

**REPRINT
SENATE SUBSTITUTE FOR
HOUSE BILL NO. 4300**

(As Passed the Senate May 27, 1999)

(As passed the House, June 2, 1999)

A bill to make and supplement appropriations for the department of corrections and certain state purposes related to corrections for the fiscal years ending September 30, 1999 and September 30, 2000; 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:

HB 4300, As Passed Senate, June 8, 1999

House Bill No. 4300 (S-1) as amended June 2, 1999 For Fiscal Year Ending
2 September 30, 2000

1 PART 1

2 LINE-ITEM APPROPRIATIONS

3 Sec. 101. Subject to the conditions set forth in this act, the
4 amounts listed in this part are appropriated for the department of cor-
5 rections for the fiscal year ending September 30, 2000, from the funds
6 indicated in this part. The following is a summary of the appropriations
7 in this part:

8 **DEPARTMENT OF CORRECTIONS**

9 APPROPRIATION SUMMARY:

10	Average population.....	49,918	
11	Full-time equated unclassified positions.....	16.0	
12	Full-time equated classified positions.....	19,174.3	
13	GROSS APPROPRIATION.....		\$ [1,567,641,800]
14	Interdepartmental grant revenues:		
15	Total interdepartmental grants and intradepartmental		
16	transfers.....		6,615,600
17	ADJUSTED GROSS APPROPRIATION.....		\$ [1,561,026,200]
18	Federal revenues:		
19	Total federal revenues.....		25,686,400
20	Special revenue funds:		
21	Total local revenues.....		412,800
22	Total private revenues.....		0
23	Total other state restricted revenues.....		48,347,900
24	State general fund/general purpose.....		\$ [1,486,579,100]
25	Sec. 102. EXECUTIVE		
26	Full-time equated unclassified positions.....	16.0	

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1	Full-time equated classified positions.....	77.0		
2	Unclassified positions--16.0 FTE positions.....		\$	1,290,900
3	Executive administration--11.0 FTE positions.....			1,433,000
4	Audit and internal affairs--19.0 FTE positions.....			1,326,800
5	Policy and hearings--47.0 FTE positions.....			<u>4,358,300</u>
6	GROSS APPROPRIATION.....		\$	8,409,000
7	Appropriated from:			
8	State general fund/general purpose.....		\$	8,409,000
9	Sec. 103. ADMINISTRATION AND PROGRAMS			
10	Full-time equated classified positions.....	215.2		
11	Administration and fiscal management--36.5 FTE			
12	positions.....		\$	2,780,000
13	Office of personnel and labor relations--26.7 FTE			
14	positions.....			2,280,700
15	Program services--15.0 FTE positions.....			1,346,400
16	Planning, research, and information services--85.5			
17	FTE positions.....			9,316,600
18	Federal education programs--19.0 FTE positions.....			3,016,400
19	Rent.....			2,049,100
20	Training administration--32.5 FTE positions.....			<u>4,566,500</u>
21	GROSS APPROPRIATION.....		\$	25,355,700
22	Appropriated from:			
23	Federal revenues:			
24	DED-life skills grant.....			300,000
25	DED-OVAE, vocational education-basic grants to states			270,100
26	DED-OESE, chapter 1 program for neglected and			
27	delinquent children.....			506,000

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1	DED-OVAE, state administered basic grant program.....	1,842,100
2	DED-OSERS, special education-grants to states.....	98,200
3	Special revenue funds:	
4	Local-county reimbursement.....	118,800
5	Correctional industries revolving fund.....	93,500
6	Resident stores.....	277,800
7	State general fund/general purpose..... \$	21,849,200
8	Sec. 104. CENTRAL SUPPORT ACCOUNTS	
9	Equipment..... \$	341,900
10	Special maintenance.....	1,712,100
11	Worker's compensation.....	16,060,400
12	Compensatory buyout.....	225,000
13	Union leave bank.....	<u>50,000</u>
14	GROSS APPROPRIATION..... \$	18,389,400
15	Appropriated from:	
16	State general fund/general purpose..... \$	18,389,400
17	Sec. 105. TRAINING, COMMUNITY SUPPORT AND SUBSTANCE ABUSE	
18	PROGRAMS	
19	Inmate legal services program..... \$	315,800
20	Reimbursement to counties, parole revocation hear-	
21	ings, and court settlements.....	4,060,400
22	[
23]
24	Substance abuse administration and testing.....	19,644,800
25	MDOC in-prison pilot drug treatment program.....	1,500,000
26	MDOC technical violator pilot drug treatment program.	1,000,000

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1	New employee training.....	16,615,600
2	Training projects.....	111,600
3	Criminal justice training fund.....	<u>608,700</u>
4	GROSS APPROPRIATION..... \$	[43,856,900]
5	Appropriated from:	
6	Interdepartmental grant revenues:	
7	IDG-MDSP-Michigan justice training fund.....	608,700
8	Federal revenues:	
9	DOJ-office of justice programs, corrections programs	
10	- grants to states.....	2,684,100
11	HHS-SAMHSA.....	563,000
12	State general fund/general purpose..... \$	[40,001,100]
13	Sec. 106. PRISON INDUSTRIES OPERATIONS	
14	Full-time equated classified positions.....169.8	
15	Personnel costs--169.8 FTE positions..... \$	<u>12,655,200</u>
16	GROSS APPROPRIATION..... \$	12,655,200
17	Appropriated from:	
18	Special revenue funds:	
19	Correctional industries revolving fund.....	12,655,200
20	State general fund/general purpose..... \$	0
21	Sec. 107. FIELD OPERATIONS	
22	Full-time equated classified positions.....1,648.0	
23	Personnel costs--1,544.0 FTE positions..... \$	87,491,400
24	Operating costs.....	6,787,800
25	Community service work program--10.0 FTE positions...	525,400
26	Parole board operations--22.0 FTE positions.....	1,591,000

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1	Building occupancy charges-property management.....	512,500
2	Rent.....	841,000
3	Loans to parolees.....	204,400
4	Boot camp-phase III/intensive supervision--72.0 FTE	
5	positions.....	2,865,300
6	Parole/probation services.....	<u>2,032,700</u>
7	GROSS APPROPRIATION..... \$	102,851,500
8	Appropriated from:	
9	Special revenue funds:	
10	Oversight fees.....	5,359,300
11	Supervision fees.....	2,032,700
12	State general fund/general purpose..... \$	95,459,500
13	Sec. 108. COMMUNITY PLACEMENT	
14	Average population.....808	
15	Full-time equated classified positions.....541.3	
16	Tether operations--167.3 FTE positions..... \$	7,783,000
17	Community residential program operations--269.1 FTE	
18	positions.....	21,339,800
19	Technical rule violator center--104.9 FTE positions..	<u>9,021,400</u>
20	GROSS APPROPRIATION..... \$	38,144,200
21	Appropriated from:	
22	Special revenue funds:	
23	Local-community tether program reimbursement.....	294,000
24	Resident contributions revenues.....	3,919,800
25	Program participant contributions.....	4,098,900
26	Public works user fees.....	135,000

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1	State general fund/general purpose.....	\$	29,696,500
2	Sec. 109. SPECIAL ALTERNATIVE INCARCERATION PROGRAM		
3	Full-time equated classified positions.....		135.0
4	Personnel costs--135.0 FTE positions.....	\$	7,609,000
5	Operational costs.....		<u>1,799,900</u>
6	GROSS APPROPRIATION.....	\$	9,408,900
7	Appropriated from:		
8	Special revenue funds:		
9	Public works user fees.....		130,400
10	State general fund/general purpose.....	\$	9,278,500
11	Sec. 110. OFFICE OF COMMUNITY CORRECTIONS		
12	Full-time equated classified positions.....		17.0
13	Personnel costs--17.0 FTE positions.....		1,177,100
14	Operating costs.....		265,000
15	OCC board expenses.....		15,000
16	Probation residential centers.....		14,934,600
17	Community corrections comprehensive plans and		
18	services.....		13,033,000
19	Public education and training.....		50,000
20	County jail reimbursement program.....		17,982,200
21	Regional jail program.....		<u>100</u>
22	GROSS APPROPRIATION.....	\$	47,457,000
23	Appropriated from:		
24	Special revenue funds:		
25	Telephone fees and commissions.....		16,244,700
26	State general fund/general purpose.....	\$	31,212,300

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1	Sec. 111. CONSENT DECREES		
2	Average population.....	400	
3	Full-time equated classified positions.....	577.4	
4	Prisoner rehabilitation education program.....	\$	1,020,100
5	Hadix consent decree--157.0 FTE positions.....		10,292,500
6	DOJ consent decree--166.5 FTE positions.....		10,607,500
7	DOJ psychiatric plan - MDCH mental health services...		68,912,400
8	DOJ psychiatric plan - MDOC staff and services--253.9		
9	FTE positions.....		<u>14,689,900</u>
10	GROSS APPROPRIATION.....	\$	105,522,400
11	Appropriated from:		
12	State general fund/general purpose.....	\$	105,522,400
13	Sec. 112. OFFICE OF HEALTH CARE		
14	Full-time equated classified positions.....	18.0	
15	Health care administration--18.0 FTE positions.....	\$	2,006,200
16	Hospital and specialty care services.....		39,903,400
17	Vaccination program.....		<u>1,491,300</u>
18	GROSS APPROPRIATION.....	\$	43,400,900
19	Appropriated from:		
20	Federal revenues:		
21	HHS-HRSA.....		80,000
22	State general fund/general purpose.....	\$	43,320,900
23	Sec. 113. CLINICAL OPERATIONS		
24	Full-time equated classified positions.....	913.4	
25	Adrian clinical complex--31.2 FTE positions.....	\$	2,687,500
26	Baraga clinical complex--7.0 FTE positions.....		1,301,000

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1	Coldwater clinical complex--38.8 FTE positions.....	3,548,500
2	Corrections camps clinical--55.1 FTE positions.....	1,954,900
3	Detroit clinical complex--32.2 FTE positions.....	2,578,300
4	Ionia clinical complex--124.9 FTE positions.....	10,151,300
5	Jackson clinical complex--230.9 FTE positions.....	21,783,700
6	Kincheloe clinical complex--64.0 FTE positions.....	6,005,200
7	Lapeer clinical complex--19.2 FTE positions.....	1,455,500
8	Macomb clinical complex--19.0 FTE positions.....	1,414,100
9	Marquette clinical complex--48.0 FTE positions.....	4,082,700
10	Muskegon clinical complex--56.5 FTE positions.....	3,653,500
11	Newberry clinical complex--4.0 FTE positions.....	1,455,500
12	Oaks clinical complex--4.0 FTE positions.....	1,161,100
13	Plymouth clinical complex--52.0 FTE positions.....	4,098,000
14	Saginaw clinical complex--19.0 FTE positions.....	1,392,500
15	St. Louis clinical complex--55.1 FTE positions.....	3,883,400
16	Standish clinical complex--17.0 FTE positions.....	1,496,700
17	Ypsilanti clinical complex--35.5 FTE positions.....	<u>2,646,800</u>
18	GROSS APPROPRIATION.....	\$ 76,750,200
19	Appropriated from:	
20	State general fund/general purpose.....	\$ 76,750,200
21	Sec. 114. CORRECTIONAL FACILITIES-ADMINISTRATION	
22	Full-time equated classified positions.....139.0	
23	Conveying convicts to penal institutions.....	\$ 249,000
24	Federal school lunch program.....	700,000
25	Correctional facilities administration--10.0 FTE	
26	positions.....	805,200

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1	Extradition services.....	220,300
2	Housing inmates in federal institutions.....	494,200
3	Jackson area administrative support and	
4	services--120.0 FTE positions.....	13,373,900
5	Northern region office--2.0 FTE positions.....	188,000
6	Southeastern region office--2.0 FTE positions.....	183,800
7	Southwestern region office--2.0 FTE positions.....	188,700
8	Leased beds.....	100
9	Jackson food production kitchen.....	5,000,000
10	Surplus food program--3.0 FTE positions.....	<u>325,300</u>
11	GROSS APPROPRIATION..... \$	21,728,500
12	Appropriated from:	
13	Intradepartmental transfer revenues:	
14	IDT-surplus food user fees.....	247,600
15	IDT - production kitchen user fees.....	5,000,000
16	Federal revenues:	
17	DOJ-BOP, federal prisoner reimbursement.....	314,000
18	DAG-FNS, national school lunch program.....	700,000
19	Special revenue funds:	
20	State general fund/general purpose..... \$	15,466,900
21	Sec. 115. ALGER MAXIMUM SECURITY CORRECTIONAL FACILITY -	
22	MUNISING	
23	Average population.....	524
24	Full-time equated classified positions.....	319.2
25	Personnel costs--315.2 FTE positions..... \$	19,679,400
26	Operational costs.....	2,261,600

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1	Academic/vocational programs--4.0 FTE positions.....	<u>285,800</u>
2	GROSS APPROPRIATION..... \$	22,226,800
3	Appropriated from:	
4	Special revenue funds:	
5	Resident stores.....	9,900
6	State general fund/general purpose..... \$	22,216,900
7	Sec. 116. BARAGA MAXIMUM CORRECTIONAL FACILITY - BARAGA	
8	Average population.....	844
9	Full-time equated classified positions.....	400.2
10	Personnel costs--390.2 FTE positions..... \$	21,704,500
11	Operational costs.....	3,094,000
12	Academic/vocational programs--10.0 FTE positions.....	<u>561,200</u>
13	GROSS APPROPRIATION..... \$	25,359,700
14	Appropriated from:	
15	Special revenue funds:	
16	Resident stores.....	14,100
17	State general fund/general purpose..... \$	25,345,600
18	Sec. 117. E.C. BROOKS CORRECTIONAL FACILITY - MUSKEGON	
19	Average population.....	2,200
20	Full-time equated classified positions.....	549.7
21	Personnel costs--528.7 FTE positions..... \$	31,411,200
22	Operational costs.....	6,552,300
23	Academic/vocational programs--21.0 FTE positions.....	<u>1,371,900</u>
24	GROSS APPROPRIATION..... \$	39,335,400
25	Appropriated from:	
26	Special revenue funds:	

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1	Resident stores.....	148,500
2	State general fund/general purpose..... \$	39,186,900
3	Sec. 118. CARSON CITY CORRECTIONAL FACILITY COMPLEX - CARSON	
4	CITY	
5	Average population.....	2,200
6	Full-time equated classified positions.....	555.2
7	Personnel costs--536.2 FTE positions..... \$	32,062,500
8	Operational costs.....	6,701,600
9	Academic/vocational programs--19.0 FTE positions.....	<u>1,259,600</u>
10	GROSS APPROPRIATION..... \$	40,023,700
11	Appropriated from:	
12	Special revenue funds:	
13	Resident stores.....	97,500
14	State general fund/general purpose..... \$	39,926,200
15	Sec. 119. CHIPPEWA CORRECTIONAL FACILITY - KINCHELOE	
16	Average population.....	2,094
17	Full-time equated classified positions.....	512.3
18	Personnel costs--496.3 FTE positions..... \$	30,157,600
19	Operational costs.....	6,140,500
20	Academic/vocational programs--16.0 FTE positions.....	<u>1,194,600</u>
21	GROSS APPROPRIATION..... \$	37,492,700
22	Appropriated from:	
23	Special revenue funds:	
24	Resident stores.....	155,200
25	State general fund/general purpose..... \$	37,337,500
26	Sec. 120. COOPER STREET CORRECTIONAL FACILITY - JACKSON	

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1	Average population.....	1,302	
2	Full-time equated classified positions.....	284.8	
3	Personnel costs--277.8 FTE positions.....		\$ 15,631,300
4	Operational costs.....		3,663,700
5	Academic/vocational programs--7.0 FTE positions.....		<u>524,600</u>
6	GROSS APPROPRIATION.....		\$ 19,819,600
7	Appropriated from:		
8	Special revenue funds:		
9	Resident stores.....		71,200
10	Public works user fees.....		30,700
11	State general fund/general purpose.....		\$ 19,717,700
12	Sec. 121. G. ROBERT COTTON CORRECTIONAL FACILITY - JACKSON		
13	Average population.....	1,692	
14	Full-time equated classified positions.....	424.0	
15	Personnel costs--412.0 FTE positions.....		\$ 25,064,500
16	Operational costs.....		4,815,400
17	Academic/vocational programs--12.0 FTE positions.....		<u>973,000</u>
18	GROSS APPROPRIATION.....		\$ 30,852,900
19	Appropriated from:		
20	Special revenue funds:		
21	Resident stores.....		116,600
22	State general fund/general purpose.....		\$ 30,736,300
23	Sec. 122. FLORENCE CRANE WOMEN'S FACILITY - COLDWATER		
24	Average population.....	750	
25	Full-time equated classified positions.....	252.4	
26	Personnel costs--238.4 FTE positions.....		\$ 14,440,300

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1	Operational costs.....	2,831,900
2	Academic/vocational programs--14.0 FTE positions.....	<u>1,072,800</u>
3	GROSS APPROPRIATION.....	\$ 18,345,000
4	Appropriated from:	
5	Special revenue funds:	
6	Resident stores.....	49,100
7	State general fund/general purpose.....	\$ 18,295,900
8	Sec. 123. CHARLES E. EGELER CORRECTIONAL FACILITY - JACKSON	
9	Average population.....	1,006
10	Full-time equated classified positions.....	304.4
11	Personnel costs--296.4 FTE positions.....	\$ 16,677,700
12	Operational costs.....	2,181,400
13	Academic/vocational programs--8.0 FTE positions.....	<u>714,000</u>
14	GROSS APPROPRIATION.....	\$ 19,573,100
15	Appropriated from:	
16	Special revenue funds:	
17	Resident stores.....	98,300
18	State general fund/general purpose.....	\$ 19,474,800
19	Sec. 124. RICHARD A. HANDLON MICHIGAN TRAINING UNIT - IONIA	
20	Average population.....	1,315
21	Full-time equated classified positions.....	294.0
22	Personnel costs--270.0 FTE positions.....	\$ 16,013,200
23	Operational costs.....	3,401,200
24	Academic/vocational programs--24.0 FTE positions.....	<u>1,746,800</u>
25	GROSS APPROPRIATION.....	\$ 21,161,200
26	Appropriated from:	

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1	Special revenue funds:	
2	Resident stores.....	77,800
3	State general fund/general purpose.....	\$ 21,083,400
4	Sec. 125. GUS HARRISON CORRECTIONAL FACILITY - ADRIAN	
5	Average population.....	2,200
6	Full-time equated classified positions.....	561.6
7	Personnel costs--543.6 FTE positions.....	\$ 31,282,400
8	Operational costs.....	6,545,700
9	Academic/vocational programs--18.0 FTE positions.....	<u>1,245,900</u>
10	GROSS APPROPRIATION.....	\$ 39,074,000
11	Appropriated from:	
12	Special revenue funds:	
13	Resident stores.....	200,000
14	State general fund/general purpose.....	\$ 38,874,000
15	Sec. 126. HURON VALLEY MEN'S FACILITY - YPSILANTI	
16	Average population.....	482
17	Full-time equated classified positions.....	293.8
18	Personnel costs--287.8 FTE positions.....	\$ 17,101,900
19	Operational costs.....	3,030,200
20	Academic/vocational programs--6.0 FTE positions.....	<u>442,500</u>
21	GROSS APPROPRIATION.....	\$ 20,574,600
22	Appropriated from:	
23	Special revenue funds:	
24	Resident stores.....	49,000
25	State general fund/general purpose.....	\$ 20,525,600
26	Sec. 127. IONIA MAXIMUM FACILITY - IONIA	

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1	Average population.....	636	
2	Full-time equated classified positions.....	350.6	
3	Personnel costs--343.6 FTE positions.....		\$ 20,975,700
4	Operational costs.....		2,360,000
5	Academic/vocational programs--7.0 FTE positions.....		<u>556,900</u>
6	GROSS APPROPRIATION.....		\$ 23,892,600
7	Appropriated from:		
8	Special revenue funds:		
9	Resident stores.....		9,600
10	State general fund/general purpose.....		\$ 23,883,000
11	Sec. 128. IONIA TEMPORARY FACILITY - IONIA		
12	Average population.....	960	
13	Full-time equated classified positions.....	224.4	
14	Personnel costs--208.9 FTE positions.....		\$ 12,707,500
15	Operational costs.....		2,951,800
16	Print shop operations.....		375,000
17	Academic/vocational programs--15.5 FTE positions.....		<u>1,146,000</u>
18	GROSS APPROPRIATION.....		\$ 17,180,300
19	Appropriated from:		
20	Intradepartmental transfer revenues:		
21	IDT-print shop user fees.....		375,000
22	Special revenue funds:		
23	Resident stores.....		50,100
24	Public works user fees.....		15,100
25	State general fund/general purpose.....		\$ 16,740,100
26	Sec. 129. JACKSON MAXIMUM CORRECTIONAL FACILITY - JACKSON		

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1	Average population.....	1,556	
2	Full-time equated classified positions.....	642.2	
3	Personnel costs--633.2 FTE positions.....		\$ 34,630,200
4	Operational costs.....		5,652,700
5	Academic/vocational programs--9.0 FTE positions.....		<u>518,400</u>
6	GROSS APPROPRIATION.....		\$ 40,801,300
7	Appropriated from:		
8	Federal revenues:		
9	Federal revenues and reimbursements.....		2,932,800
10	Special revenue funds:		
11	Resident stores.....		46,600
12	State general fund/general purpose.....		\$ 37,821,900
13	Sec. 130. KINROSS CORRECTIONAL FACILITY - KINCHELOE		
14	Average population.....	2,165	
15	Full-time equated classified positions.....	547.5	
16	Personnel costs--518.5 FTE positions.....		\$ 31,068,600
17	Operational costs.....		7,445,000
18	Academic/vocational programs--29.0 FTE positions.....		<u>1,717,200</u>
19	GROSS APPROPRIATION.....		\$ 40,230,800
20	Appropriated from:		
21	Special revenue funds:		
22	Resident stores.....		147,500
23	State general fund/general purpose.....		\$ 40,083,300
24	Sec. 131. LAKELAND CORRECTIONAL FACILITY - COLDWATER		
25	Average population.....	1,200	
26	Full-time equated classified positions.....	257.1	

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1	Personnel costs--247.1 FTE positions.....	\$	16,177,900
2	Operational costs.....		3,746,800
3	Academic/vocational programs--10.0 FTE positions.....		<u>907,700</u>
4	GROSS APPROPRIATION.....	\$	20,832,400
5	Appropriated from:		
6	Special revenue funds:		
7	Resident stores.....		49,100
8	State general fund/general purpose.....	\$	20,783,300
9	Sec. 132. MACOMB CORRECTIONAL FACILITY - NEW HAVEN		
10	Average population.....		1,468
11	Full-time equated classified positions.....		399.3
12	Personnel costs--387.3 FTE positions.....	\$	19,743,300
13	Operational costs.....		4,099,600
14	Academic/vocational programs--12.0 FTE positions.....		<u>742,200</u>
15	GROSS APPROPRIATION.....	\$	24,585,100
16	Appropriated from:		
17	Special revenue funds:		
18	Resident stores.....		98,000
19	Public works user fees.....		11,200
20	State general fund/general purpose.....	\$	24,475,900
21	Sec. 133. MARQUETTE BRANCH PRISON - MARQUETTE		
22	Average population.....		1,129
23	Full-time equated classified positions.....		436.2
24	Personnel costs--426.2 FTE positions.....	\$	26,701,500
25	Operational costs.....		4,612,800
26	Academic/vocational programs--10.0 FTE positions.....		<u>932,500</u>

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1	GROSS APPROPRIATION.....	\$	32,246,800
2	Appropriated from:		
3	Special revenue funds:		
4	Resident stores.....		148,900
5	State general fund/general purpose.....	\$	32,097,900
6	Sec. 134. MICHIGAN REFORMATORY - IONIA		
7	Average population.....		1,338
8	Full-time equated classified positions.....		408.1
9	Personnel costs--392.1 FTE positions.....	\$	24,545,100
10	Operational costs.....		6,069,600
11	Academic/vocational programs--16.0 FTE positions.....		<u>1,389,000</u>
12	GROSS APPROPRIATION.....	\$	32,003,700
13	Appropriated from:		
14	Special revenue funds:		
15	Resident stores.....		147,000
16	State general fund/general purpose.....	\$	31,856,700
17	Sec. 135. MID-MICHIGAN CORRECTIONAL FACILITY - ST. LOUIS		
18	Average population.....		960
19	Full-time equated classified positions.....		230.4
20	Personnel costs--221.4 FTE positions.....	\$	13,298,600
21	Operational costs.....		2,952,800
22	Academic/vocational programs--9.0 FTE positions.....		<u>649,900</u>
23	GROSS APPROPRIATION.....	\$	16,901,300
24	Appropriated from:		
25	Special revenue funds:		
26	Resident stores.....		48,800

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1	Public works user fees.....	8,300
2	State general fund/general purpose..... \$	16,844,200
3	Sec. 136. MOUND CORRECTIONAL FACILITY - DETROIT	
4	Average population.....	1,044
5	Full-time equated classified positions.....	365.4
6	Personnel costs--355.4 FTE positions..... \$	18,945,100
7	Operational costs.....	3,135,300
8	Academic/vocational programs--10.0 FTE positions.....	<u>565,500</u>
9	GROSS APPROPRIATION..... \$	22,645,900
10	Appropriated from:	
11	Special revenue funds:	
12	Resident stores.....	98,500
13	State general fund/general purpose..... \$	22,547,400
14	Sec. 137. MUSKEGON CORRECTIONAL FACILITY - MUSKEGON	
15	Average population.....	1,310
16	Full-time equated classified positions.....	326.4
17	Personnel costs--310.4 FTE positions..... \$	19,166,200
18	Operational costs.....	4,130,200
19	Academic/vocational programs--16.0 FTE positions.....	<u>1,171,800</u>
20	GROSS APPROPRIATION..... \$	24,468,200
21	Appropriated from:	
22	Special revenue funds:	
23	Resident stores.....	73,200
24	State general fund/general purpose..... \$	24,395,000
25	Sec. 138. NEWBERRY CORRECTIONAL FACILITY - NEWBERRY	
26	Average population.....	928

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1	Full-time equated classified positions.....	320.4		
2	Personnel costs--307.4 FTE positions.....		\$	17,301,900
3	Operational costs.....			3,015,800
4	Academic/vocational programs--13.0 FTE positions.....			<u>887,100</u>
5	GROSS APPROPRIATION.....		\$	21,204,800
6	Appropriated from:			
7	Special revenue funds:			
8	Resident stores.....			49,100
9	State general fund/general purpose.....		\$	21,155,700
10	Sec. 139. OAKS CORRECTIONAL FACILITY - EASTLAKE			
11	Average population.....	744		
12	Full-time equated classified positions.....	382.8		
13	Personnel costs--377.8 FTE positions.....		\$	22,612,600
14	Operational costs.....			3,206,700
15	Academic/vocational programs--5.0 FTE positions.....			<u>379,400</u>
16	GROSS APPROPRIATION.....		\$	26,198,700
17	Appropriated from:			
18	Special revenue funds:			
19	Resident stores.....			12,100
20	State general fund/general purpose.....		\$	26,186,600
21	Sec. 140. PARNALL CORRECTIONAL FACILITY - JACKSON			
22	Average population.....	1,448		
23	Full-time equated classified positions.....	308.0		
24	Personnel costs--295.0 FTE positions.....		\$	18,061,400
25	Operational costs.....			3,178,800
26	Academic/vocational programs--13.0 FTE positions.....			<u>936,300</u>

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1	GROSS APPROPRIATION.....	\$	22,176,500
2	Appropriated from:		
3	Special revenue funds:		
4	Correctional industries revolving fund.....		80,100
5	Resident stores.....		112,600
6	State general fund/general purpose.....	\$	21,983,800
7	Sec. 141. PINE RIVER CORRECTIONAL FACILITY - ST. LOUIS		
8	Average population.....		960
9	Full-time equated classified positions.....		239.6
10	Personnel costs--225.6 FTE positions.....	\$	9,074,000
11	Operational costs.....		3,280,800
12	Academic/vocational programs--14.0 FTE positions.....		<u>658,600</u>
13	GROSS APPROPRIATION.....	\$	13,013,400
14	Appropriated from:		
15	State general fund/general purpose.....	\$	13,013,400
16	Sec. 142. RIVERSIDE CORRECTIONAL FACILITY - IONIA		
17	Average population.....		1,034
18	Full-time equated classified positions.....		347.0
19	Personnel costs--341.0 FTE positions.....	\$	20,589,300
20	Operational costs.....		4,521,200
21	Academic/vocational programs--6.0 FTE positions.....		<u>399,500</u>
22	GROSS APPROPRIATION.....	\$	25,510,000
23	Appropriated from:		
24	Special revenue funds:		
25	Resident stores.....		49,000
26	State general fund/general purpose.....	\$	25,461,000

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1	Sec. 143. RYAN CORRECTIONAL FACILITY - DETROIT		
2	Average population.....	1,044	
3	Full-time equated classified positions.....	356.3	
4	Personnel costs--346.3 FTE positions.....	\$	20,073,200
5	Operational costs.....		3,380,800
6	Academic/vocational programs--10.0 FTE positions.....		<u>666,700</u>
7	GROSS APPROPRIATION.....	\$	24,120,700
8	Appropriated from:		
9	Special revenue funds:		
10	Resident stores.....		98,400
11	State general fund/general purpose.....	\$	24,022,300
12	Sec. 144. SAGINAW CORRECTIONAL FACILITY - FREELAND		
13	Average population.....	1,468	
14	Full-time equated classified positions.....	404.1	
15	Personnel costs--387.6 FTE positions.....	\$	21,628,400
16	Operational costs.....		4,043,900
17	Academic/vocational programs--16.5 FTE positions.....		<u>767,100</u>
18	GROSS APPROPRIATION.....	\$	26,439,400
19	Appropriated from:		
20	Special revenue funds:		
21	Resident stores.....		98,500
22	State general fund/general purpose.....	\$	26,340,900
23	Sec. 145. SCOTT CORRECTIONAL FACILITY - PLYMOUTH		
24	Average population.....	847	
25	Full-time equated classified positions.....	357.7	
26	Personnel costs--340.7 FTE positions.....	\$	20,010,700

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1	Operational costs.....		2,924,200
2	Academic/vocational programs--17.0 FTE positions.....		<u>1,283,900</u>
3	GROSS APPROPRIATION.....	\$	24,218,800
4	Appropriated from:		
5	Special revenue funds:		
6	Resident stores.....		97,900
7	State general fund/general purpose.....	\$	24,120,900
8	Sec. 146. SOUTHERN MICHIGAN CORRECTIONAL FACILITY - JACKSON		
9	Average population.....		881
10	Full-time equated classified positions.....		468.8
11	Personnel costs--458.8 FTE positions.....	\$	24,802,300
12	Operational costs.....		2,475,300
13	Academic/vocational programs--10.0 FTE positions.....		651,800
14	Print shop operations.....		<u>282,000</u>
15	GROSS APPROPRIATION.....	\$	28,211,400
16	Appropriated from:		
17	Intradepartmental transfer revenues:		
18	IDT-print shop user fees.....		282,000
19	Special revenue funds:		
20	Resident stores.....		76,700
21	State general fund/general purpose.....	\$	27,852,700
22	Sec. 147. ST. LOUIS CORRECTIONAL FACILITY - ST. LOUIS		
23	Average population.....		672
24	Full-time equated classified positions.....		370.1
25	Personnel costs--362.1 FTE positions.....	\$	17,344,900
26	Operational costs.....		2,650,900

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1	Academic/vocational programs--8.0 FTE positions.....	<u>463,200</u>
2	GROSS APPROPRIATION.....	\$ 20,459,000
3	Appropriated from:	
4	State general fund/general purpose.....	\$ 20,459,000
5	Sec. 148. STANDISH MAXIMUM CORRECTIONAL FACILITY - STANDISH	
6	Average population.....	524
7	Full-time equated classified positions.....	322.8
8	Personnel costs--316.8 FTE positions.....	\$ 18,779,400
9	Operational costs.....	2,355,300
10	Academic/vocational programs--6.0 FTE positions.....	<u>238,000</u>
11	GROSS APPROPRIATION.....	\$ 21,372,700
12	Appropriated from:	
13	Special revenue funds:	
14	Resident stores.....	9,800
15	State general fund/general purpose.....	\$ 21,362,900
16	Sec. 149. THUMB CORRECTIONAL FACILITY - LAPEER	
17	Average population.....	1,194
18	Full-time equated classified positions.....	330.7
19	Personnel costs--316.7 FTE positions.....	\$ 17,847,400
20	Operational costs.....	3,556,400
21	Academic/vocational programs--14.0 FTE positions.....	<u>818,000</u>
22	GROSS APPROPRIATION.....	\$ 22,221,800
23	Appropriated from:	
24	Special revenue funds:	
25	Resident stores.....	49,100
26	State general fund/general purpose.....	\$ 22,172,700

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1	Sec. 150. WESTERN WAYNE CORRECTIONAL FACILITY - PLYMOUTH		
2	Average population.....	775	
3	Full-time equated classified positions.....	294.6	
4	Personnel costs--291.1 FTE positions.....	\$	17,606,400
5	Operational costs.....		3,580,100
6	Academic/vocational programs--3.5 FTE positions.....		<u>326,500</u>
7	GROSS APPROPRIATION.....	\$	21,513,000
8	Appropriated from:		
9	Special revenue funds:		
10	Resident stores.....		103,400
11	State general fund/general purpose.....	\$	21,409,600
12	Sec. 151. MICHIGAN YOUTH CORRECTIONAL FACILITY - BALDWIN		
13	Average population.....	480	
14	Full-time equated classified positions.....	2.0	
15	Administration--2.0 FTE positions.....	\$	186,000
16	Management services.....		10,382,900
17	Lease payments.....		<u>5,589,100</u>
18	GROSS APPROPRIATION.....	\$	16,158,000
19	Appropriated from:		
20	Federal revenues:		
21	DOJ, office of justice programs, VOI/TIS.....		15,396,100
22	State general fund/general purpose.....	\$	761,900
23	Sec. 152. CORRECTION CAMPS		
24	Average population.....	3,920	
25	Full-time equated classified positions.....	887.7	
26	Personnel costs--869.7 FTE positions.....	\$	47,598,500

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1	Operational costs.....	13,846,500
2	Dental lab operations.....	102,300
3	Academic/vocational programs--18.0 FTE positions.....	<u>1,172,200</u>
4	GROSS APPROPRIATION..... \$	62,719,500
5	Appropriated from:	
6	Intradepartmental transfer revenues:	
7	IDT-dental lab user fees.....	102,300
8	Special revenue funds:	
9	Resident stores.....	108,200
10	Public works user fees.....	385,900
11	State general fund/general purpose..... \$	62,123,100
12	Sec. 153. INMATE HOUSING FUND	
13	Average population.....	1,416
14	Full-time equated classified positions.....	391.4
15	Inmate housing fund--391.4 FTE positions..... \$	<u>8,547,200</u>
16	GROSS APPROPRIATION..... \$	8,547,200
17	Appropriated from:	
18	State general fund/general purpose..... \$	8,547,200
19		
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21	PART 1A	
22	SUPPLEMENTAL LINE-ITEM APPROPRIATIONS FOR FISCAL YEAR 1998-1999	
23	Sec. 175. CORRECTIONAL FACILITIES - ADMINISTRATION	
24	Leased beds..... \$	(30,807,400)
25	Leased beds and alternatives to leased beds.....	30,807,400
26	State general fund/general purpose..... \$	0

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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 under part 1 for fiscal year 1999-2000 is estimated at [\$1,534,927,000.00] and state appropriations to be paid to local units of government are as follows:

DEPARTMENT OF CORRECTIONS

Planning, research, and information services--ADP - assumption of county probation.....	\$	472,300
Field operations - assumption of county probation staff.....		35,312,100
Reimbursement to counties, parole revocation hear- ings, and court settlements.....		4,060,400
Public service work projects.....		12,996,100
Community corrections comprehensive plans and services.....		13,033,000
Community corrections probation residential centers..		14,934,600
Community corrections public education and training..		50,000
Regional jail program.....		<u>100</u>
TOTAL.....	\$	80,858,600

(2) If it appears to the principal executive officer of a department or branch that state spending to local units of government will be less than the amount that was projected to be expended under subsection (1), the principal executive officer shall immediately give notice of the

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1 approximate shortfall to the state budget director, the senate and house
2 appropriations committees, and the senate and house fiscal agencies.

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

6 Sec. 203. As used in this act:

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

8 (b) "DAG" means the United States department of agriculture.

9 (c) "DAG-FCS" means the DAG food and consumer service.

10 (d) "DED" means the United States department of education.

11 (e) "DED-OESE" means the DED office of elementary and secondary
12 education.

13 (f) "DED-OSERS" means the DED office of special education and
14 rehabilitative services.

15 (g) "DED-OVAE" means the DED office of vocational and adult
16 education.

17 (h) "Department" or "MDOC" means the Michigan department of
18 corrections.

19 (i) "DOJ" means the United States department of justice.

20 (j) "DOJ-BOP" means the DOJ bureau of prisons.

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

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

24 (m) "HHS-HRSA" means the HHS health resources and services
25 administration.

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

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- 1 (o) "IDG" means interdepartmental grant.
- 2 (p) "IDT" means intradepartmental transfer.
- 3 (q) "MDCH" means the Michigan department of community health.
- 4 (r) "MDSP" means the Michigan department of state police.
- 5 (s) "OCC" means the office of community corrections.
- 6 (t) "OP-BFS" means the operating procedure, bureau of field
7 services.
- 8 (u) "PREP" means the prisoner rehabilitation and education program.
- 9 (v) "VOI/TIS" means the DOJ violent offender incarceration and
10 truth in sentencing program contained in the violent crime control and
11 law enforcement act of 1994, Public Law 103-322, 108 Stat. 1796.
- 12 Sec. 205. (1) Pursuant to the provisions of civil service rules and
13 regulations and applicable collective bargaining agreements, individuals
14 seeking employment with the department shall submit to a controlled sub-
15 stance test. The test shall be administered by the department.
- 16 (2) Individuals seeking employment with the department who refuse to
17 take a controlled substance test or who test positive for the illicit use
18 of a controlled substance on such a test shall be denied employment.
- 19 Sec. 206. The department of civil service shall bill departments or
20 agencies at the end of the first fiscal quarter for the 1% charges autho-
21 rized by section 5 of article XI of the state constitution of 1963.
22 Payments shall be made for the total amount of the billing by the end of
23 the second fiscal quarter.
- 24 Sec. 207. The department may charge fees and collect revenues in
25 excess of appropriations in part 1 not to exceed the cost of employee
26 meals, academic/vocational services, custody escorts, compassionate
27 visits, union steward activities, public work programs, and emergency

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1 services provided to units of government. The revenues and fees
2 collected shall be appropriated for all expenses associated with these
3 services and activities.

4 Sec. 208. Of the state general fund/general purpose revenue appro-
5 priated in part 1, \$379,245,100.00 represents a state spending increase
6 over the amount provided to the department for the fiscal year ending
7 September 30, 1994, and may be used to meet state match requirements of
8 programs contained in the violent crime control and law enforcement act
9 of 1994, Public Law 103-322, 108 Stat. 1796, or successor grant programs,
10 so that any additional federal funds received shall supplement funding
11 provided to the department in part 1.

12 Sec. 209. (1) Beginning October 1, 1999, a hiring freeze is imposed
13 on the state classified civil service. State departments and agencies
14 are prohibited from hiring any new full-time state classified civil serv-
15 ice employees and prohibited from filling any vacant state classified
16 civil service positions. This hiring freeze does not apply to internal
17 transfers of classified employees from one position to another within a
18 department or to positions that are funded with 80% or more federal or
19 restricted funds.

20 (2) The state budget director shall grant exceptions to this hiring
21 freeze when the state budget director believes that the hiring freeze
22 will result in rendering a state department or agency being unable to
23 deliver basic services.

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

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

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

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

16 (2) Beginning with the report on April 1, 2000, the department shall
17 submit to the department of management and budget, the senate and
18 house appropriations committees, the senate and house fiscal
19 agencies, and the senate and house standing committees having
20 jurisdiction over technology issues, quarterly reports identifying for the
21 immediately preceding quarter of significant problems with information
systems, occurrences of information system failure as a result of
noncompliance with year 2000 standards, and previously unidentified areas
of significant impact. These reports shall identify systems needing
corrective action and the contractual obligations of accountable parties.
These reports shall give the status of the progress made in repairing and
testing applications, the status of vendor supplied solutions to problems,
information on the activation of manual or contract processes used to
correct problems, and an itemization of the additional costs incurred.

(3) 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,
and for costs incurred as a result of initiating corrective actions. At
the time progress billings are presented for reimbursement, the department
shall identify the funding sources that should support the work performed,
and the department of management and budget shall forward the appropriate
funding.]

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

25 Sec. 217. (1) In addition to the funds appropriated in part 1,
26 there is appropriated an amount not to exceed \$20,000,000.00 for federal
27 contingency funds. These funds are not available for expenditure until

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1 they have been transferred to another line item in this act pursuant to
2 section 393(2) of the management and budget act, 1984 PA 431,
3 MCL 18.1393.

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

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

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

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

24 (2) Subject to the availability of funding resources, the department
25 shall provide substance abuse treatment to prisoners with priority given
26 to those prisoners who are most in need of treatment and who can best

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1 benefit from program intervention based on the screening and assessment
2 provided under subsection (1).

3 Sec. 219. (1) In expending residential substance abuse treatment
4 services funds appropriated by this act, the department shall ensure to
5 the maximum extent possible that residential substance abuse treatment
6 services are available statewide.

7 (2) By April 1, 2000, the department shall report to the house and
8 senate appropriations subcommittees on corrections and the house and
9 senate fiscal agencies on the allocation, distribution, and expenditure
10 of all funds appropriated by the substance abuse administration and test-
11 ing line item. Information required by this subsection shall, where pos-
12 sible, be separated by MDOC administrative region and by offender type,
13 including at a minimum a distinction between prisoners, parolees, and
14 probationers.

15 Sec. 220. The amount appropriated in section 105 for the MDOC
16 in-prison drug treatment program shall be used by the department to con-
17 tinue to implement a minimum of 2 in-prison drug treatment programs, with
18 at least 1 program being for male prisoners and 1 for female prisoners.

19 Sec. 221. The amount appropriated in section 105 for the MDOC tech-
20 nical violator pilot drug treatment program shall be used by the depart-
21 ment to continue to implement a pilot program aimed at reducing parolee
22 and probationer prison admissions for substance abuse related technical
23 violations or crimes.

24 Sec. 222. As a condition of receiving funds appropriated in section
25 105, the department shall provide annual training in universal precau-
26 tions for airborne and bloodborne pathogens for all field operations
27 employees who conduct instant drug tests.

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1 Sec. 223. (1) The purpose of the substance abuse treatment pilot
2 programs funded under sections 220 and 221 and under 1998 PA 321 is to
3 evaluate and compare various substance abuse treatment modalities with
4 regard to cost and impact on prison admission, length of stay, jail util-
5 ization, and offender relapse and recidivism. To this end, it is the
6 intent of the legislature to provide for continued monitoring of offend-
7 ers and evaluation of program efficacy.

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

14 (3) The department shall contract with 1 or more independent third
15 parties for evaluation of alcohol and substance abuse programs adminis-
16 tered by the department, including in-prison programs and programs pro-
17 vided through community placement or field programs. The evaluation
18 shall measure the impact of alcohol and other substance abuse programs on
19 prison admission, length of stay, jail utilization, and offender relapse
20 and recidivism. The evaluation of a program funded under section 219(6)
21 of 1998 PA 321 shall be consistent with any requirements contained in the
22 federal residential substance abuse and treatment grant for that
23 program. Evaluation of substance abuse treatment pilot programs funded
24 under sections 220 and 221 of this act and sections 220 and 221 of 1998
25 PA 321 shall be consistent with recommendations developed and agreed to
26 under section 222 of 1998 PA 321, and shall be structured so as to allow
27 the pilot programs funded under this act and under 1998 PA 321 to be

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1 compared with each other. Evaluations required by this section shall to
2 the extent feasible compare offenders treated under those programs with
3 other offenders of similar characteristics.

4 (4) The department shall develop agreements with 1 or more indepen-
5 dent third parties for monitoring of implementation of substance abuse
6 treatment pilot programs funded under this act and under 1998 PA 321.

7 (5) The department shall report by April 1, 2000 to the house and
8 senate appropriations subcommittees on corrections and the house and
9 senate fiscal agencies on the progress on implementation of the substance
10 abuse treatment pilot programs funded under this act and 1998 PA 321 and
11 on implementation of evaluation and monitoring requirements provided by
12 this section.

13 Sec. 224. (1) The department shall at a minimum conduct 2 human
14 relations and diversity/sensitivity training sessions by March 31, 2000.
15 The department shall also conduct follow-up training for employees who
16 have received such training designed to provide continuity. The human
17 relations and diversity/sensitivity programs should provide a framework
18 for participants to examine ways in which ethnic, cultural, gender, and
19 racial differences may affect how managers, supervisors, and staff work
20 together as a team. The department shall develop a reliable survey
21 instrument to objectively measure the effectiveness of human relations
22 and diversity/sensitivity training.

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

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1 Sec. 225. (1) If a department enters into a personal services
2 contract with any temporary service agency or similar contractor that
3 hires or subcontracts with a person who retired from employment in the
4 department, the retired state employee shall be limited to 500 hours for
5 professional, technical, or clerical services and 250 hours for manage-
6 ment services. This limitation does not apply to computer technology
7 services. This provision only applies during a 24-month period after the
8 date of retirement.

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

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8 **EXECUTIVE**

9 Sec. 302. The department shall report to the senate and house
10 appropriations subcommittees on corrections, the senate and house fiscal
11 agencies, and the state budget director by April 1, 2000 on the ratio of
12 correctional officers to prisoners for each correctional institution, the
13 ratio of shift command staff to line custody staff, and the ratio of non-
14 custody institutional staff to prisoners for each correctional
15 institution.

16 Sec. 303. The department shall submit 3-year and 5-year prison pop-
17 ulation projection updates by February 1, 2000 to the senate and house
18 appropriations subcommittees on corrections, the senate and house fiscal
19 agencies, and the state budget director.

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

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- 1 (a) Monthly new participants.
- 2 (b) Monthly participant unsuccessful terminations, including cause.
- 3 (c) Number of successful terminations.
- 4 (d) End month population by facility/program.
- 5 (e) Average length of placement.
- 6 (f) Return to prison statistics.
- 7 (g) Description of program location(s), capacity, and staffing.
- 8 (h) Sentencing guideline scores and actual sentence statistics for
- 9 participants, if applicable.
- 10 (i) Comparison with prior year statistics.
- 11 (j) Analysis of the impact on prison admissions and jail utilization
- 12 and the cost effectiveness of the program.
- 13 (2) Annual reports shall be prepared and submitted by April 1, 2000
- 14 to the house and senate appropriations subcommittees on corrections, the
- 15 house and senate fiscal agencies, and the state budget director.
- 16 Sec. 305. From the funds appropriated in part 1, the department
- 17 shall continue to maintain county jail services staff sufficient to
- 18 enable the department to continue to fulfill its functions of providing
- 19 technical support, inspections of county jails, and maintenance of the
- 20 jail reimbursement program.
- 21 Sec. 307. (1) The department shall develop policy proposals that
- 22 provide alternatives to prison for offenders being sentenced to prison as
- 23 a result of technical probation violations and technical parole
- 24 violations. To the extent the department has insufficient policies or
- 25 resources to affect the continued increase in prison commitments among
- 26 these offender populations, the department shall explore other policy
- 27 options to allow for program alternatives, including department or OCC

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1 funded programs, local level programs, and programs available through
2 private agencies that may be used as prison alternatives for these
3 offenders.

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

9 (3) The department shall continue to utilize parole violator pro-
10 cessing guidelines that require parole agents to utilize all available
11 appropriate community-based, nonincarcerative postrelease sanctions and
12 services when appropriate. The department shall periodically evaluate
13 such guidelines for modification, in response to emerging information
14 from the pilot projects for substance abuse treatment provided under this
15 act and 1998 PA 321.

16 (4) By March 1, 2000, the department shall report to the senate and
17 house appropriations subcommittees on corrections, senate and house
18 fiscal agencies, and state budget director on the effect that any recom-
19 mended policy changes for technical violators of parole and technical
20 violators of probation would have on admission to prison and jail and the
21 impact on other program alternatives.

22 [Sec. 308. The departments and agencies receiving appropriations
23 under this act shall receive and retain copies of all reports funded from
24 appropriations in part 1. Federal and state guidelines for short-term and
25 long-term retention of records shall be followed.]

26 Sec. 309. From the funds appropriated in section 105 for reimburse-
27 ment to counties, parole revocation hearings, and court settlements, the
department shall reimburse counties for housing and custody of parole
violators and offenders being returned by the department from community

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1 placement to institutional status and for prisoners who volunteer for
2 placement in a county jail.

3 [Sec. 310. The department shall provide a report prepared by the
4 department's internal auditor on the activities of the internal auditor
5 for the prior fiscal year. This report shall include a listing of each
6 audit or investigation performed by the internal auditor pursuant to
7 sections 486(4) and 487 of the management and budget act, 1984 PA 431, MCL
8 18.1486 and 18.1487. The report shall identify the proportion of time
9 spent on each of the statutory responsibilities listed in sections
10 485(4), 486(4), and 487, of the management and budget act, 1984 PA 431,
11 MCL 18.1485, 18.1486, and 18.1487, and the time spent on all other
12 activities performed in the internal audit function. The first
13 report shall be due on March 1, 2000 and biennially thereafter
14 beginning on May 1, 2001 and shall be submitted to the governor, auditor
15 general, the senate and house appropriations committees, the senate and
16 house fiscal agencies, and the director.

17 Sec. 311. The department shall pilot the placement of reports
18 required by this act on the Internet with electronic notification to
19 legislative offices of Internet access to reports. During fiscal year
20 2000, all reports shall continue to be distributed to the legislature
21 in the current printed format.]

22 PRISON INDUSTRIES OPERATIONS

23 Sec. 401. It is the intent of the legislature to encourage the
24 department to expand prison industries operations by seeking strategic
25 partnerships with private industry.

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1 FIELD OPERATIONS

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

25 Sec. 503. (1) It is the intent of the legislature that the funding
26 appropriated in section 107 for parole and probation agents will provide

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1 sufficient parole and probation agents to maintain a ratio of 90 workload
2 units per agent.

3 (2) From the funds appropriated in part 1, the department shall con-
4 duct a statewide caseload audit of field agents. The audit shall address
5 public protection issues and assess the ability of the field agents to
6 complete their professional duties. The results of the audit shall be
7 submitted to the senate and house appropriations subcommittees on correc-
8 tions and the senate and house fiscal agencies by September 30, 2000.

9 Sec. 504. (1) The \$525,400.00 appropriated in part 1 for the commu-
10 nity service work program shall be used for salaries and wages and fringe
11 benefit costs of community service coordinators employed by the depart-
12 ment to supervise offenders participating in work crew assignments.
13 Funds shall also be used to cover motor transport division rates on state
14 vehicles used to transport offenders to community service work project
15 sites.

16 (2) The community service work program shall provide adult offenders
17 with community service work of tangible benefit to a community while ful-
18 filling court-ordered community service work sanctions and other postcon-
19 viction obligations.

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

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1 COMMUNITY PLACEMENT PROGRAMS

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

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

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

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

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1 responsible for tether equipment installation and service and
2 apprehension of program violators.

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

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

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

18 Sec. 603. It is the legislature's intent that the department avoid
19 locating a new community corrections center in a residential neighborhood
20 unless the location of the proposed community corrections center has the
21 support of the local unit of government in whose jurisdiction the commu-
22 nity corrections center is proposed to be located. If the local unit of
23 government does not give its support for that location, the local unit of
24 government within 60 days shall provide an alternative site for the pro-
25 posed community corrections center within the local governmental unit's
26 jurisdiction that is acceptable to the department.

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1 SPECIAL ALTERNATIVE INCARCERATION PROGRAM

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

5 OFFICE OF COMMUNITY CORRECTIONS

6 Sec. 801. The office of community corrections shall provide and
7 coordinate the delivery and implementation of services in communities to
8 facilitate successful offender reintegration into the community.

9 Programs and services to be offered shall include, but are not limited
10 to, technical assistance for comprehensive corrections plan development,
11 new program start-up funding, program funding for those programs deliver-
12 ing services for eligible offenders in geographic areas identified by the
13 office of community corrections as having a shortage of available serv-
14 ices, technical assistance, referral services for education, employment
15 services, and substance abuse and family counseling. As used in this
16 act:

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

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

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

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

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

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

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

19 (ii) A currently incarcerated felon or misdemeanor who is granted
20 early release from incarceration to a community corrections program or
21 who is granted early release from incarceration as a result of a commu-
22 nity corrections program.

23 Sec. 802. (1) The funds included in section 110 for community cor-
24 rections comprehensive plans and services are to encourage the develop-
25 ment through technical assistance grants, implementation, and operation
26 of community corrections programs which serve as an alternative to
27 incarceration in a state facility or jail. The comprehensive corrections

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1 plans shall include an explanation of how the public safety will be
2 maintained, the goals for the local jurisdiction, offender target popula-
3 tions intended to be affected, offender eligibility criteria for purposes
4 outlined in the plan, and how the plans will meet the following objec-
5 tives, consistent with section 8(4) of the community corrections act,
6 1988 PA 511, MCL 791.408:

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

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

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

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

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

20 (2) The award of community corrections comprehensive plans funds
21 must be based on criteria that shall include, but not be limited to, the
22 prison commitment rate by category of offenders, trends in prison commit-
23 ment rates and jail utilization, historical trends in community correc-
24 tions program capacity and program utilization, and the projected impact
25 and outcome of annual policies and procedures of programs on prison com-
26 mitment rates and jail utilization.

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1 (3) Funds awarded for probation residential centers in section 110
2 shall provide for a per diem reimbursement of not more than \$43.00.

3 Sec. 803. The comprehensive corrections plans shall also include,
4 where appropriate, descriptive information on the full range of sanctions
5 and services which are available and utilized within the local jurisdic-
6 tion and an explanation of how jail beds, probation residential services,
7 the special alternative incarceration program (boot camp), probation
8 detention centers, the electronic monitoring program for probationers,
9 and treatment and rehabilitative services will be utilized to support the
10 objectives and priorities of the comprehensive corrections plan and the
11 purposes and priorities of section 8(4) of the community corrections act,
12 1988 PA 511, MCL 791.408. The plans shall also include, where appropri-
13 ate, provisions that detail how the local communities plan to respond to
14 sentencing guidelines found in chapter XVII of the code of criminal pro-
15 cedure, 1927 PA 175, MCL 777.1 to 777.69, the development and implementa-
16 tion of probation sentencing recommendation guidelines pursuant to sec-
17 tion 501 of this act, and the use of the county jail reimbursement pro-
18 gram pursuant to section 808 of this act. The state community correc-
19 tions board shall encourage local community corrections boards to include
20 in their comprehensive corrections plans strategies to collaborate with
21 local alcohol and drug treatment agencies of the department of community
22 health for the provision of alcohol and drug screening, assessment, case
23 management planning, and delivery of treatment to alcohol- and
24 drug-involved offenders, including but not limited to probation and
25 parole violators who are at risk of revocation.

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

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

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

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

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

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

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

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

24 (3) It is the intent of the legislature that the funds appropriated
25 in section 110 for public education and training be fully expended. To
26 this end, the department shall submit by October 15, 1999 to the house
27 and senate appropriations subcommittees on corrections plans for public

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

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

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

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

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

[

21] Sec. 808. (1) The department shall administer a county jail reim-
22 bursement program from the funds appropriated in section 110 for the pur-
23 pose of reimbursing counties for housing in jails felons who otherwise
24 would have been sentenced to prison.

25 (2) The county jail reimbursement program shall reimburse counties
26 for housing and custody of convicted felons if the conviction was for a
27 crime committed before January 1, 1999 and 1 of the following applies:

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

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

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

9 (3) The county jail reimbursement program shall reimburse counties
10 for housing and custody of convicted felons if the conviction was for a
11 crime committed on or after January 1, 1999 and 1 of the following
12 applies:

13 (a) The felon was convicted of a violation of section 625(7)(d) or
14 625(8)(c) of the Michigan vehicle code, 1949 PA 300, MCL 257.625, that is
15 punishable as a felony.

16 (b) For all other crimes, using reimbursement criteria based on sen-
17 tencing guidelines score and other offender characteristics that are con-
18 sistent with the intent of diverting felons who otherwise would have been
19 sentenced to prison which shall be developed by the department, the
20 Michigan association of counties and the Michigan sheriffs' association
21 using the results of the local and statewide study analyzing the impact
22 of legislative sentencing guidelines. The criteria shall be forwarded to
23 the house and senate appropriations subcommittees on corrections for
24 review and approval.

25 (4) Except as provided in subsection (5), state reimbursement under
26 this section for prisoner housing and custody expenses per diverted
27 offender for the first 90 days of the offender's incarceration shall be

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

6 (5) For the first 90 days for diverted offenders housed in beds
7 developed under multicounty projects approved and funded under section
8 807 of 1998 PA 321, state reimbursement shall be \$45.00 per diem. After
9 the diverted offender has been incarcerated 90 days, state reimbursement
10 shall be \$38.00 per diem for the remainder of the incarceration up to 1
11 year total.

12 (6) From the funds appropriated in section 110 for the county jail
13 reimbursement program, the department shall contract for an ongoing study
14 to determine the impact of the new legislative sentencing guidelines.
15 The study shall analyze historical sentencing patterns of jurisdictions
16 as well as current and future patterns in order to determine and quantify
17 the population impact on prisons and jails of the new guidelines as well
18 as to identify and define felon or crime characteristics or sentencing
19 guidelines scores that indicate a felon is a prison diversion. The
20 department shall contract for a local and statewide study for this pur-
21 pose and provide periodic reports regarding the status and findings of
22 the study to the house and senate appropriations subcommittees on correc-
23 tions, the house and senate fiscal agencies, and the state budget
24 director.

25 Sec. 809. (1) From the funds appropriated in section 110 for proba-
26 tion residential centers, funds are allocated for the operation of a
27 probation detention program in a county that has adopted a charter

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1 pursuant to 1966 PA 293, MCL 45.501 to 45.521. The probation detention
2 program shall have a capacity of 100 beds. The department shall provide
3 the program administrator monthly with 90-day projections of the numbers
4 of beds expected to be needed for probationers and parolees in Phase II
5 residential placement under section 4(2) of the special alternative
6 incarceration act, 1988 PA 287, MCL 798.14, and the program administrator
7 shall make beds available as necessary to house probationers and parolees
8 entering Phase II residential placement.

9 (2) Payments under this section for operation of the probation
10 detention program shall be made at the same rates applicable to disburse-
11 ment of other funds awarded under the probation residential centers line
12 item, not to exceed a total expenditure of \$1,573,800.00.

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

19 (a) Orientation and assessment.

20 (b) Substance abuse counseling.

21 (c) Life skills counseling.

22 (d) Education.

23 (e) Employment preparation.

24 (f) Vocational training.

25 (g) Employment.

26 (h) Community service.

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1 (i) Physical training.

2 (j) Cognitive skill training.

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

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

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

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

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1 (8) The department shall require the program administrator to report
2 on the program pursuant to section 804. The reports shall also be
3 submitted to the state budget director, the senate and house fiscal agen-
4 cies, and the senate and house appropriations subcommittees on
5 corrections. The department shall require the program administrator to
6 report by March 1, 2000 to the department, the state budget director, the
7 senate and house fiscal agencies, and the senate and house appropriations
8 subcommittees on corrections concerning the program's impact on prison
9 admissions and recidivism including, but not limited to, the numbers of
10 offenders released from the probation detention program who are arrested
11 for a felony offense within 1 year of their termination from the
12 program.

13 **CONSENT DECREES**

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

19 **HEALTH CARE**

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

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

3 Sec. 1004. (1) As a condition of expenditure of the funds appropri-
4 ated in sections 112 and 113, the department shall report to the senate
5 and house appropriations subcommittee on corrections on January 1, 2000
6 and July 1, 2000 the status of payments from contractors to vendors for
7 health care services provided to prisoners, as well as the status of the
8 contracts, and an assessment of prisoner health care quality.

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

13 (3) It is the intent of the legislature that the auditor general
14 conduct an annual audit of vendor payments for health care services pro-
15 vided to prisoners, the amount of total vendor payments, estimated admin-
16 istrative costs, and the amount of outstanding payments.

17 **INSTITUTIONAL OPERATIONS**

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

22 Sec. 1102. (1) Appropriations in this act shall not be used to pay
23 any costs associated with college or university programming for prison
24 inmates, unless such payments are required by existing court orders or
25 consent decrees.

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1 (2) If the department is successful in modifying the Hadix v Johnson
2 consent decree to eliminate required college and university programming,
3 all funding for the prisoner rehabilitation and education program shall
4 be transferred to vocational/education line items in the budget to elimi-
5 nate waiting lists for general education development, adult basic educa-
6 tion, and vocational education programming. Transfers for this purpose
7 shall be made through the legislative transfer process pursuant to
8 section 393(2) of the management and budget act, 1984 PA 431,
9 MCL 18.1393.

10 Sec. 1103. If funds appropriated under part 1 for the prisoner
11 rehabilitation and education program are expended to pay for higher edu-
12 cation expenses of a prisoner, the prisoner, as a condition of receiving
13 those funds, shall contractually agree with the department to repay those
14 funds. This requirement will not be implemented if a federal judge
15 determines that implementation would violate a federal consent decree or
16 court order.

17 Sec. 1104. (1) The department may allocate a portion of
18 academic/vocational program appropriations to bureau of apprenticeship
19 certified vocational training instruction. The department shall develop
20 eligibility criteria and application process for inmates.

21 (2) The department shall report annually by April 1, 2000 to the
22 senate and house appropriations subcommittees on corrections, senate and
23 house fiscal agencies, and department of management and budget the number
24 of persons requesting acceptance to, number of persons enrolled in, and
25 the number of prisoners who fail to complete bureau of apprenticeship
26 certified vocational training programs.

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

7 Sec. 1108. From the funds appropriated in part 1, the department
8 shall allocate sufficient funds to develop a pilot children's visitation
9 program. The pilot program shall teach parenting skills and arrange for
10 day visitation at these facilities for parents and their children, except
11 for the families of prisoners convicted of a crime involving criminal
12 sexual conduct in which the victim was less than 18 years of age or
13 involving child abuse.

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

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

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

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

26 Sec. 1116. (1) It is the intent of the legislature that the
27 department spend, on average, no more than \$67.00 per day per prisoner

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1 incarcerated out-of-state. The average per diem will cover bed leasing,
2 transportation, medical, and other costs arising from sending prisoners
3 to facilities out-of-state.

4 (2) If average per diem increases above \$67.00, or if the department
5 intends to enter into a contract that will increase the per diem above
6 \$67.00, the department will notify the senate and house appropriation
7 subcommittees on corrections, the senate and house fiscal agencies, and
8 the state budget director. The notification will include information on
9 the components of cost that caused the average per diem to increase.

10 (3) By May 15, 2000, the department will report to the senate and
11 house appropriations subcommittees on corrections, the senate and house
12 fiscal agencies, and the state budget director the status of all
13 out-of-state leases including the number of prisoners housed
14 out-of-state, plans for rotating prisoners serving out-of-state, and the
15 actual per prisoner per day cost for all existing contracts.

16 Sec. 1117. As a condition of receiving the funds appropriated in
17 part 1, the department shall prepare a report by September 30, 2000 on
18 lawsuits brought against departmental employees by prisoners. The report
19 shall include the number of cases found to be meritorious and nonmerito-
20 rious by the courts. Of the meritorious cases, the report shall provide
21 the number of suits that involved male departmental employees and the
22 number that involved female employees, as well as the number of employees
23 disciplined in these actions and the proportion of male employees and
24 female employees disciplined.

25 Sec. 1118. From the funds appropriated in part 1, the department
26 shall contract for or perform its own evaluation of Project RESTART
27 funded in section 134 and Project CHANGE funded in section 139. A report

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1 on the results of the study shall be submitted to the house and senate
2 appropriations subcommittees on corrections and the house and senate
3 fiscal agencies by March 1, 2000. The study shall measure cognitive
4 changes and recidivism rates, if appropriate, and track the security
5 level changes for participants in comparison to the participant's skills
6 and abilities upon entry to the program, to a control group of prisoners
7 who would have been eligible for the program, but could not participate
8 due to relocation, parole, or other like situations, and to the general
9 population.

10 **INMATE HOUSING FUND**

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

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

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PART 2A

PROVISIONS CONCERNING APPROPRIATIONS FOR FISCAL YEAR 1998-1999

GENERAL SECTIONS

Sec. 1501. (1) Funds appropriated in section 114 of 1998 PA 321 for leased beds are appropriated to leased beds and alternatives to leased beds.

(2) Funds appropriated in this section for leased beds and alternatives to leased beds that remain unencumbered at the end of the fiscal year shall not revert to the general fund but instead shall be placed in a work project account to be spent as follows, in compliance with section 451a(1) of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) Funds appropriated in this section for leased beds and alternatives to leased beds shall be used for the custody, treatment, clinical, transportation, and administrative costs associated with the housing of prisoners where population increases since January 1, 1999 have caused the department to increase prison capacity by leasing beds or adding beds to existing facilities. The department shall use the money in this section for leasing beds from the Commonwealth of Virginia, housing prisoners in 432 beds provided in day rooms of existing facilities, and for the additional costs associated with double bunking prisoners in the newly constructed St. Louis correctional facility. Other leased beds or alternatives to leased beds may be undertaken with funds from this section upon notification of the house and senate appropriations subcommittees on corrections.

(b) This project shall be accomplished through contractual services and the use of department personnel.

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1 (c) The total estimated cost of this project is \$30,807,400.00.

2 (d) The tentative completion date for this project is September 30,
3 2003.

4 (3) Funds appropriated in this section for leased beds and alterna-
5 tives to leased beds and expended for out-of-state leased beds are
6 subject to the provisions of section 1116 of 1998 PA 321.

7 (4) The department shall submit quarterly reports to the house and
8 senate appropriations subcommittees on corrections and the house and
9 senate fiscal agencies on the allocation, distribution, and expenditure
10 of all funds included in this section.

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