

Act No. 321
Public Acts of 1998
Approved by the Governor
July 27, 1998
Filed with the Secretary of State
July 31, 1998
EFFECTIVE DATE: July 31, 1998

STATE OF MICHIGAN
89TH LEGISLATURE
REGULAR SESSION OF 1998

Introduced by Senators Cisky, Hoffman, Gougeon, Geake, Steil and McManus

ENROLLED SENATE BILL No. 909

AN ACT 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:

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

DEPARTMENT OF CORRECTIONS

APPROPRIATION SUMMARY:

Average population	44,857	
Full-time equated unclassified positions	16.0	
Full-time equated classified positions	17,371.9	
GROSS APPROPRIATION.....		\$ 1,441,935,000
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		6,599,300
ADJUSTED GROSS APPROPRIATION.....		\$ 1,435,335,700
Federal revenues:		
Total federal revenues		19,828,800
Special revenue funds:		
Total local revenues		401,100
Total private revenues.....		0
Total other state restricted revenues.....		46,548,700
State general fund/general purpose		\$ 1,368,557,100

Sec. 102. EXECUTIVE

Full-time equated unclassified positions	16.0	
Full-time equated classified positions	75.0	
Unclassified positions—16.0 FTE positions		\$ 1,253,300
Executive administration—11.0 FTE positions		1,384,200
Audit and internal affairs—19.0 FTE positions		1,280,400
Policy and hearings—45.0 FTE positions		4,032,300
GROSS APPROPRIATION		\$ 7,950,200
Appropriated from:		
State general fund/general purpose		\$ 7,950,200

Sec. 103. ADMINISTRATION AND PROGRAMS

Full-time equated classified positions	215.2	
Administration and fiscal management—36.5 FTE positions		\$ 2,672,200
Office of personnel and labor relations—26.7 FTE positions		1,680,200
Program services—15.0 FTE positions		1,296,600
Planning, research, and information services—85.5 FTE positions		9,090,500
Federal education programs—19.0 FTE positions		2,984,800
Rent		1,799,100
Training administration—32.5 FTE positions		3,284,700
GROSS APPROPRIATION		\$ 22,808,100
Appropriated from:		
Federal revenues:		
DED, life skills grant		300,000
DED-OVAE, vocational education - basic grants to states		267,000
DED-OESE, chapter 1 program for neglected and delinquent children		500,100
DED-OVAE, state administered basic grant program		1,820,600
DED-OSERS, special education - grants to states		100,000
Special revenue funds:		
Local-county reimbursement		116,200
Correctional industries revolving fund		93,500
Resident stores		271,800
State general fund/general purpose		\$ 19,338,900

Sec. 104. CENTRAL SUPPORT ACCOUNTS

Equipment		\$ 341,900
Special maintenance		1,712,100
Worker's compensation		15,209,600
Compensatory buyout		225,000
Union leave bank		50,000
GROSS APPROPRIATION		\$ 17,538,600
Appropriated from:		
State general fund/general purpose		\$ 17,538,600

Sec. 105. TRAINING, COMMUNITY SUPPORT AND SUBSTANCE ABUSE PROGRAMS

Inmate legal services program		\$ 314,900
Reimbursement to counties, parole revocation hearings, and court settlements		3,421,000
Substance abuse administration and testing		19,061,700
MDOC in-prison pilot drug treatment program		1,500,000
MDOC technical violator pilot drug treatment program		1,000,000
New employee training		8,876,100
Training projects		111,300
Criminal justice training fund		601,800
GROSS APPROPRIATION		\$ 34,886,800
Appropriated from:		
Interdepartmental grant revenues:		
IDG-MDSP, Michigan justice training fund		601,800

For Fiscal Year
Ending Sept. 30,
1999

Federal revenues:		
DOJ, office of justice programs, corrections programs - grants to states	\$	3,271,100
HHS-SAMHSA		563,000
State general fund/general purpose	\$	30,450,900

Sec. 106. PRISON INDUSTRIES OPERATIONS

Full-time equated classified positions	169.8	
Personnel costs—169.8 FTE positions	\$	12,099,200
GROSS APPROPRIATION	\$	12,099,200
Appropriated from:		
Special revenue funds:		
Correctional industries revolving fund		12,099,200
State general fund/general purpose	\$	0

Sec. 107. FIELD OPERATIONS

Full-time equated classified positions	1,648.0	
Personnel costs—1,544.0 FTE positions	\$	83,210,100
Operating costs		6,763,200
Community service work program—10.0 FTE positions		503,000
Parole board operations—22.0 FTE positions		1,399,000
Building occupancy charges - property management		473,600
Rent		841,000
Loans to parolees		204,400
Boot camp - phase III/intensive supervision—72.0 FTE positions		2,451,500
Parole/probation services		1,907,700
GROSS APPROPRIATION	\$	97,753,500
Appropriated from:		
Special revenue funds:		
Oversight fees		4,653,300
Supervision fees		1,907,700
State general fund/general purpose	\$	91,192,500

Sec. 108. COMMUNITY PLACEMENT

Average population	1,212.0	
Full-time equated classified positions	606.3	
Tether operations—167.3 FTE positions	\$	7,531,600
Community residential program operations—334.1 FTE positions		26,332,800
Technical rule violator center—104.9 FTE positions		8,757,400
GROSS APPROPRIATION	\$	42,621,800
Appropriated from:		
Special revenue funds:		
Resident contributions revenues		3,784,200
Local-community tether program reimbursement		284,900
Program participant contributions		3,971,200
Public works user fees		131,400
State general fund/general purpose	\$	34,450,100

Sec. 109. SPECIAL ALTERNATIVE INCARCERATION PROGRAM

Full-time equated classified positions	135.0	
Personnel costs—135.0 FTE positions	\$	7,250,400
Operational costs		1,781,500
GROSS APPROPRIATION	\$	9,031,900
Appropriated from:		
Special revenue funds:		
Public works user fees		129,400
State general fund/general purpose	\$	8,902,500

Sec. 110. OFFICE OF COMMUNITY CORRECTIONS

Full-time equated classified positions.....	17.0		
Personnel costs—17.0 FTE positions.....		\$	1,124,900
Operating costs			264,300
OCC board expenses			15,000
Probation residential centers			13,854,600
Community corrections comprehensive plans and services.....			11,480,000
Public education and training.....			50,000
Regional jail program			2,000,000
County jail reimbursement program			18,612,200
GROSS APPROPRIATION.....		\$	47,401,000
Appropriated from:			
Special revenue funds:			
Telephone fees and commissions.....			16,244,700
State general fund/general purpose		\$	31,156,300

Sec. 111. CONSENT DECREES

Average population	400		
Full-time equated classified positions.....	577.4		
Prisoner rehabilitation education program		\$	1,020,100
Hadix consent decree—157.0 FTE positions.....			9,873,600
DOJ consent decree—166.5 FTE positions.....			10,189,200
Huron Valley psychiatric hospital - MDCH			49,487,700
Residential and outpatient treatment program - MDCH			15,123,000
Department of community health bureau staff.....			672,400
Mental health custody staff - MDOC security—253.9 FTE positions.....			14,059,600
GROSS APPROPRIATION.....		\$	100,425,600
Appropriated from:			
State general fund/general purpose		\$	100,425,600

Sec. 112. OFFICE OF HEALTH CARE

Full-time equated classified positions.....	18.0		
Health care administration—18.0 FTE positions		\$	1,841,700
Hospital and specialty care services			36,371,300
Vaccination program			956,900
GROSS APPROPRIATION.....		\$	39,169,900
Appropriated from:			
State general fund/general purpose		\$	39,169,900

Sec. 113. CLINICAL OPERATIONS

Full-time equated classified positions.....	797.1		
Adrian clinical complex—31.2 FTE positions.....		\$	2,568,400
Baraga clinical complex—5.0 FTE positions			1,084,900
Coldwater clinical complex—35.8 FTE positions.....			3,162,300
Corrections camps clinical—18.5 FTE positions.....			872,700
Detroit clinical complex—18.2 FTE positions			2,469,500
Ionia clinical complex—123.9 FTE positions			9,615,500
Jackson clinical complex—218.7 FTE positions			19,465,400
Kincheloe clinical complex—64.0 FTE positions.....			5,743,900
Lapeer clinical complex—15.7 FTE positions			1,202,900
Macomb clinical complex—17.0 FTE positions			1,217,900
Marquette clinical complex—47.0 FTE positions			3,815,100
Mid-Michigan clinical complex—16.1 FTE positions.....			1,198,500
Muskegon clinical complex—56.5 FTE positions.....			3,482,400
Newberry clinical complex—4.0 FTE positions.....			1,348,300
Oaks clinical complex—4.0 FTE positions			1,108,200
Plymouth clinical complex—52.0 FTE positions.....			3,926,100
Saginaw clinical complex—17.0 FTE positions			1,212,700

		For Fiscal Year Ending Sept. 30, 1999
Standish clinical complex—17.0 FTE positions.....	\$	1,428,700
Ypsilanti clinical complex—35.5 FTE positions		2,536,000
GROSS APPROPRIATION.....	\$	67,459,400
Appropriated from:		
State general fund/general purpose	\$	67,459,400

Sec. 114. CORRECTIONAL FACILITIES - ADMINISTRATION

Full-time equated classified positions	127.0	
Conveying convicts to penal institutions.....	\$	248,300
Federal school lunch program		565,000
Correctional facilities administration—10.0 FTE positions		773,900
Extradition services		120,000
Housing inmates in federal institutions.....		394,000
Central region office—109.0 FTE positions.....		12,994,400
Northern region office—2.0 FTE positions		180,500
Southeastern region office—1.0 FTE position		129,800
Southwestern region office—2.0 FTE positions		180,700
Leased beds		35,807,400
Food service operations.....		5,000,000
Surplus food program—3.0 FTE positions		312,800
GROSS APPROPRIATION.....	\$	56,706,800
Appropriated from:		
Intradepartmental grant revenues:		
IDT, surplus food user fees		238,200
IDT, food factory user fees		5,000,000
Federal revenues:		
BOP, federal prisoner reimbursement.....		314,000
DOJ, office of justice programs, VOITIS.....		5,000,000
DAG-FCS, national school lunch		565,000
State general fund/general purpose	\$	45,589,600

Sec. 115. ALGER MAXIMUM SECURITY CORRECTIONAL FACILITY - MUNISING

Average population	524	
Full-time equated classified positions	317.2	
Personnel costs—313.2 FTE positions.....	\$	18,763,900
Operational costs		2,165,900
Academic/vocational programs—4.0 FTE positions.....		273,600
GROSS APPROPRIATION.....	\$	21,203,400
Appropriated from:		
Special revenue funds:		
Resident stores		9,500
State general fund/general purpose	\$	21,193,900

Sec. 116. BARAGA MAXIMUM CORRECTIONAL FACILITY - BARAGA

Average population	604	
Full-time equated classified positions	356.4	
Personnel costs—348.4 FTE positions.....	\$	19,226,500
Operational costs		2,331,400
Academic/vocational programs—8.0 FTE positions.....		434,900
GROSS APPROPRIATION.....	\$	21,992,800
Appropriated from:		
Special revenue funds:		
Resident stores		13,500
State general fund/general purpose	\$	21,979,300

Sec. 117. E.C. BROOKS CORRECTIONAL FACILITY - MUSKEGON

Average population	2,200	
Full-time equated classified positions	545.7	

		For Fiscal Year Ending Sept. 30, 1999
Personnel costs—524.7 FTE positions.....	\$	30,225,100
Operational costs		6,275,800
Academic/vocational programs—21.0 FTE positions.....		1,311,100
GROSS APPROPRIATION.....	\$	37,812,000
Appropriated from:		
Special revenue funds:		
Resident stores		142,000
State general fund/general purpose	\$	37,670,000
Sec. 118. CARSON CITY CORRECTIONAL FACILITY COMPLEX - CARSON CITY		
Average population		2,200
Full-time equated classified positions.....		551.2
Personnel costs—533.2 FTE positions.....	\$	30,620,400
Operational costs		6,427,900
Academic/vocational programs—18.0 FTE positions.....		1,141,400
GROSS APPROPRIATION.....	\$	38,189,700
Appropriated from:		
Special revenue funds:		
Resident stores		93,200
State general fund/general purpose	\$	38,096,500
Sec. 119. CHIPPEWA CORRECTIONAL FACILITY - KINCHELOE		
Average population		2,094
Full-time equated classified positions.....		508.3
Personnel costs—492.3 FTE positions.....	\$	28,946,700
Operational costs		5,894,500
Academic/vocational programs—16.0 FTE positions.....		1,138,800
GROSS APPROPRIATION.....	\$	35,980,000
Appropriated from:		
Special revenue funds:		
Resident stores		148,400
State general fund/general purpose	\$	35,831,600
Sec. 120. COOPER STREET CORRECTIONAL FACILITY - JACKSON		
Average population		822
Full-time equated classified positions.....		207.4
Personnel costs—203.4 FTE positions.....	\$	11,694,900
Operational costs		2,240,600
Academic/vocational programs—4.0 FTE positions.....		295,400
GROSS APPROPRIATION.....	\$	14,230,900
Appropriated from:		
Special revenue funds:		
Resident stores		9,800
Public works user fees.....		30,500
State general fund/general purpose	\$	14,190,600
Sec. 121. G. ROBERT COTTON CORRECTIONAL FACILITY - JACKSON		
Average population		1,692
Full-time equated classified positions.....		423.0
Personnel costs—412.0 FTE positions.....	\$	23,968,000
Operational costs		4,565,000
Academic/vocational programs—11.0 FTE positions.....		871,800
GROSS APPROPRIATION.....	\$	29,404,800
Appropriated from:		
Special revenue funds:		
Resident stores		111,500
State general fund/general purpose	\$	29,293,300

Sec. 122. FLORENCE CRANE WOMEN'S FACILITY - COLDWATER

Average population	510		
Full-time equated classified positions	209.6		
Personnel costs—197.6 FTE positions		\$	12,050,300
Operational costs			1,802,400
Academic/vocational programs—12.0 FTE positions			902,800
GROSS APPROPRIATION		\$	14,755,500
Appropriated from:			
Special revenue funds:			
Resident stores			47,000
State general fund/general purpose		\$	14,708,500

Sec. 123. CHARLES E. EGELER CORRECTIONAL FACILITY - JACKSON

Average population	1,006		
Full-time equated classified positions	304.4		
Personnel costs—296.4 FTE positions		\$	15,898,600
Operational costs			2,076,200
Academic/vocational programs—8.0 FTE positions			681,000
GROSS APPROPRIATION		\$	18,655,800
Appropriated from:			
Special revenue funds:			
Resident stores			93,900
State general fund/general purpose		\$	18,561,900

Sec. 124. RICHARD A. HANDLON MICHIGAN TRAINING UNIT - IONIA

Average population	1,315		
Full-time equated classified positions	292.0		
Personnel costs—264.0 FTE positions		\$	15,263,800
Operational costs			3,255,900
Academic/vocational programs—28.0 FTE positions			1,668,900
GROSS APPROPRIATION		\$	20,188,600
Appropriated from:			
Special revenue funds:			
Resident stores			74,400
State general fund/general purpose		\$	20,114,200

Sec. 125. GUS HARRISON CORRECTIONAL FACILITY - ADRIAN

Average population	2,200		
Full-time equated classified positions	557.6		
Personnel costs—539.6 FTE positions		\$	30,094,400
Operational costs			6,264,400
Academic/vocational programs—18.0 FTE positions			1,190,600
GROSS APPROPRIATION		\$	37,549,400
Appropriated from:			
Special revenue funds:			
Resident stores			191,100
State general fund/general purpose		\$	37,358,300

Sec. 126. HURON VALLEY MEN'S FACILITY - YPSILANTI

Average population	482		
Full-time equated classified positions	291.8		
Personnel costs—286.8 FTE positions		\$	16,319,700
Operational costs			2,932,900
Academic/vocational programs—5.0 FTE positions			422,800
GROSS APPROPRIATION		\$	19,675,400
Appropriated from:			
Special revenue funds:			
Resident stores			46,900
State general fund/general purpose		\$	19,628,500

Sec. 127. IONIA MAXIMUM FACILITY - IONIA

Average population	636	
Full-time equated classified positions	348.6	
Personnel costs—341.6 FTE positions	\$	20,000,600
Operational costs		2,157,500
Academic/vocational programs—7.0 FTE positions		532,600
GROSS APPROPRIATION	\$	22,690,700
Appropriated from:		
Special revenue funds:		
Resident stores		9,200
State general fund/general purpose	\$	22,681,500

Sec. 128. IONIA TEMPORARY FACILITY - IONIA

Average population	960	
Full-time equated classified positions	222.4	
Personnel costs—206.9 FTE positions	\$	12,119,000
Operational costs		2,840,900
Print shop operations		375,000
Academic/vocational programs—15.5 FTE positions		1,093,800
GROSS APPROPRIATION	\$	16,428,700
Appropriated from:		
Intradepartmental transfer revenues:		
IDT, print shop user fees		375,000
Special revenue funds:		
Resident stores		47,900
Public works user fees		15,000
State general fund/general purpose	\$	15,990,800

Sec. 129. JACKSON MAXIMUM CORRECTIONAL FACILITY - JACKSON

Average population	1,068	
Full-time equated classified positions	445.1	
Personnel costs—437.1 FTE positions	\$	25,187,400
Operational costs		3,149,900
Academic/vocational programs—8.0 FTE positions		444,800
GROSS APPROPRIATION	\$	28,782,100
Appropriated from:		
Federal revenues:		
Federal revenues and reimbursements		1,915,300
Special revenue funds:		
Resident stores		82,900
State general fund/general purpose	\$	26,783,900

Sec. 130. KINROSS CORRECTIONAL FACILITY - KINCHELOE

Average population	2,165	
Full-time equated classified positions	543.5	
Personnel costs—514.5 FTE positions	\$	29,709,700
Operational costs		7,179,400
Academic/vocational programs—29.0 FTE positions		1,638,900
GROSS APPROPRIATION	\$	38,528,000
Appropriated from:		
Special revenue funds:		
Resident stores		141,000
State general fund/general purpose	\$	38,387,000

Sec. 131. LAKELAND CORRECTIONAL FACILITY - COLDWATER

Average population	1,200
Full-time equated classified positions	255.1

		For Fiscal Year Ending Sept. 30, 1999
Personnel costs—245.1 FTE positions.....	\$	15,424,500
Operational costs		3,608,200
Academic/vocational programs—10.0 FTE positions.....		867,900
GROSS APPROPRIATION.....	\$	19,900,600
Appropriated from:		
Special revenue funds:		
Resident stores		46,900
State general fund/general purpose	\$	19,853,700

Sec. 132. MACOMB CORRECTIONAL FACILITY - NEW HAVEN

Average population	1,228	
Full-time equated classified positions	350.3	
Personnel costs—342.3 FTE positions.....	\$	17,567,600
Operational costs		3,477,200
Academic/vocational programs—8.0 FTE positions.....		543,100
GROSS APPROPRIATION.....	\$	21,587,900
Appropriated from:		
Special revenue funds:		
Resident stores		93,800
Public works user fees		11,200
State general fund/general purpose	\$	21,482,900

Sec. 133. MARQUETTE BRANCH PRISON - MARQUETTE

Average population	1,129	
Full-time equated classified positions	435.2	
Personnel costs—425.2 FTE positions.....	\$	25,652,300
Operational costs		4,615,500
Academic/vocational programs—10.0 FTE positions.....		889,300
GROSS APPROPRIATION.....	\$	31,157,100
Appropriated from:		
Special revenue funds:		
Resident stores		142,400
State general fund/general purpose	\$	31,014,700

Sec. 134. MICHIGAN REFORMATORY - IONIA

Average population	1,338	
Full-time equated classified positions	392.4	
Personnel costs—376.4 FTE positions.....	\$	22,756,400
Operational costs		5,897,400
Academic/vocational programs—16.0 FTE positions.....		1,323,600
GROSS APPROPRIATION.....	\$	29,977,400
Appropriated from:		
Special revenue funds:		
Resident stores		140,700
State general fund/general purpose	\$	29,836,700

Sec. 135. MID-MICHIGAN CORRECTIONAL FACILITY - ST. LOUIS

Average population	960	
Full-time equated classified positions	228.4	
Personnel costs—219.4 FTE positions.....	\$	12,672,400
Operational costs		2,840,900
Academic/vocational programs—9.0 FTE positions.....		621,800
GROSS APPROPRIATION.....	\$	16,135,100
Appropriated from:		
Special revenue funds:		
Resident stores		46,700
Public works user fees		8,200
State general fund/general purpose	\$	16,080,200

Sec. 136. MOUND CORRECTIONAL FACILITY - DETROIT

Average population	1,044	
Full-time equated classified positions	363.4	
Personnel costs—353.4 FTE positions	\$	18,072,200
Operational costs		2,689,400
Academic/vocational programs—10.0 FTE positions		537,700
GROSS APPROPRIATION	\$	21,299,300
Appropriated from:		
Special revenue funds:		
Resident stores		94,300
State general fund/general purpose	\$	21,205,000

Sec. 137. MUSKEGON CORRECTIONAL FACILITY - MUSKEGON

Average population	1,310	
Full-time equated classified positions	325.4	
Personnel costs—308.4 FTE positions	\$	18,275,500
Operational costs		3,927,400
Academic/vocational programs—17.0 FTE positions		1,166,100
GROSS APPROPRIATION	\$	23,369,000
Appropriated from:		
Special revenue funds:		
Resident stores		70,000
State general fund/general purpose	\$	23,299,000

Sec. 138. NEWBERRY CORRECTIONAL FACILITY - NEWBERRY

Average population	928	
Full-time equated classified positions	319.4	
Personnel costs—307.4 FTE positions	\$	16,572,900
Operational costs		2,925,600
Academic/vocational programs—12.0 FTE positions		798,500
GROSS APPROPRIATION	\$	20,297,000
Appropriated from:		
Special revenue funds:		
Resident stores		46,900
State general fund/general purpose	\$	20,250,100

Sec. 139. OAKS CORRECTIONAL FACILITY - EASTLAKE

Average population	744	
Full-time equated classified positions	363.8	
Personnel costs—358.8 FTE positions	\$	20,805,300
Operational costs		3,060,200
Academic/vocational programs—5.0 FTE positions		363,700
GROSS APPROPRIATION	\$	24,229,200
Appropriated from:		
Special revenue funds:		
Resident stores		11,500
State general fund/general purpose	\$	24,217,700

Sec. 140. PARNALL CORRECTIONAL FACILITY - JACKSON

Average population	1,448	
Full-time equated classified positions	308.0	
Personnel costs—295.0 FTE positions	\$	17,320,100
Operational costs		2,731,200
Academic/vocational programs—13.0 FTE positions		893,100
GROSS APPROPRIATION	\$	20,944,400
Appropriated from:		
Special revenue funds:		
Correctional industries revolving fund		76,600
Resident stores		107,700
State general fund/general purpose	\$	20,760,100

Sec. 141. RIVERSIDE CORRECTIONAL FACILITY - IONIA

Average population	1,034		
Full-time equated classified positions	345.0		
Personnel costs—339.0 FTE positions		\$	19,634,300
Operational costs			4,362,400
Academic/vocational programs—6.0 FTE positions			380,100
GROSS APPROPRIATION		\$	24,376,800
Appropriated from:			
Special revenue funds:			
Resident stores			46,800
State general fund/general purpose		\$	24,330,000

Sec. 142. RYAN CORRECTIONAL FACILITY - DETROIT

Average population	1,044		
Full-time equated classified positions	354.3		
Personnel costs—344.3 FTE positions		\$	19,152,000
Operational costs			3,229,000
Academic/vocational programs—10.0 FTE positions			637,000
GROSS APPROPRIATION		\$	23,018,000
Appropriated from:			
Special revenue funds:			
Resident stores			94,200
State general fund/general purpose		\$	22,923,800

Sec. 143. SAGINAW CORRECTIONAL FACILITY - FREELAND

Average population	1,228		
Full-time equated classified positions	355.9		
Personnel costs—341.4 FTE positions		\$	20,140,400
Operational costs			3,078,200
Academic/vocational programs—14.5 FTE positions			666,000
GROSS APPROPRIATION		\$	23,884,600
Appropriated from:			
Special revenue funds:			
Resident stores			94,200
State general fund/general purpose		\$	23,790,400

Sec. 144. SCOTT CORRECTIONAL FACILITY - PLYMOUTH

Average population	.847		
Full-time equated classified positions	355.7		
Personnel costs—338.7 FTE positions		\$	19,094,300
Operational costs			2,640,100
Academic/vocational programs—17.0 FTE positions			1,226,400
GROSS APPROPRIATION		\$	22,960,800
Appropriated from:			
Special revenue funds:			
Resident stores			93,700
State general fund/general purpose		\$	22,867,100

Sec. 145. STANDISH MAXIMUM CORRECTIONAL FACILITY - STANDISH

Average population	.524		
Full-time equated classified positions	320.8		
Personnel costs—314.8 FTE positions		\$	17,901,500
Operational costs			2,160,200
Academic/vocational programs—6.0 FTE positions			228,000
GROSS APPROPRIATION		\$	20,289,700
Appropriated from:			
Special revenue funds:			
Resident stores			9,400
State general fund/general purpose		\$	20,280,300

Sec. 146. SOUTHERN MICHIGAN CORRECTIONAL FACILITY - JACKSON

Average population	616	
Full-time equated classified positions	339.2	
Personnel costs—330.2 FTE positions	\$	18,564,100
Operational costs		1,321,800
Academic/vocational programs—9.0 FTE positions		576,000
Print shop operations		282,000
GROSS APPROPRIATION	\$	20,743,900
Appropriated from:		
Intradepartmental transfer revenues:		
IDT, print shop user fees		282,000
Special revenue funds:		
Resident stores		93,700
State general fund/general purpose	\$	20,368,200

Sec. 147. THUMB CORRECTIONAL FACILITY - LAPEER

Average population	954	
Full-time equated classified positions	282.7	
Personnel costs—271.7 FTE positions	\$	15,816,700
Operational costs		2,952,100
Academic/vocational programs—11.0 FTE positions		589,300
GROSS APPROPRIATION	\$	19,358,100
Appropriated from:		
Special revenue funds:		
Resident stores		47,000
State general fund/general purpose	\$	19,311,100

Sec. 148. WESTERN WAYNE CORRECTIONAL FACILITY - PLYMOUTH

Average population	775	
Full-time equated classified positions	287.6	
Personnel costs—284.1 FTE positions	\$	17,104,400
Operational costs		2,837,300
Academic/vocational programs—3.5 FTE positions		311,400
GROSS APPROPRIATION	\$	20,253,100
Appropriated from:		
Special revenue funds:		
Resident stores		99,000
State general fund/general purpose	\$	20,154,100

Sec. 149. YOUTH CORRECTIONAL FACILITY

Average population	480	
Full-time equated classified positions	2.0	
Administration—2.0 FTE positions	\$	179,300
Management services		2,964,600
Lease payments		2,794,500
GROSS APPROPRIATION	\$	5,938,400
Appropriated from:		
Federal revenues:		
DOJ, office of justice programs, VOITIS		5,212,700
State general fund/general purpose	\$	725,700

Sec. 150. CORRECTION CAMPS

Average population	3,800	
Full-time equated classified positions	850.3	
Personnel costs—834.3 FTE positions	\$	44,127,300
Operational costs		13,191,900
Dental lab operations		102,300
Academic/vocational programs—16.0 FTE positions		1,012,000
GROSS APPROPRIATION	\$	58,433,500

Appropriated from:	
Intradepartmental transfer revenues:	
IDT, dental lab user fees.....	\$ 102,300
Special revenue funds:	
Resident stores	103,400
Public works user fees	376,300
State general fund/general purpose	\$ 57,851,500

Sec. 151. INMATE HOUSING FUND

Average population	136
Full-time equated classified positions	27.0
Inmate housing fund—27.0 FTE positions	\$ 1,860,500
GROSS APPROPRIATION.....	\$ 1,860,500
Appropriated from:	
State general fund/general purpose	\$ 1,860,500

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

GENERAL SECTIONS

Sec. 201. (1) Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state sources for fiscal year 1998-99 is estimated at \$1,415,105,800.00 in this act and state spending from state sources paid to local units of government for fiscal year 1998-99 is estimated at \$75,029,100.00. The itemized statement below identifies appropriations from which spending to units of local government will occur:

DEPARTMENT OF CORRECTIONS

Planning, research, and information services—ADP - assumption of county probation.....	\$ 472,300
Field operations - assumption of county probation staff.....	32,220,100
Reimbursement to counties, parole revocation hearings, and court settlements.....	3,421,000
Public service work projects	11,531,100
Community corrections comprehensive plans and services.....	11,480,000
Community corrections probation residential centers.....	13,854,600
Community corrections public education and training	50,000
Regional jail program	2,000,000
TOTAL	\$ 75,029,100

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

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

Sec. 203. As used in this act:

- (a) "ADP" means automated data processing.
- (b) "BOP" means the federal bureau of prisons.
- (c) "DAG" means the United States department of agriculture.
- (d) "DAG-FCS" means the DAG food and consumer service.
- (e) "DED" means the United States department of education.
- (f) "DED-OESE" means the DED office of elementary and secondary education.
- (g) "DED-OSERS" means the DED office of special education and rehabilitative services.
- (h) "DED-OVAE" means the DED office of vocational and adult education.
- (i) "Department" or "MDOC" means the Michigan department of corrections.
- (j) "DOJ" means the United States department of justice.

- (k) "FTE" means full-time equated position.
- (l) "HHS" means the United States department of health and human services.
- (m) "HHS-SAMHSA" means the HHS substance abuse and mental health services administration.
- (n) "IDG" means interdepartmental grant.
- (o) "IDT" means intradepartmental transfer.
- (p) "MDCH" means the Michigan department of community health.
- (q) "MDSP" means the Michigan department of state police.
- (r) "OCC" means the office of community corrections.
- (s) "OP-BFS" means the operating procedure, bureau of field services.
- (t) "PREP" means the prisoner rehabilitation and education program.
- (u) "VOITIS" means the DOJ violent offender incarceration and truth in sentencing program contained in the violent crime control and law enforcement act of 1994, Public Law 103-322, 108 Stat. 1796.

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

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

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

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

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

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

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

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

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

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

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

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

Sec. 213. (1) The department shall submit to the department of management and budget, the house and senate appropriations committees, the house and senate standing committees having jurisdiction over technology issues, and the house and senate fiscal agencies periodic reports on the efforts to change the department's computer software and hardware as necessary to perform properly in the year 2000 and beyond. These reports shall identify actual progress in comparison to the department's approved work plan for this effort.

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

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

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

Sec. 216. The department shall not allow the use of gym facilities or weight lifting equipment by an inmate if the inmate has not obtained, or is not satisfactorily working towards the completion of, a high school diploma or its equivalent, unless the inmate has been exempted by the department because of health, enrollment in a special education program, or lack of availability of programs. The department shall utilize athletic directors to monitor prison use of gym facilities and weight lifting equipment as prescribed by this section. This section does not apply at a facility when, because of absenteeism, the department lacks sufficient staff resources at the facility to enforce the restrictions.

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

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

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

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

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

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

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

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

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

(4) As a condition of expenditure of funds appropriated in section 105 for substance abuse administration and testing, the department shall ensure that a system of monitoring and reporting the drug testing process is instituted by March 1, 1999 which, at a minimum, indicates the results of drug tests, the number of referrals to treatment resulting from positive drug test results, the number of enrollments as a result of referrals, and the subsequent results of drug treatment.

(5) In expending residential substance abuse treatment services funds appropriated by this act, the department shall ensure to the maximum extent possible that residential substance abuse treatment services are available statewide.

(6) From the funds appropriated in section 105 for substance abuse administration and testing, the department shall expand residential substance abuse treatment services consistent with the terms of the grant received under the federal residential substance abuse treatment for state prisoners grant program administered by the office of justice programs, United States department of justice.

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

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

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

Sec. 222. (1) Not later than October 15, 1998, the department shall convene a meeting between the state interagency work group appointed by the governor, consisting of representatives of the office of drug control policy, the departments of state police, corrections, community health, and family independence agency, and an ad hoc group of key service provider groups including the Michigan association of community corrections advisory boards, the Michigan association for community corrections advancement, the Michigan council on crime and delinquency, the Michigan chapter of the national association on alcoholism and drug dependency, and the Michigan association of substance abuse coordinating agencies. The purpose of this meeting shall be for the state interagency work group to develop recommendations for program criteria, elements, and goals found to be successful in model program trials for substance abuse treatment of prisoners. The state interagency work group shall develop recommendations for a minimum of 3 separate pilot projects of differing modalities and durations for the pilot projects provided by sections 220 and 221.

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

- (a) Offender eligibility criteria for each pilot project.
- (b) Offender screening and assessment.
- (c) Duration of in-prison and postprison components of each pilot project.
- (d) Services to be provided under each pilot project.
- (e) Coordination with existing programs providing services to offenders.
- (f) Evaluation component design which shall at a minimum measure each program's effect on offender relapse and recidivism, especially with regard to readmission to prison.
- (g) Type and form of data to be compiled.
- (h) The use of technical violator guidelines to direct offenders into treatment.
- (i) Any other matters concerning program design and evaluation considered appropriate by the interagency work group.

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

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

(5) Any funds appropriated under section 105 for the MDOC in-prison drug treatment program and the MDOC technical violator pilot drug treatment program that remain unexpended at the end of the fiscal year shall not revert to the general fund but instead shall be placed in separate work project accounts to be spent as provided under this section and sections 220 and 221.

Sec. 223. (1) The purpose of the programs funded under sections 219(6), 220, and 221 is to evaluate and compare various substance abuse treatment modalities with regard to cost and impact on prison admission, length of stay, jail utilization, and offender relapse and recidivism. To this end, it is the intent of the legislature to provide for continued monitoring of offenders and evaluation of program efficacy.

(2) The department shall contract with 1 or more independent third parties for evaluation of alcohol and substance abuse programs administered by the department, including in-prison programs and programs provided through community placement or field programs. The evaluation shall measure the impact of alcohol and other substance abuse programs on prison admission, length of stay, jail utilization, and offender relapse and recidivism. The evaluation of a program funded under section 219(6) shall be consistent with any requirements contained in the federal residential substance abuse and treatment grant for that program. Evaluation of programs funded under sections 220 and 221 shall be consistent with recommendations developed and agreed to under section 222, and shall be structured so as to allow programs funded in sections 220 and 221 to be compared with each other and with the program funded under section 219(6). Evaluation of programs funded under sections 220 and 221 shall to the extent feasible compare offenders treated under those programs with other offenders of similar characteristics.

(3) The department shall develop agreements with 1 or more independent third parties for monitoring of implementation of programs funded under sections 220 and 221.

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

Sec. 224. (1) The department shall conduct, at a minimum, 3 human relations and diversity/sensitivity training sessions by December 31, 1998. The department shall also conduct follow-up training for employees who have received such training designed to provide continuity. The human relations and diversity/sensitivity programs should provide a framework for participants to examine ways in which ethnic, cultural, gender, and racial differences may affect how managers, supervisors, and staff work together as a team. The department shall develop a reliable survey instrument to objectively measure the effectiveness of human relations and diversity/sensitivity training.

(2) The equal employment opportunity administrator shall provide regular reports to the director regarding human relations and diversity/sensitivity programs and training and recommend modifications to the programs if appropriate.

Sec. 225. If a department enters into a personal services contract with any temporary service agency or similar contractor that hires or subcontracts with a person who retired from employment in the department under the early retirement program under section 19f of the state employees' retirement act, 1943 PA 240, MCL 38.19f, the retired state employee shall be limited to 500 hours for professional, technical, or clerical services and 250 hours for management services. This limitation does not apply to computer technology services. This provision only applies during a 24-month period after the date of retirement. This section applies to each principal executive department and agency.

Sec. 226. Sixty days before beginning any effort to privatize, the department shall submit a complete project plan to the appropriate house and senate appropriations subcommittees and the house and senate fiscal agencies. The plan shall include the criteria under which the privatization initiative will be evaluated. The evaluation shall be completed and submitted to the appropriate house and senate appropriations subcommittees and the house and senate fiscal agencies within 30 months.

Sec. 227. (1) The department of management and budget and each principal executive department and agency shall provide to the senate and house of representatives standing committees on appropriations and the senate and house fiscal agencies a monthly report on all personal service contracts awarded without competitive bidding, pricing, or rate setting. The notification shall include all of the following:

- (a) The total dollar amount of the contract.
- (b) The duration of the contract.
- (c) The name of the vendor.
- (d) The type of service to be provided.

(2) For personal service contracts of \$100,000.00 or more, the department of management and budget shall provide a monthly report on all of the following:

- (a) The total dollar amount of the contract.
- (b) The duration of the contract.
- (c) The name of the vendor.
- (d) The type of service to be provided.

(3) The department of management and budget shall provide a monthly listing of all bid requests or requests for proposal that were issued.

(4) Each principal executive department and agency shall provide a monthly summary listing of information that identifies any authorizations for personal service contracts that are provided to the department of civil service pursuant to delegated authority granted to each principal executive department and agency related to personal service contracts.

EXECUTIVE

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

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

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

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

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

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

Sec. 305. From the funds appropriated in section 102 for audit and internal affairs, and as a condition of receiving those funds, the department shall continue to maintain county jail services staff sufficient to enable the department to continue to fulfill its functions of providing technical support, inspections of county jails, and implementation of the jail reimbursement program.

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

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

(3) The department shall continue to utilize parole violator processing guidelines that require parole agents to utilize all available appropriate community-based, nonincarcerative postrelease sanctions and services when appropriate. The department shall periodically evaluate such guidelines for modification, in response to emerging information from the pilot projects for substance abuse treatment provided under sections 219(6), 220, and 221. To the extent appropriate, the department also shall consider any modifications to the guidelines recommended under section 222.

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

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

FIELD OPERATIONS

Sec. 501. The department shall maintain sentencing recommendation guidelines for all probation personnel who are responsible for making sentencing recommendations for convicted felons. The purposes of the guidelines are to establish consistency in the recommendations by probation personnel to the judiciary for nonprison sanctions, provide for logical and fair nonprison sanction recommendations that are effective yet utilize the least restrictive and least expensive options while assuring public safety, and ensure proportionality among sentences and dispositional options. The state established guidelines shall allow for the use of all sanctions and services available to the offender population. For a sentence recommendation in a presentence investigation report under section 14 of chapter XI of the code of criminal procedure, 1927 PA 175, MCL 771.14, the guidelines shall require probation staff to recommend a sentence other than prison for felons where the maximum sentencing guideline score is 18 months or less or recommend prison sentences only when required by law or when no alternative community sentence will provide public protection, pursuant to OP-BFS 71.01. Sentencing recommendation guidelines shall require probation staff to review all alternatives to prison and recommend nonprison sentences for all nonviolent offenders, excluding sentences for which there is a mandatory prison sentence. If the probation staff departs from these guidelines, reasons for the departure shall be attached to the recommended prison sentence and included with the presentence investigation report. The department shall ensure that data on adherence to these guidelines are collected as part of the department's overall information systems upgrade project and that it is compiled in an annual report submitted to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director by April 1, 1999.

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

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

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

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

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

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

OFFICE OF FIELD PROGRAMS

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

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

(3) Included in the appropriation in section 108 is adequate funding to implement the community tether program to be administered by the department. The community tether program is intended to provide sentencing judges and county sheriffs in coordination with local community corrections advisory boards access to the state's electronic tether program to reduce prison admissions and improve local jail utilization. The department shall determine the appropriate distribution of the tether units throughout the state based upon locally developed comprehensive corrections plans pursuant to the community corrections act, 1988 PA 511, MCL 791.401 to 791.414. The counties shall reimburse the department according to the following reimbursement schedule:

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

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

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

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

Sec. 603. It is the legislature's intent that the department avoid locating a new community corrections center in a residential neighborhood unless the location of the proposed community corrections center has the support of the local unit of government in whose jurisdiction the community corrections center is proposed to be located. If the local unit of government does not give its support for that location, the local unit of government within 60 days shall provide an alternative site for the proposed community corrections center within the local governmental unit's jurisdiction that is acceptable to the department.

SPECIAL ALTERNATIVE INCARCERATION PROGRAM

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

OFFICE OF COMMUNITY CORRECTIONS

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

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

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

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

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

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

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

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

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

Sec. 802. (1) The funds included in section 110 for community corrections comprehensive plans and services are to encourage the development through technical assistance grants, implementation, and operation of community corrections programs which serve as an alternative to incarceration in a state facility or jail. The comprehensive

corrections plans shall include an explanation of how the public safety will be maintained, the goals for the local jurisdiction, offender target populations intended to be affected, offender eligibility criteria for purposes outlined in the plan, and how the plans will meet the following objectives, consistent with section 8(4) of the community corrections act, 1988 PA 511, MCL 791.408:

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

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

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

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

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

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

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

Sec. 803. (1) The comprehensive corrections plans shall also include, where appropriate, descriptive information on the full range of sanctions and services which are available and utilized within the local jurisdiction and an explanation of how jail beds, probation residential services, the special alternative incarceration program (boot camp), probation detention centers, the electronic monitoring program for probationers, and treatment and rehabilitative services will be utilized to support the objectives and priorities of the comprehensive corrections plan and the purposes and priorities of section 8(4) of the community corrections act, 1988 PA 511, MCL 791.408. The plans shall also include, where appropriate, provisions that detail how the local communities plan to respond to sentencing guidelines pursuant to section 33 of chapter IX of the code of criminal procedure, 1927 PA 175, MCL 769.33, the development and implementation of probation sentencing recommendation guidelines pursuant to section 501 of this act, and the use of the county jail reimbursement program pursuant to section 808 of this act. The state community corrections board shall encourage local community corrections boards to include in their comprehensive corrections plans strategies to collaborate with local alcohol and drug treatment agencies of the department of community health for the provision of alcohol and drug screening, assessment, case management planning, and delivery of treatment to alcohol- and drug-involved offenders, including but not limited to probation and parole violators who are at risk of revocation.

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

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

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

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

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

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

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

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

(3) It is the intent of the legislature that the funds appropriated in section 110 for public education and training be fully expended. To this end, the department shall submit by October 15, 1998 to the house and senate appropriations subcommittees on corrections plans for public education grants to communities and yearly training in cooperation with

local community corrections advisory boards based on full expenditure of the funds appropriated in section 110 for public education and training.

(4) By December 21, 1998, the department shall develop an agreement with an independent third party for a comprehensive statewide evaluation of departmental community corrections policies and implementation processes. The purpose of the evaluation shall be to evaluate policies and the impact of policies on targeting of offenders, state and local planning processes, comprehensive corrections plans, the use of research-based risk or needs assessment, the efficacy of state and local plans, and the impact of policies on minimizing admissions to prison. The name of the selected independent evaluator shall be submitted to the house and senate appropriations subcommittees on corrections for review.

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

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

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

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

Sec. 807. (1) The funds appropriated in section 110 for the regional jail program are provided to allow local units of government to directly or indirectly expand local capacities to house felons who otherwise likely would be prison bound based on historical local sentencing practices, or who currently are incarcerated in prison, including but not limited to any of the following:

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

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

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

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

(2) Based upon approved applications received from local units of government as recommended by local community corrections advisory boards, the funding may be allocated only for multicounty construction or renovation projects providing regional jail beds through intercounty agreements to mutually develop and maintain 1 or more regional jail facilities. An application approved by the local unit of government as recommended by the local community corrections advisory board shall be included as part of the local comprehensive corrections plan. Applications shall clearly identify target populations and clearly document how and when the expansion in regional jail bed space would either reduce prison commitment rates of targeted felony offenders or maintain prison commitment rates if the rates for the multicounty region are below the state average for the targeted offender group. An application shall detail the data that will be reported to the department to establish the reduction in prison commitments of targeted felony offenders. Applications shall provide information on operating costs. The department shall evaluate project proposals for programmatic design and cost effectiveness. In allocating funds, the office of community corrections shall give priority for funding to regional jail projects that would have the greatest effect on the prison population, whether by minimizing commitments to prison, reducing prison bed space needs, or a combination of minimizing commitments and reducing prison bed space needs.

(3) Regional jail program funds included as part of approved comprehensive corrections plans shall be awarded pursuant to guidelines and priorities, which shall be developed by the department consistent with this section by December 1, 1998. Funds shall be awarded to eligible program applicants pursuant to the guidelines and priorities developed by the department consistent with this section.

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

expended by each recipient, and data reported or to be reported to the department to establish the reduction in prison commitments of targeted felony offenders.

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

Sec. 808. (1) The department shall administer a county jail reimbursement program from the funds appropriated in section 110 for the purpose of reimbursing counties for housing in jails felons who historically have been sent to prison. These include felons who are generally considered prison bound based on past sentencing practices within the jurisdiction and offender characteristics, including but not limited to sentencing guideline scores indicative of prison risk, felony type, probation or parole status, or number of prior convictions.

(2) The county jail reimbursement program shall reimburse counties for housing and custody of convicted felons if the conviction was for a crime committed before the effective date of sentencing guidelines provided in the code of criminal procedure, 1927 PA 175, MCL 760.1 et seq., and 1 of the following applies:

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

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

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

(3) The county jail reimbursement program shall reimburse counties for housing and custody of convicted felons if the conviction was for a crime committed on or after the effective date of sentencing guidelines provided in the code of criminal procedure, 1927 PA 175, MCL 760.1 et seq., and 1 of the following applies:

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

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

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

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

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

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

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

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

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

(a) Orientation and assessment.

(b) Substance abuse counseling.

- (c) Life skills counseling.
- (d) Education.
- (e) Employment preparation.
- (f) Vocational training.
- (g) Employment.
- (h) Community service.
- (i) Physical training.
- (j) Cognitive skill training.

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

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

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

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

(8) The department shall require the program administrator to report on the program pursuant to section 804. The reports shall also be submitted to the state budget director, the senate and house fiscal agencies, and the senate and house appropriations subcommittees on corrections. The department shall require the program administrator to report annually to the department, the state budget director, the senate and house fiscal agencies, and the senate and house appropriations subcommittees on corrections concerning the program's impact on prison admissions and recidivism including, but not limited to, the numbers of offenders released from the probation detention program who are arrested for a felony offense within 1 year of their termination from the program.

CONSENT DECREES

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

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

HEALTH CARE

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

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

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

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

(2) It is the intent of the legislature that the auditor general conduct an annual audit of vendor payments for health care services provided to prisoners and report the amount of total vendor payments, estimated administrative costs, and the amount of outstanding payments.

(3) It is the intent of the legislature that, in the interest of providing the most efficient and cost-effective delivery of health care, local health care providers will be considered and given the opportunity to competitively bid as vendors under future managed care contracts.

INSTITUTIONAL OPERATIONS

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

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

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

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

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

Sec. 1103. It is the intent of the legislature that if funds appropriated under part 1 for the prisoner rehabilitation and education program are expended to pay for higher education expenses of a prisoner, the prisoner, as a condition of receiving those funds, shall contractually agree with the department to repay those funds. It is the intent of the legislature that this requirement will not be implemented if a federal judge determines that implementation would violate a federal consent decree or court order.

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

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

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

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

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

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

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

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

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

Sec. 1116. (1) It is the intent of the legislature that the department spend, on average, \$67.00 per day per prisoner incarcerated out-of-state. The average per diem will cover bed leasing, transportation, medical, and other costs arising from sending prisoners to facilities out-of-state.

(2) If average per diem increases above \$67.00, or if the department intends to enter into a contract that will increase the per diem above \$67.00, the department will notify the senate and house appropriation subcommittees on corrections, the senate and house fiscal agencies, and the state budget director. The notification will include information on the components of cost that caused the average per diem to increase.

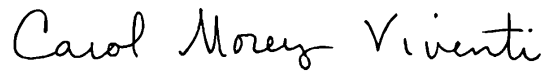
(3) By May 15, 1999, the department will report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director the status of all out-of-state leases including the number of prisoners housed out-of-state, plans for rotating prisoners serving out-of-state, and the actual per prisoner per day cost for all existing contracts.

INMATE HOUSING FUND

Sec. 1201. (1) The inmate housing fund shall be used for the custody, treatment, clinical, and administrative costs associated with the housing of prisoners other than those specifically budgeted for elsewhere in this act. Funding in the inmate housing fund is appropriated into a separate control account. Funding in the control account shall be distributed as necessary into separate accounts created to separately identify costs for specific purposes.

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

This act is ordered to take immediate effect.



Secretary of the Senate.



Clerk of the House of Representatives.

Approved _____

Governor.