
20	GROSS APPROPRIATION	\$	20,553,300
21	Appropriated from:		
22	Special revenue funds:		
23	Resident stores		46,900
24	State general fund/general purpose	\$	20,506,400
25	OAKS MAXIMUM CORRECTIONAL FACILITY		
26	Average population	744	
27	Full-time equated classified positions	363.8	
28	Personnel costs--358.8 FTE positions	\$	20,775,400
29	Operational costs		3,060,200
30	Academic/vocational programs--5.0 FTE positions		<u>363,700</u>
31	GROSS APPROPRIATION	\$	24,199,300
32	Appropriated from:		
33	Special revenue funds:		
34	Resident stores		11,500
35	State general fund/general purpose	\$	24,187,800
36	PARNALL CORRECTIONAL FACILITY-JACKSON		

1	Average population	1,448	
2	Full-time equated classified positions	308.0	
3	Personnel costs--295.0 FTE positions	\$	17,295,900
4	Operational costs		2,731,200
5	Academic/vocational programs--13.0 FTE positions		<u>893,100</u>
6	GROSS APPROPRIATION	\$	20,920,200
7	Appropriated from:		
8	Special revenue funds:		
9	Correctional industries revolving fund		76,600
10	Resident stores		107,700
11	State general fund/general purpose	\$	20,735,900
12	RIVERSIDE CORRECTIONAL FACILITY-IONIA		
13	Average population	1,034	
14	Full-time equated classified positions	345.0	
15	Personnel costs--339.0 FTE positions	\$	19,766,000
16	Operational costs		4,362,400
17	Academic/vocational programs--6.0 FTE positions		<u>380,100</u>
18	GROSS APPROPRIATION	\$	24,508,500
19	Appropriated from:		
20	Special revenue funds:		
21	Resident stores		46,800
22	State general fund/general purpose	\$	24,461,700
23	RYAN CORRECTIONAL FACILITY		
24	Average population	1,044	
25	Full-time equated classified positions	354.3	
26	Personnel costs--344.3 FTE positions	\$	19,194,200
27	Operational costs		3,229,000
28	Academic/vocational programs--10.0 FTE positions		<u>637,000</u>
29	GROSS APPROPRIATION	\$	23,060,200
30	Appropriated from:		
31	Special revenue funds:		
32	Resident stores		94,200
33	State general fund/general purpose	\$	22,966,000
34	SAGINAW CORRECTIONAL FACILITY		
35	Average population	1,228	
36	Full-time equated classified positions	355.9	

1	Personnel costs--341.4 FTE positions	\$	20,362,000
2	Operational costs		3,078,200
3	Academic/vocational programs--14.5 FTE		
4	positions		<u>666,000</u>
5	GROSS APPROPRIATION	\$	24,106,200
6	Appropriated from:		
7	Special revenue funds:		
8	Resident stores		94,200
9	State general fund/general purpose	\$	24,012,000
10	SCOTT CORRECTIONAL FACILITY-PLYMOUTH		
11	Average population		847
12	Full-time equated classified positions		355.7
13	Personnel costs--338.7 FTE positions	\$	19,376,300
14	Operational costs		2,640,100
15	Academic/vocational programs--17.0 FTE		
16	positions		<u>1,226,400</u>
17	GROSS APPROPRIATION	\$	23,242,800
18	Appropriated from:		
19	Special revenue funds:		
20	Resident stores		93,700
21	State general fund/general purpose	\$	23,149,100
22	STANDISH MAXIMUM CORRECTIONAL FACILITY		
23	Average population		524
24	Full-time equated classified positions		320.8
25	Personnel costs--314.8 FTE positions	\$	18,035,900
26	Operational costs		2,160,200
27	Academic/vocational programs--6.0 FTE positions		<u>176,700</u>
28	GROSS APPROPRIATION	\$	20,372,800
29	Appropriated from:		
30	Special revenue funds:		
31	Resident stores		9,400
32	State general fund/general purpose	\$	20,363,400
33	SOUTHERN MICHIGAN CORRECTIONAL FACILITY-JACKSON		
34	Average population		616
35	Full-time equated classified positions		339.2
36	Personnel costs--330.2 FTE positions	\$	20,535,700

1	Operational costs		1,321,800
2	Academic/vocational programs--9.0 FTE		
3	positions		576,000
4	Print shop operations		<u>282,000</u>
5	GROSS APPROPRIATION	\$	22,715,500
6	Appropriated from:		
7	Interdepartmental grant revenues:		
8	IDT, print shop user fees		282,000
9	Special revenue funds:		
10	Resident stores		93,700
11	State general fund/general purpose	\$	22,339,800
12	THUMB CORRECTIONAL FACILITY-LAPEER		
13	Average population	954	
14	Full-time equated classified positions	282.7	
15	Personnel costs--271.7 FTE positions	\$	15,794,500
16	Operational costs		2,952,100
17	Academic/vocational programs--11.0 FTE		
18	positions		<u>575,400</u>
19	GROSS APPROPRIATION	\$	19,322,000
20	Appropriated from:		
21	Special revenue funds:		
22	Resident stores		47,000
23	State general fund/general purpose	\$	19,275,000
24	WESTERN WAYNE CORRECTIONAL FACILITY-PLYMOUTH		
25	Average population	775	
26	Full-time equated classified positions	287.6	
27	Personnel costs--284.1 FTE positions	\$	17,211,000
28	Operational costs		2,837,300
29	Academic/vocational programs--3.5 FTE positions		<u>311,400</u>
30	GROSS APPROPRIATION	\$	20,359,700
31	Appropriated from:		
32	Special revenue funds:		
33	Resident stores		99,000
34	State general fund/general purpose	\$	20,260,700
35	YOUTH CORRECTIONAL FACILITY		
36	Average population	480	

1	Full-time equated classified positions	2.0	
2	Administration--2.0 FTE positions		\$ 179,300
3	Management services		2,964,600
4	Lease payments		<u>2,794,500</u>
5	GROSS APPROPRIATION		\$ 5,938,400
6	Appropriated from:		
7	Federal revenues:		
8	DOJ, office of justice programs, VOITIS		5,212,700
9	State general fund/general purpose		\$ 725,700
10	CORRECTION CAMPS PROGRAM		
11	Average population	3,800	
12	Full-time equated classified positions	850.3	
13	Personnel costs--834.3 FTE positions		\$ 44,060,200
14	Operational costs		13,191,900
15	Dental lab operations		102,300
16	Academic/vocational programs--16.0 FTE positions		<u>1,012,000</u>
17	GROSS APPROPRIATION		\$ 58,366,400
18	Appropriated from:		
19	Interdepartmental grant revenues:		
20	IDT, dental lab user fees		102,300
21	Special revenue funds:		
22	Resident stores		103,400
23	Public works user fees		376,300
24	State general fund/general purpose		\$ 57,784,400
25	INMATE HOUSING FUND		
26	Average population	2,376	
27	Full-time equated classified positions	581.4	
28	Inmate housing fund--581.4 FTE positions		\$ <u>20,788,300</u>
29	GROSS APPROPRIATION		\$ 20,788,300
30	Appropriated from:		
31	Special revenue funds:		
32	Resident stores		35,500
33	State general fund/general purpose		\$ 20,752,800

34 **GENERAL SECTIONS**

35 Sec. 201. (1) Pursuant to section 30 of article IX of the state

1 constitution of 1963, total state spending from state sources for fiscal
2 year 1998-99 is estimated at \$1,425,641,300.00 in this bill and state
3 spending from state sources paid to local units of government for fiscal
4 year 1998-99 is estimated at \$73,029,100.00. The itemized statement
5 below identifies appropriations from which spending to units of local
6 governments will occur:

7 Department of Corrections

8	Planning, research, and information services--ADP -	
9	assumption of county probation	\$ 472,300
10	Field operations - assumption of county probation	
11	staff	32,220,100
12	Reimbursement to counties, parole revocation hearings,	
13	and court settlements	3,421,000
14	Public service work projects	11,531,100
15	Community corrections comprehensive plans and services	11,480,000
16	Community corrections probation residential centers	13,854,600
17	Community corrections public education and training	<u>50,000</u>
18	Total	\$ 73,029,100

19 (2) If it appears to the principal executive officer of a department
20 or branch that state spending to local units of government will be less
21 than the amount that was projected to be expended under subsection (1),
22 the principal executive officer shall immediately give notice of the
23 approximate shortfall to the state budget director.

24 Sec. 202. The expenditures and funding sources authorized under
25 this bill are subject to the management and budget act, 1984 PA 431, MCL
26 18.1101 to 18.1594.

27 Sec. 203. As used in this bill:

- 28 (a) "ADP" means automated data processing.
- 29 (b) "BOP" means the federal bureau of prisons.
- 30 (c) "DAG" means the United States department of agriculture.
- 31 (d) "DAG-FCS" means the DAG food and consumer service.
- 32 (e) "DED" means the United States department of education.
- 33 (f) "DED-OESE" means the DED office of elementary and secondary
34 education.
- 35 (g) "DED-OSERS" means the DED office of special education and
36 rehabilitative services.

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

3 (i) "Department" or "MDOC" means the Michigan department of
4 corrections.

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

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

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

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

11 (n) "IDG" means interdepartmental grant.

12 (o) "IDT" means intradepartmental transfer.

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

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

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

16 (s) "OP-BFS" means the MDOC operating procedure, bureau of field
17 services.

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

19 (u) "VOITIS" means the DOJ violent offender incarceration and truth
20 in sentencing program contained in the federal violent crime control and
21 law enforcement act of 1994, 42 U.S.C. 13701 et seq.

22 Sec. 204. The department shall annually compile the number and
23 percent by county of prisoners for which the state felony sentencing
24 guidelines upper limit for the recommended minimum sentence is 12 months
25 or less. The compilation shall include for each county the number and
26 percent of such offenders who were sentenced to prison, the number and
27 percent who received jail sentences, the number and percent who received
28 probation, and the number and percent who received split jail/probation
29 sentences. The department shall report these data to the senate and
30 house fiscal agencies and the state budget director for the previous
31 calendar year by April 1 of each year.

32 Sec. 205. (1) Pursuant to the provisions of civil service rules and
33 regulations and applicable collective bargaining agreements, individuals
34 seeking employment with the department shall submit to a controlled
35 substance test. The test shall be administered by the department.

36 (2) Individuals seeking employment with the department who refuse to

1 take a controlled substance test or who test positive for the illicit use
2 of a controlled substance on such a test shall be denied employment.

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

8 Sec. 207. The department may charge fees and collect revenues in
9 excess of appropriations in section 101 not to exceed the cost of
10 employee meals, academic/vocational services, custody escorts,
11 compassionate visits, union steward activities, and public work programs.
12 The revenues and fees collected shall be appropriated for all expenses
13 associated with these services and activities.

14 Sec. 208. Of the state general fund/general purpose revenue
15 appropriated in section 101, \$271,723,200.00 represents a state spending
16 increase over the amount provided to the department for the fiscal year
17 ending September 30, 1994, and may be used to meet state match
18 requirements of programs contained in the federal violent crime control
19 and law enforcement act of 1994, 42 U.S.C. 13701 et seq., or successor
20 grant programs, so that any additional federal funds received shall
21 supplement funding provided to the department in section 101.

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

30 (2) The state budget director shall grant exceptions to this hiring
31 freeze when the state budget director believes that the hiring freeze
32 will result in the state department or agency being unable to deliver
33 basic services. The state budget director shall report by the fifteenth
34 of each month to the chairpersons of the senate and house appropriations
35 committees the number of exclusions to the hiring freeze approved during
36 the previous month and the justification for the exclusion.

1 Sec. 210. (1) The department shall submit to the department of
2 management and budget, the house and senate appropriations committees,
3 the house and senate fiscal agencies and the house and senate standing
4 committees having jurisdiction over technology issues, periodic reports
5 on the department's efforts to change the department's computer software
6 and hardware as necessary to perform properly in the year 2000 and
7 beyond. These reports shall identify actual progress in comparison to
8 the department's approved work plan for these efforts.

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

15 Sec. 211. A prisoner who wins money in a lottery shall pay from
16 those winnings the amount necessary to reimburse the state for the
17 accrued cost of incarcerating that prisoner.

18 Sec. 212. The department shall not allow the use of gym facilities
19 or weight lifting equipment by an inmate if the inmate has not obtained,
20 or is not satisfactorily working towards the completion of, a high school
21 diploma or its equivalent, unless the inmate has been exempted by the
22 department because of health, enrollment in a special education program,
23 or lack of availability of programs. The department shall utilize
24 athletic directors to monitor prison use of gym facilities and weight
25 lifting equipment as prescribed by this section. This section does not
26 apply at a facility when, because of absenteeism, the department lacks
27 sufficient staff resources at the facility to enforce the restrictions.
28

29 Sec. 213. (1) In addition to the funds appropriated in section 101,
30 there is appropriated an amount not to exceed \$20,000,000.00 for federal
31 contingency funds. These funds are not available for expenditure until
32 they have been transferred to another line item in this bill pursuant to
33 section 393(2) of the management and budget act, 1984 PA 431, MCL
34 18.1393.

35 (2) In addition to the funds appropriated in section 101, there is
36 appropriated an amount not to exceed \$5,000,000.00 for state restricted

1 contingency funds. These funds are not available for expenditure until
2 they have been transferred to another line item in this bill pursuant to
3 section 393(2) of the management and budget act, 1984 PA 431, MCL
4 18.1393.

5 (3) In addition to the funds appropriated in section 101, there is
6 appropriated an amount not to exceed \$500,000.00 for local contingency
7 funds. These funds are not available for expenditure until they have
8 been transferred to another line item in this bill pursuant to section
9 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

10 (4) In addition to the funds appropriated in section 101, there is
11 appropriated an amount not to exceed \$500,000.00 for private contingency
12 funds. These funds are not available for expenditure until they have
13 been transferred to another line item in this bill pursuant to section
14 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

15 Sec. 214. (1) The department shall screen and assess each prisoner
16 for substance abuse treatment needs. The assessment process shall be
17 designed to identify prisoners based on program need and benefit of
18 program intervention.

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 can best benefit
22 from program intervention based on the screening and assessment provided
23 under subsection (1).

24 **EXECUTIVE**

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

27 Sec. 302. The department shall report to the senate and house
28 appropriations subcommittees on corrections, the senate and house fiscal
29 agencies, and the state budget director by April 1, 1999, on the ratio of
30 correctional officers to prisoners for all correctional institutions, the
31 ratio of shift command staff to line custody staff, and the ratio of
32 noncustody institutional staff to prisoners for all correctional
33 institutions.

34 Sec. 303. The department shall submit 3-year and 5-year prison
35 population projection updates by December 1, 1998 to the senate and house
36 appropriations subcommittees on corrections, the senate and house fiscal

1 agencies, and the state budget director.

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

7 (a) Monthly new participants.

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

9 (c) Number of successful terminations.

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

11 (e) Average length of placement.

12 (f) Return to prison statistics.

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

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

16 (i) Comparison with prior year statistics.

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

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

23 **CENTRAL SUPPORT ACCOUNTS**

24 Sec. 401. The department shall report on the disability management
25 project by April 1, 1999, to the senate and house appropriations
26 subcommittees on corrections, the senate and house fiscal agencies, and
27 the state budget director.

28 **FIELD OPERATIONS**

29 Sec. 501. The department shall maintain sentencing recommendation
30 guidelines for all probation personnel who are responsible for making
31 sentencing recommendations for convicted felons. The purposes of the
32 guidelines are to establish consistency in the recommendations by
33 probation personnel to the judiciary for nonprison sanctions, provide for
34 logical and fair nonprison sanction recommendations that are effective
35 yet utilize the least restrictive and least expensive options while
36 assuring public safety, and ensure proportionality among sentences and

1 dispositional options. The state established guidelines shall allow for
2 the use of all sanctions and services available to the offender
3 population. For a sentence recommendation in a presentence investigation
4 report under section 14 of chapter XI of the code of criminal procedure,
5 1927 PA 175, MCL 771.4, the guidelines shall require probation staff to
6 recommend a sentence other than prison for felons where the maximum
7 sentencing guideline score is 18 months or less consistent with section
8 33(3) of chapter IX of the code of criminal procedure, 1927 PA 175, MCL
9 769.33, and should recommend prison sentences only when required by law
10 or when no alternative community sentence will provide public protection,
11 pursuant to OP-BFS 71.01. Sentencing recommendation guidelines shall
12 require probation staff to review all alternatives to prison and
13 recommend nonprison sentences for all nonviolent offenders, excluding
14 sentences for which there is a mandatory prison sentence. If the
15 probation staff deviates from these guidelines, reasons for the deviation
16 shall be attached to the recommended prison sentence and included with
17 the presentence investigation report. The department shall ensure that
18 these data are collected as part of the department's overall information
19 systems upgrade project and that it is compiled in an annual report
20 submitted to the senate and house appropriations subcommittees on
21 corrections, the senate and house fiscal agencies, and the state budget
22 director by April 1, 1999.

23 Sec. 502. It is the intent of the department that the funding
24 appropriated in section 101 for parole and probation agents will provide
25 sufficient parole and probation agents to maintain a ratio of 90 workload
26 units per agent.

27 Sec. 503. (1) The \$503,000.00 appropriated in section 101 for the
28 community service work program shall be used for salaries and wages and
29 fringe benefit costs of community service coordinators employed by the
30 department to supervise offenders participating in work crew assignments.
31 Funds shall also be used to cover motor transport division rates on state
32 vehicles used to transport offenders to community service work project
33 sites.

34 (2) The community service work program shall provide adult offenders
35 with community service work of tangible benefit to a community while
36 fulfilling court-ordered community service work sanctions and other

1 postconviction obligations.

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

6 Sec. 504. It is the intent of the department that no funds be used
7 to support the mail-in supervision program for parolees on minimum
8 supervision/mail reporting status for a parolee serving a sentence for a
9 crime listed in section 34(5) of 1893 PA 118, MCL 800.34.

10 **OFFICE OF FIELD PROGRAMS**

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

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

21 (3) Included in the appropriation in section 101 is adequate funding
22 to implement the community-tether program to be administered by the
23 department. The community-tether program is intended to provide
24 sentencing judges and county sheriffs, in coordination with local
25 community corrections advisory boards, access to the state's electronic
26 tether program to reduce prison admissions and improve local jail
27 utilization. The department shall determine the appropriate distribution
28 of the tether units throughout the state based upon locally developed
29 comprehensive corrections plans pursuant to the community corrections
30 act, 1988 PA 511, MCL 791.401 to 791.414. The counties shall reimburse
31 the department according to the following reimbursement schedule:

32 (a) For the rate of \$5.30 per diem, the department will provide
33 counties with the tether equipment, replacement parts, administrative
34 oversight of the equipment's operation, notification of violators, and
35 periodic reports regarding county program participants. Counties are
36 responsible for tether equipment installation and service and

1 apprehension of program violators.

2 (b) For the rate of \$7.50 per diem, the department will provide
3 counties with the tether equipment, replacement parts, administrative
4 oversight of the equipment's operation, notification of program
5 violators, and periodic reports regarding county program participants.
6 In addition, the department will provide staff to install and service the
7 equipment. Counties are responsible for the coordination and
8 apprehension of program violators.

9 (4) Any county with tether charges outstanding over 60 days shall be
10 considered in violation of the community-tether program agreement and
11 lose access to the program.

12 Sec. 602. Community-placement prisoners shall reimburse the
13 department for the operational costs of the program. As an alternative
14 method of payment, the department may develop a community service work
15 schedule for those individuals unable to meet reimbursement requirements
16 established by the department.

17 **SPECIAL ALTERNATIVE INCARCERATION PROGRAM**

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

21 **OFFICE OF COMMUNITY CORRECTIONS**

22 Sec. 801. The office of community corrections shall provide and
23 coordinate the delivery and implementation of services in communities to
24 facilitate successful offender reintegration into the community.
25 Programs and services to be offered shall include, but are not limited
26 to, technical assistance for comprehensive corrections plan development,
27 new program start-up funding, program funding for those programs
28 delivering services for eligible offenders in geographic areas
29 identified by the office of community corrections as having a shortage
30 of available services, technical assistance, referral services for
31 education, employment services, and substance abuse and family
32 counseling. As used in this bill:

33 (a) "Alternative to incarceration in a state facility or jail" means
34 a program that involves offenders who receive a sentencing disposition
35 which appears to be in place of incarceration in a state correctional
36 facility or jail based on historical local sentencing patterns or which

1 amounts to a reduction in the length of sentence in a jail.

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

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

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

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

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

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

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

28 Sec. 802. (1) The funds included in section 101 for community
29 corrections comprehensive plans and services are to encourage the
30 development through technical assistance grants, implementation, and
31 operation of community corrections programs which serve as an alternative
32 to incarceration in a state facility or jail. The community corrections
33 comprehensive plans shall include an explanation of how the public safety
34 will be maintained, the goals for the local jurisdiction, offender target
35 populations intended to be affected, offender eligibility criteria for
36 purposes outlined in the plan, and how the plans will meet the following

1 objectives, consistent with section 8(4) of the community corrections
2 act, 1988 PA 511, MCL 791.408:

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

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

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

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

12 (e) Reduce the admission or readmission to prison of offenders,
13 including probation violators and parole violators, for substance abuse
14 violations.

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

22 (3) Funds awarded for probation residential centers in section 101
23 shall provide for a per diem reimbursement of not more than \$40.00.

24 Sec. 803. The community corrections comprehensive plans shall also
25 include, where appropriate, descriptive information on the full range of
26 sanctions and services which are available and utilized within the local
27 jurisdiction and an explanation of how jail beds, probation residential
28 services, the special alternative incarceration program (boot camp),
29 probation detention centers, the electronic monitoring program for
30 probationers, and treatment and rehabilitative services will be utilized
31 to support the objectives and priorities of the community corrections
32 comprehensive plan and the purposes and priorities of section 8(4) of the
33 community corrections act, 1988 PA 511, MCL 791.408. The plans shall
34 also include, where appropriate, provisions that detail how the local
35 communities plan to respond to sentencing guidelines pursuant to section
36 33 of chapter IX of the code of criminal procedure, 1927 PA 175, MCL

1 769.33, the development of probation sentencing recommendation guidelines
2 pursuant to section 501 of this act, and the use of the county jail
3 reimbursement program pursuant to section 807 of this bill.

4 Sec. 804. (1) As part of the March biannual report specified under
5 section 12(2) of the community corrections act, 1988 PA 511, MCL 791.412,
6 which requires an analysis of the impact of that act on prison admissions
7 and jail utilization, the department shall submit to the senate and house
8 appropriations subcommittees on corrections, the senate and house fiscal
9 agencies, and the state budget director the following information for
10 each county and counties consolidated for community corrections
11 comprehensive corrections plans:

12 (a) Approved technical assistance grants and comprehensive
13 corrections plans including each program and level of funding, the
14 utilization level of each program, and profile information of enrolled
15 offenders.

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

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

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

24 (e) Offender disposition data by sentencing guideline range, by
25 disposition type, number and percent statewide and by county, current
26 year, and comparisons to prior 3 years.

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

30 Sec. 805. (1) The department shall identify and coordinate
31 information regarding the availability of and the demand for community
32 corrections programs, jail-based community corrections programs, and
33 basic state required jail data.

34 (2) The department shall be responsible for the collection, analysis,
35 and reporting of state required jail data.

36 (3) As a prerequisite to participation in the programs and services

1 offered through the department, counties shall provide basic jail data to
2 the department.

3 Sec. 806. From the funds appropriated in section 101 for community
4 corrections comprehensive plans and services and probation residential
5 services, no funds shall be awarded to local jurisdictions that have not
6 had their comprehensive corrections plans, budget requests, and
7 substantial modifications approved by the local community corrections
8 advisory board and the local governing authority, officially reviewed by
9 the state community corrections board, and approved by the director of
10 the department.

11 Sec. 807. (1) The department shall administer a county jail
12 reimbursement program from the funds appropriated in section 101 for the
13 purpose of reimbursing counties for housing in jails felons who
14 historically have been sent to prison. These include felons who are
15 generally considered prison bound based on past sentencing practices
16 within the jurisdiction and offender characteristics, including but not
17 limited to sentencing guideline scores indicative of prison risk, felony
18 type, probation or parole status, or number of prior convictions.

19 (2) For crimes committed prior to the enactment into law of
20 sentencing guidelines pursuant to 1994 PA 445, MCL 769.33, the county
21 jail reimbursement program shall reimburse counties for housing and
22 custody of convicted felons who would otherwise have been sentenced to a
23 state prison term with a minimum minimum state felony sentencing
24 guidelines recommendation of 12 months or more, were convicted of a
25 violation of section 625(1) of the Michigan vehicle code, 1949 PA 300,
26 MCL 257.625, that is punishable under section 625(7)(d) of that act, or
27 were sentenced under section 11 or 12 of chapter IX of the code of
28 criminal procedure, 1927 PA 175, MCL 769.11 and 769.12.

29 (3) For crimes committed following the enactment into law of
30 sentencing guidelines pursuant to 1994 PA 445, MCL 769.33, the county
31 jail reimbursement program shall reimburse counties for housing and
32 custody of convicted felons who would otherwise have been sentenced to a
33 state prison term with a minimum minimum state felony sentencing
34 guidelines recommendation of more than 12 months, or were convicted of a
35 violation of section 625(1) of the Michigan vehicle code, 1949 PA 300,
36 MCL 257.625, that is punishable under section 625(7)(d) of that act.

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

5 (5) Except as provided in subsection (6), state reimbursement under
6 this section for prisoner housing and custody expenses per diverted
7 offender for the first 90 days of the offender's incarceration shall be
8 \$45.00 per diem for a county with a population of more than 100,000 and
9 \$40.00 per diem for a county with a population of 100,000 or less. After
10 the diverted offender has been incarcerated 90 days, state reimbursement
11 shall be \$38.00 per diem for the remainder of the incarceration up to a
12 total of 1 year.

13 (6) For the first 90 days for diverted offenders housed in beds
14 developed under multicounty projects approved and funded through the
15 department, state reimbursement shall be \$45.00 per diem. After the
16 diverted offender has been incarcerated 90 days, state reimbursement
17 shall be \$38.00 per diem for the remainder of the incarceration up to a
18 total of 1 year.

19 Sec. 808. (1) From the funds appropriated in section 101 for
20 probation residential centers, funds are allocated for the operation of a
21 probation detention program in a county that has adopted a charter
22 pursuant to 1966 PA 293, MCL 45.501 to 45.521. The probation detention
23 program shall have a capacity of 100 beds. The department shall provide
24 the program administrator monthly with 90-day projections of the numbers
25 of beds expected to be needed for probationers and parolees in Phase II
26 residential placement under section 4(2) of the special alternative
27 incarceration act, 1988 PA 287, MCL 798.14, and the program administrator
28 shall make beds available as necessary to house probationers and parolees
29 entering Phase II residential placement.

30 (2) Payments under this section for operation of the probation
31 detention program shall be made at the same rates applicable to
32 disbursement of other funds awarded under the probation residential
33 centers line item, not to exceed a total expenditure of \$1,442,200.00.

34 (3) The purpose of the probation detention program is to reduce the
35 admission to prison of probation violators by providing a community
36 punishment program within a secure environment with 24-hour supervision

1 and programming with an emphasis on structured daily activities.
2 Programming shall include, but need not be limited to, the following
3 components that may be provided directly or by referral:

- 4 (a) Orientation and assessment.
- 5 (b) Substance abuse counseling.
- 6 (c) Life skills counseling.
- 7 (d) Education.
- 8 (e) Employment preparation.
- 9 (f) Vocational training.
- 10 (g) Employment.
- 11 (h) Community service.
- 12 (i) Physical training.
- 13 (j) Cognitive skill training.

14 (4) The probation detention program shall reduce the admission to
15 prison of probation violators directly or indirectly by providing a
16 program for direct sentencing of felony probation violators who likely
17 would be prison-bound based on historical local sentencing practices or
18 by removing probation violators from jail with a resulting increase in
19 the number of jail beds available and used for felons who otherwise would
20 be likely to be sentenced to prison based on historical local sentencing
21 practices.

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

27 (6) The comprehensive plan shall specify the programs, eligibility
28 criteria, referral and enrollment process, the assessment and client-
29 specific planning case management process, a program design that
30 includes a variable length of stay based on assessed need, and the
31 evaluation methodology to show the impact of the program on prison
32 admissions and recidivism.

33 (7) The length of stay for a probationer or parolee in Phase II
34 residential placement shall be at the department's discretion based on
35 the offender assessment and client-specific planning case management
36 process and the offender's progress at meeting the case management

1 objectives, but shall not exceed 120 days.

2 (8) The department shall require the program administrator to report
 3 quarterly to the department, the state budget director, the senate and
 4 house fiscal agencies, and the senate and house appropriations
 5 subcommittees on corrections on the performance indicators listed in
 6 section 804. The department shall require the program administrator to
 7 report annually to the department, the state budget director, the senate
 8 and house fiscal agencies, and the senate and house appropriations
 9 subcommittees on corrections concerning the program's impact on prison
 10 admissions and recidivism including, but not limited to, the numbers of
 11 offenders released from the probation detention program who are arrested
 12 for a felony offense within 1 year of their termination from the program.
 13

14 **CONSENT DECREES**

15 Sec. 901. Expenditures from the funds appropriated in section 101
 16 for the federal court consent decree and the Hadix court consent decree
 17 shall be made by administrative transfer to separate accounts created for
 18 the purpose of separately identifying costs associated with each consent
 19 decree.

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

23 **HEALTH CARE**

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

28 Sec. 1002. The department shall not expend funds appropriated under
 29 this bill for any surgery, procedure, or treatment to provide or maintain
 30 a prisoner's sex change unless it is determined medically necessary by a
 31 physician.

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

34 **INSTITUTIONAL OPERATIONS**

35 Sec. 1101. (1) The maximum reimbursement to colleges participating
 36 in the prisoner rehabilitation and education program (PREP) shall be

1 limited to \$4.00 per student contact hour not to exceed 19.5 contact
2 hours per semester credit hour.

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

6 Sec. 1102. (1) No appropriations in this bill shall be used to pay
7 any costs associated with college or university programming for prison
8 inmates, unless such payments are required by existing court orders or
9 consent decrees.

10 (2) The department shall petition the federal court to modify the
11 out-of-cell activity plan previously adopted as part of the Hadix v
12 Johnson consent decree. The modification proposed by the department
13 shall eliminate state funded college and university programming for
14 prison inmates and replace such programming with general education
15 development, adult basic education, and vocational education programming.
16

17 (3) If the department is successful in modifying the consent decree
18 to eliminate required college and university programming, all funding for
19 the prisoner rehabilitation and education program shall be transferred to
20 vocational/education line items in the budget to eliminate waiting lists
21 for general education development, adult basic education, and vocational
22 education programming. Transfers for this purpose shall be made through
23 the legislative transfer process pursuant to section 393(2) of the
24 management and budget act, 1984 PA 431, MCL 18.1393.

25 Sec. 1103. It is the intent of the department that if funds
26 appropriated under section 101 for the prisoner rehabilitation and
27 education program are expended to pay for higher education expenses of a
28 prisoner, the prisoner, as a condition of receiving those funds, shall
29 contractually agree with the department to repay those funds. It is the
30 intent of the department that this requirement will not be implemented if
31 a federal judge determines that implementation would violate a federal
32 consent decree or court order.

33 Sec. 1104. The appropriation in section 101 for central region food
34 service operations shall be operated through a revolving fund established
35 by the state budget director in accordance with the management and budget
36 act, 1984 PA 431, MCL 18.1101 to 18.1594.

1 Sec. 1105. Funds appropriated under section 101 shall not be
2 expended to purchase a color television for prisoner use.

3 Sec. 1106. As a condition of expenditure of the funds appropriated
4 in section 101, the department shall ensure that smoking areas are
5 designated for use by prisoners and staff at each facility. At a
6 minimum, all outdoor areas within each facility's perimeter shall be
7 designated for smoking, except that smoking may be forbidden within 20
8 feet of any building designated as nonsmoking or smoke-free.

9 Sec. 1107. From the funds appropriated in section 101, the
10 department shall allocate sufficient funds to develop a pilot children's
11 visitation program. The pilot program shall teach parenting skills and
12 arrange for day visitation at these facilities for parents and their
13 children.

14 Sec. 1108. As a condition of expenditure of funds appropriated in
15 section 101, the department shall prohibit prisoners from using
16 interdepartmental mail except to correspond with the department.

17 Sec. 1109. Funds appropriated under section 101 shall not be
18 expended to provide prisoners with access to or use of the Internet or
19 any similar system.

20 Sec. 1110. Any department employee who, in the course of his or her
21 job, is determined by a physician to have had a potential exposure to the
22 Hepatitis B virus, shall receive a Hepatitis B vaccination upon request.

23 Sec. 1111. Possession and use of personal property by prisoners is
24 considered a privilege and not a right.

25 **INMATE HOUSING FUND**

26 Sec. 1201. (1) The inmate housing fund shall be used for the
27 custody, treatment, clinical, and administrative costs associated with
28 the housing of prisoners other than those specifically budgeted for
29 elsewhere in this bill. Expenditures from the inmate housing fund shall
30 be made by administrative transfer to existing accounts or to separate
31 accounts created to separately identify costs for specific purposes.

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

final page

