

**SUBSTITUTE FOR  
SENATE BILL NO. 965**

A bill to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 2001; 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:**

**SB 965, As Passed Senate, March 22, 2000**

Senate Bill No. 965

2

For Fiscal Year Ending  
September 30, 2001

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, 2001, 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.....                              | 51,189   |               |
| 11 | Full-time equated unclassified positions.....        | 16.0     |               |
| 12 | Full-time equated classified positions.....          | 19,768.8 |               |
| 13 | GROSS APPROPRIATION.....                             | \$       | 1,703,858,400 |
| 14 | Interdepartmental grant revenues:                    |          |               |
| 15 | Total interdepartmental grants and intradepartmental |          |               |
| 16 | transfers.....                                       |          | 6,710,500     |
| 17 | ADJUSTED GROSS APPROPRIATION.....                    | \$       | 1,697,147,900 |
| 18 | Federal revenues:                                    |          |               |
| 19 | Total federal revenues.....                          |          | 26,633,600    |
| 20 | Special revenue funds:                               |          |               |
| 21 | Total local revenues.....                            |          | 429,500       |
| 22 | Total private revenues.....                          |          | 0             |
| 23 | Total other state restricted revenues.....           |          | 50,484,300    |
| 24 | State general fund/general purpose.....              | \$       | 1,619,600,500 |

25 **Sec. 102. EXECUTIVE**

26 Average population.....480

**SB 965, As Passed Senate, March 22, 2000**

Senate Bill No. 965

3

For Fiscal Year Ending  
September 30, 2001

|    |   |       |                  |
|----|---|-------|------------------|
| 1  | Full-time equated unclassified positions.....         | 16.0  |                  |
| 2  | Full-time equated classified positions.....           | 84.5  |                  |
| 3  | Unclassified positions--16.0 FTE positions.....       |       | 1,290,900        |
| 4  | Executive direction--82.5 FTE positions.....          |       | 7,912,700        |
| 5  | Michigan youth correctional facility - management     |       |                  |
| 6  | services.....   |       | 11,086,900       |
| 7  | Average population.....                               | 480   |                  |
| 8  | Michigan youth correctional facility -                |       |                  |
| 9  | administration--2.0 FTE positions.....                |       | 192,300          |
| 10 | Michigan youth correctional facility - lease payments |       | <u>5,589,100</u> |
| 11 | GROSS APPROPRIATION.....                              | \$    | 26,071,900       |
| 12 | Appropriated from:                                    |       |                  |
| 13 | Federal revenues:                                     |       |                  |
| 14 | Federal revenues and reimbursements.....              |       | 16,868,300       |
| 15 | State general fund/general purpose.....               | \$    | 9,203,600        |
| 16 | <b>Sec. 103. ADMINISTRATION AND PROGRAMS</b>          |       |                  |
| 17 | Full-time equated classified positions.....           | 425.4 |                  |
| 18 | Planning, research, and information--86.5 FTE         |       |                  |
| 19 | positions.....  | \$    | 9,858,200        |
| 20 | Federal education programs--34.0 FTE positions.....   |       | 5,719,200        |
| 21 | Substance abuse administration and testing--1.0 FTE   |       |                  |
| 22 | positions.....  |       | 21,149,100       |
| 23 | MDOC in-prison pilot drug treatment program.....      |       | 1,630,300        |
| 24 | MDOC technical violator pilot drug treatment program. |       | 1,000,000        |
| 25 | Inmate legal services.....                            |       | 314,900          |
| 26 | Rent.....   |       | 2,240,800        |

05705'00 (S-1)

**SB 965, As Passed Senate, March 22, 2000**

Senate Bill No. 965

4

For Fiscal Year Ending  
September 30, 2001

|    |   |                   |
|----|---|-------------------|
| 1  | Training administration--32.5 FTE positions.....      | 3,524,000         |
| 2  | Training.....   | 15,723,800        |
| 3  | Administration services--67.6 FTE positions.....      | 5,818,100         |
| 4  | Equipment.....  | 341,900           |
| 5  | Special maintenance.....                              | 1,712,100         |
| 6  | Compensatory benefits.....                            | 16,335,400        |
| 7  | Prosecutorial and detainer expenses.....              | 4,051,000         |
| 8  | Prison industries operations--203.8 FTE positions.... | <u>15,504,100</u> |
| 9  | GROSS APPROPRIATION..... \$                           | 104,922,900       |
| 10 | Appropriated from:                                    |                   |
| 11 | Interdepartmental grant revenues:                     |                   |
| 12 | IDG_MDSP, Michigan justice training fund.....         | 616,700           |
| 13 | Federal revenues:                                     |                   |
| 14 | Federal revenues and reimbursements.....              | 5,709,400         |
| 15 | Special revenue funds:                                |                   |
| 16 | Correctional industries revolving fund.....           | 15,597,600        |
| 17 | State restricted revenues and reimbursements.....     | 287,500           |
| 18 | Local restricted revenues and reimbursements.....     | 122,900           |
| 19 | State general fund/general purpose..... \$            | 82,588,800        |
| 20 | <b>Sec. 104. FIELD OPERATIONS ADMINISTRATION</b>      |                   |
| 21 | Average population.....                               | 808               |
| 22 | Full-time equated classified positions.....           | 2,325.7           |
| 23 | Personnel costs--1,546.0 FTE positions..... \$        | 92,189,600        |
| 24 | Field programs--10.0 FTE positions.....               | 8,952,500         |
| 25 | Parole board operations--22.0 FTE positions.....      | 1,658,000         |
| 26 | Loans to parolees.....                                | 204,400           |

05705'00 (S-1)

**SB 965, As Passed Senate, March 22, 2000**

Senate Bill No. 965

5

For Fiscal Year Ending  
September 30, 2001

|    |   |                   |
|----|---|-------------------|
| 1  | Boot camp-phase III, intensive support--72.0 FTE      |                   |
| 2  | positions.....  | 3,037,000         |
| 3  | Parole/probation services.....                        | 2,286,500         |
| 4  | Tether operations--167.3 FTE positions.....           | 8,107,400         |
| 5  | Community residential programs--269.1 FTE positions.. | 22,119,600        |
| 6  | Technical rule violator program--104.3 FTE positions. | 9,330,000         |
| 7  | Special alternative incarceration--135.0 FTE          |                   |
| 8  | positions.....  | <u>10,186,900</u> |
| 9  | GROSS APPROPRIATION.....                              | \$ 158,071,900    |
| 10 | Appropriated from:                                    |                   |
| 11 | Special revenue funds:                                |                   |
| 12 | Local restricted revenues and reimbursements.....     | 306,600           |
| 13 | State restricted revenues and reimbursements.....     | 16,995,600        |
| 14 | State general fund/general purpose.....               | \$ 140,769,700    |
| 15 | <b>Sec. 105. COMMUNITY CORRECTIONS</b>                |                   |
| 16 | Full-time equated classified positions.....17.0       |                   |
| 17 | Community corrections administration--17.0 FTE        |                   |
| 18 | positions.....  | \$ 1,518,900      |
| 19 | Probation residential centers.....                    | 14,896,600        |
| 20 | Community corrections comprehensive plans and         |                   |
| 21 | services.....   | 13,033,000        |
| 22 | Public education and training.....                    | 50,000            |
| 23 | Regional jail program.....                            | 100               |
| 24 | County jail reimbursement program.....                | <u>18,500,000</u> |
| 25 | GROSS APPROPRIATION.....                              | \$ 47,998,600     |
| 26 | Appropriated from:                                    |                   |

05705'00 (S-1)

**SB 965, As Passed Senate, March 22, 2000**

Senate Bill No. 965

6

For Fiscal Year Ending  
September 30, 2001

|    |  |                  |
|----|--|------------------|
| 1  | Special revenue funds:                                 |                  |
| 2  | Telephone fees and commissions.....                    | 13,744,700       |
| 3  | State general fund/general purpose..... \$             | 34,253,900       |
| 4  | <b>Sec. 106. CONSENT DECREES</b>                       |                  |
| 5  | Average population.....                                | 400              |
| 6  | Full-time equated classified positions.....            | 577.4            |
| 7  | Hadix consent decree--157.0 FTE positions..... \$      | 10,762,900       |
| 8  | DOJ consent decree--166.5 FTE positions.....           | 11,081,100       |
| 9  | DOJ psychiatric plan - MDCH mental health services...  | 71,380,700       |
| 10 | DOJ psychiatric plan - MDOC staff and services--253.9  |                  |
| 11 | FTE positions.....                                     | 15,369,200       |
| 12 | Prisoner rehabilitation and education.....             | <u>1,020,100</u> |
| 13 | GROSS APPROPRIATION..... \$                            | 109,614,000      |
| 14 | Appropriated from:                                     |                  |
| 15 | State general fund/general purpose..... \$             | 109,614,000      |
| 16 | <b>Sec. 107. HEALTH CARE</b>                           |                  |
| 17 | Full-time equated classified positions.....            | 1,012.1          |
| 18 | Health care administration--17.0 FTE positions..... \$ | 2,031,000        |
| 19 | Hospital and specialty care services.....              | 44,779,200       |
| 20 | Adrian clinical complex--31.2 FTE positions.....       | 3,435,900        |
| 21 | Baraga clinical complex--18.9 FTE positions.....       | 1,488,000        |
| 22 | Coldwater clinical complex--51.3 FTE positions.....    | 4,722,900        |
| 23 | Detroit clinical complex--32.2 FTE positions.....      | 2,889,900        |
| 24 | Ionia clinical complex--168.8 FTE positions.....       | 11,778,900       |
| 25 | Jackson clinical complex--231.9 FTE positions.....     | 26,952,700       |
| 26 | Kincheloe clinical complex--65.0 FTE positions.....    | 6,618,100        |

05705'00 (S-1)

**SB 965, As Passed Senate, March 22, 2000**

Senate Bill No. 965

7

For Fiscal Year Ending  
September 30, 2001

|    |   |                  |
|----|---|------------------|
| 1  | Lapeer clinical complex--18.2 FTE positions.....        | 1,517,500        |
| 2  | Macomb clinical complex--17.4 FTE positions.....        | 1,610,200        |
| 3  | Marquette clinical complex--50.0 FTE positions.....     | 4,456,300        |
| 4  | Muskegon clinical complex--56.5 FTE positions.....      | 3,903,800        |
| 5  | Newberry clinical complex--15.8 FTE positions.....      | 1,512,400        |
| 6  | Oaks clinical complex--15.7 FTE positions.....          | 1,926,300        |
| 7  | Ojibway clinical complex--17.8 FTE positions.....       | 1,634,000        |
| 8  | Plymouth clinical complex--54.5 FTE positions.....      | 4,458,500        |
| 9  | Pugsley clinical complex--17.8 FTE positions.....       | 1,446,600        |
| 10 | Saginaw clinical complex--17.4 FTE positions.....       | 1,344,600        |
| 11 | St. Louis clinical complex--60.6 FTE positions.....     | 5,486,900        |
| 12 | Standish clinical complex--18.0 FTE positions.....      | 1,845,100        |
| 13 | Ypsilanti clinical complex--36.1 FTE positions.....     | 2,756,000        |
| 14 | Vaccination program.....                                | <u>1,491,300</u> |
| 15 | GROSS APPROPRIATION.....                                | \$ 140,086,100   |
| 16 | Appropriated from:                                      |                  |
| 17 | Federal revenues:                                       |                  |
| 18 | Federal revenues and reimbursements.....                | 83,500           |
| 19 | State general fund/general purpose.....                 | \$ 140,002,600   |
| 20 | <b>Sec. 108. CORRECTIONAL FACILITIES ADMINISTRATION</b> |                  |
| 21 | Full-time equated classified positions.....             | 482.5            |
| 22 | Federal school lunch program.....                       | \$ 712,800       |
| 23 | Correctional facilities administration--20.0 FTE        |                  |
| 24 | positions.....  | 2,226,400        |
| 25 | Housing inmates in federal institutions.....            | 494,000          |
| 26 | Academic/vocational programs--462.5 FTE positions....   | 37,261,500       |

05705'00 (S-1)

**SB 965, As Passed Senate, March 22, 2000**

Senate Bill No. 965

8

For Fiscal Year Ending  
September 30, 2001

|    |  |            |
|----|--|------------|
| 1  | Dental lab operations.....                               | 102,300    |
| 2  | Print shop operations.....                               | 657,000    |
| 3  | Leased beds.....   | 100        |
| 4  | Inmate housing fund.....                                 | <u>100</u> |
| 5  | GROSS APPROPRIATION..... \$                              | 41,454,200 |
| 6  | Appropriated from:                                       |            |
| 7  | Interdepartmental grant revenues:                        |            |
| 8  | IDT, print shop user fees.....                           | 657,000    |
| 9  | IDT, dental lab user fees.....                           | 102,300    |
| 10 | Federal revenues:  |            |
| 11 | Federal revenues and reimbursements.....                 | 1,026,800  |
| 12 | Special revenue funds:                                   |            |
| 13 | Correctional industries revolving fund.....              | 83,800     |
| 14 | State restricted revenues and reimbursements.....        | 8,000      |
| 15 | State general fund/general purpose..... \$               | 39,576,300 |
| 16 | <b>Sec. 109. NORTHERN REGION CORRECTIONAL FACILITIES</b> |            |
| 17 | Average population.....                                  | 14,090     |
| 18 | Full-time equated classified positions.....              | 4,432.0    |
| 19 | Alger maximum correctional facility - Munising--380.8    |            |
| 20 | FTE positions..... \$                                    | 27,630,100 |
| 21 | Average population.....                                  | 844        |
| 22 | Baraga maximum correctional facility - Baraga--446.2     |            |
| 23 | FTE positions.....                                       | 31,328,500 |
| 24 | Average population.....                                  | 1,084      |
| 25 | Chippewa correctional facility - Kincheloe--560.3 FTE    |            |
| 26 | positions.....   | 42,211,600 |

05705'00 (S-1)



**SB 965, As Passed Senate, March 22, 2000**

Senate Bill No. 965

9

For Fiscal Year Ending  
September 30, 2001

|    |   |           |                   |
|----|---|-----------|-------------------|
| 1  | Average population.....                     | 2,322     |                   |
| 2  | Kinross correctional facility - Kincheloe-- | 570.1 FTE |                   |
| 3  | positions.....                              |           | 44,415,200        |
| 4  | Average population.....                     | 2,423     |                   |
| 5  | Marquette branch prison - Marquette--       | 480.8 FTE |                   |
| 6  | positions.....                              |           | 36,647,500        |
| 7  | Average population.....                     | 1,129     |                   |
| 8  | Newberry correctional facility - Newberry-- | 358.4 FTE |                   |
| 9  | positions.....                              |           | 25,528,700        |
| 10 | Average population.....                     | 1,144     |                   |
| 11 | Oaks correctional facility - Eastlake--     | 419.8 FTE |                   |
| 12 | positions.....                              |           | 30,770,800        |
| 13 | Average population.....                     | 900       |                   |
| 14 | Ojibway correctional facility - Marenisco-- | 233.6 FTE |                   |
| 15 | positions.....                              |           | 15,974,600        |
| 16 | Average population.....                     | 1,196     |                   |
| 17 | Pugsley correctional facility - Kingsley--  | 235.8 FTE |                   |
| 18 | positions.....                              |           | 14,632,800        |
| 19 | Average population.....                     | 954       |                   |
| 20 | Saginaw correctional facility - Freeland--  | 343.4 FTE |                   |
| 21 | positions.....                              |           | 25,455,600        |
| 22 | Average population.....                     | 1,228     |                   |
| 23 | Standish correctional facility - Standish-- | 402.8 FTE |                   |
| 24 | positions.....                              |           | <u>29,172,100</u> |
| 25 | Average population.....                     | 866       |                   |
| 26 | GROSS APPROPRIATION.....                    | \$        | 323,767,500       |

05705'00 (S-1)

**SB 965, As Passed Senate, March 22, 2000**

Senate Bill No. 965

10

For Fiscal Year Ending  
September 30, 2001

1       Appropriated from:

2       Special revenue funds:

3       State restricted revenues and reimbursements..... 1,098,500

4       State general fund/general purpose..... \$ 322,669,000

5       **Sec. 110. SOUTHEASTERN REGION CORRECTIONAL FACILITIES**

6       Average population.....17,154

7       Full-time equated classified positions.....5,479.6

8       Cooper street correctional facility - Jackson--277.8

9       FTE positions..... 21,597,000

10      Average population.....1,302

11      G. Robert Cotton correctional facility -

12      Jackson--463.3 FTE positions..... 34,583,200

13      Average population.....1,842

14      Charles E. Egeler correctional facility -

15      Jackson--301.8 FTE positions..... 20,396,600

16      Average population.....1,006

17      Gus Harrison correctional facility - Adrian--542.6

18      FTE positions..... 39,778,300

19      Average population.....2,200

20      Huron Valley men's facility - Ypsilanti--287.8 FTE

21      positions..... 21,295,900

22      Average population.....497

23      Jackson maximum correctional facility -

24      Jackson--636.2 FTE positions..... 44,753,600

25      Average population.....1,556

26      Macomb correctional facility - New Haven--345.3 FTE

27      positions..... 24,688,700

05705'00 (S-1)

**SB 965, As Passed Senate, March 22, 2000**

Senate Bill No. 965

11

For Fiscal Year Ending  
September 30, 2001

|    |   |       |                   |
|----|---|-------|-------------------|
| 1  | Average population.....                               | 1,228 |                   |
| 2  | Mound correctional facility - Detroit--355.4 FTE      |       |                   |
| 3  | positions.....  |       | 24,426,800        |
| 4  | Average population.....                               | 1,044 |                   |
| 5  | Parnall correctional facility - Jackson--295.0 FTE    |       |                   |
| 6  | positions.....  |       | 22,360,600        |
| 7  | Average population.....                               | 1,448 |                   |
| 8  | Ryan correctional facility - Detroit--346.3 FTE       |       |                   |
| 9  | positions.....  |       | 25,144,100        |
| 10 | Average population.....                               | 1,044 |                   |
| 11 | Scott correctional facility - Plymouth--340.7 FTE     |       |                   |
| 12 | positions.....  |       | 24,231,500        |
| 13 | Average population.....                               | 847   |                   |
| 14 | Southern Michigan correctional facility -             |       |                   |
| 15 | Jackson--482.6 FTE positions.....                     |       | 30,553,500        |
| 16 | Average population.....                               | 881   |                   |
| 17 | Thumb correctional facility - Lapeer--333.7 FTE       |       |                   |
| 18 | positions.....  |       | 25,303,500        |
| 19 | Average population.....                               | 1,214 |                   |
| 20 | Western Wayne correctional facility - Plymouth--346.1 |       |                   |
| 21 | FTE positions.....                                    |       | 26,200,400        |
| 22 | Average population.....                               | 1,045 |                   |
| 23 | Jackson area support and services - Jackson--125.0    |       |                   |
| 24 | FTE positions.....                                    |       | <u>19,651,100</u> |
| 25 | GROSS APPROPRIATION.....                              | \$    | 404,964,800       |
| 26 | Appropriated from:                                    |       |                   |

05705'00 (S-1)

**SB 965, As Passed Senate, March 22, 2000**

Senate Bill No. 965

12

For Fiscal Year Ending  
September 30, 2001

|    |  |                          |
|----|--|--------------------------|
| 1  | Intradepartmental transfers:                                 |                          |
| 2  | IDT, surplus food user fees.....                             | 254,500                  |
| 3  | IDT, production kitchen user fees.....                       | 5,080,000                |
| 4  | Federal revenues:  |                          |
| 5  | Federal revenues and reimbursements.....                     | 2,945,600                |
| 6  | Special revenue funds:                                       |                          |
| 7  | State restricted revenues and reimbursements.....            | 1,554,000                |
| 8  | State general fund/general purpose..... \$                   | 395,130,700              |
| 9  | <b>Sec. 111. SOUTHWESTERN REGION CORRECTIONAL FACILITIES</b> |                          |
| 10 | Average population.....                                      | 18,257                   |
| 11 | Full-time equated classified positions.....                  | 4,932.6                  |
| 12 | Bellamy Creek correctional facility - Ionia--                | 445.0                    |
| 13 | FTE positions.....   | 8,987,700                |
| 14 | Average population.....                                      | 1,500                    |
| 15 | E.C. Brooks correctional facility - Muskegon--               | 517.3                    |
| 16 | FTE positions.....   | 39,046,800               |
| 17 | Average population.....                                      | 2,200                    |
| 18 | Carson City correctional facility - Carson                   |                          |
| 19 | City--   | 536.2 FTE positions..... |
| 20 | Average population.....                                      | 2,200                    |
| 21 | Florence Crane women's facility - Coldwater--                | 399.8                    |
| 22 | FTE positions.....   | 29,791,500               |
| 23 | Average population.....                                      | 1,350                    |
| 24 | Richard A. Handlon Michigan training unit -                  |                          |
| 25 | Ionia--  | 269.0 FTE positions..... |
| 26 | Average population.....                                      | 1,315                    |

05705'00 (S-1)

**SB 965, As Passed Senate, March 22, 2000**

Senate Bill No. 965

13

For Fiscal Year Ending  
September 30, 2001

|    |   |                   |
|----|---|-------------------|
| 1  | Ionia maximum correctional facility - Ionia--373.0    |                   |
| 2  | FTE positions.....                                    | 26,518,000        |
| 3  | Average population.....636                            |                   |
| 4  | Ionia temporary correctional facility - Ionia--208.9  |                   |
| 5  | FTE positions.....                                    | 16,418,500        |
| 6  | Average population.....960                            |                   |
| 7  | Lakeland correctional facility - Coldwater--268.9 FTE |                   |
| 8  | positions.....  | 21,145,600        |
| 9  | Average population.....1,200                          |                   |
| 10 | Michigan reformatory - Ionia--392.1 FTE positions.... | 32,344,800        |
| 11 | Average population.....1,338                          |                   |
| 12 | Muskegon correctional facility - Muskegon--310.4 FTE  |                   |
| 13 | positions.....  | 24,451,200        |
| 14 | Average population.....1,310                          |                   |
| 15 | Pine river correctional facility - St. Louis--225.6   |                   |
| 16 | FTE positions.....                                    | 16,265,400        |
| 17 | Average population.....960                            |                   |
| 18 | Riverside correctional facility - Ionia--341.0 FTE    |                   |
| 19 | positions.....  | 26,513,800        |
| 20 | Average population.....1,034                          |                   |
| 21 | St. Louis correctional facility - St. Louis--645.4    |                   |
| 22 | FTE positions.....                                    | <u>43,516,900</u> |
| 23 | Average population.....2,254                          |                   |
| 24 | GROSS APPROPRIATION..... \$                           | 346,906,500       |
| 25 | Appropriated from:                                    |                   |
| 26 | Special revenue funds:                                |                   |

05705'00 (S-1)

**SB 965, As Passed Senate, March 22, 2000**

Senate Bill No. 965

14

For Fiscal Year Ending  
September 30, 2001

|   |   |                |
|---|---|----------------|
| 1 | State restricted revenues and reimbursements..... | 1,114,600      |
| 2 | Intradepartmental transfers:                      |                |
| 3 | State general fund/general purpose.....           | \$ 345,791,900 |

4

5

6

PART 2

7

PROVISIONS CONCERNING APPROPRIATIONS

8 **GENERAL SECTIONS**

9       Sec. 201. Pursuant to section 30 of article IX of the state consti-  
10 tution of 1963, total state spending from state resources under part 1  
11 for fiscal year 2000-2001 is \$1,669,567.00. The itemized statement below  
12 identifies appropriations from which spending to units of local govern-  
13 ment will occur:

14 DEPARTMENT OF CORRECTIONS

|    |   |               |
|----|---|---------------|
| 15 | Field operations - assumption of county probation     |               |
| 16 | staff.....  | 36,909,600    |
| 17 | Prosecutorial and retainer expenses.....              | 4,051,000     |
| 18 | Public service work projects.....                     | 12,116,000    |
| 19 | Community corrections comprehensive plans and         |               |
| 20 | services.....   | 13,033,000    |
| 21 | Community corrections probation residential centers.. | 14,896,600    |
| 22 | Community corrections public education and training.. | 50,000        |
| 23 | Regional jail program.....                            | <u>100</u>    |
| 24 | TOTAL.....  | \$ 81,056,300 |

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

**SB 965, As Passed Senate, March 22, 2000**

Senate Bill No. 965

15

1       Sec. 203. As used in this act:

2       (a) "Department" or "MDOC" means the Michigan department of  
3 corrections.

4       (b) "DOJ" means the United States department of justice.

5       (c) "FTE" means full-time equated position.

6       (d) "IDG" means interdepartmental grant.

7       (e) "IDT" means intradepartmental transfer.

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

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

10      (h) "PREP" means the prisoner rehabilitation and education program.

11      Sec. 204. The department of civil service shall bill departments  
12 and agencies at the end of the first fiscal quarter for the 1% charge  
13 authorized by section 5 of article XI of the state constitution of 1963.  
14 Payments shall be made for the total amount of the billing by the end of  
15 the second fiscal quarter.

16      Sec. 205. (1) Beginning October 1, a hiring freeze is imposed on  
17 the state classified civil service. State departments and agencies are  
18 prohibited from hiring any new full-time state classified civil service  
19 employees and prohibited from filling any vacant state classified civil  
20 service positions. This hiring freeze does not apply to internal trans-  
21 fers of classified employees from 1 position to another within a depart-  
22 ment or to positions that are funded with 80% or more federal or  
23 restricted funds.

24      (2) The state budget director shall grant exceptions to this hiring  
25 freeze when the state budget director believes that the hiring freeze  
26 will result in rendering a state department or agency unable to deliver  
27 basic services. The state budget director shall report by the fifteenth

**SB 965, As Passed Senate, March 22, 2000**

Senate Bill No. 965

16

1 of each month to the chairpersons of the senate and house of  
2 representatives standing committees on appropriations the number of  
3 exceptions to the hiring freeze approved during the previous month and  
4 the justification for the exception.

5       Sec. 206. (1) In addition to the funds appropriated in part 1,  
6 there is appropriated an amount not to exceed \$20,000,000.00 for federal  
7 contingency funds. These funds are not available for expenditure until  
8 they have been transferred to another line item in this act under  
9 section 393(2) of the management and budget act, 1984 PA 431,  
10 MCL 18.1393.

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

17       (3) In addition to the funds appropriated in part 1, there is appro-  
18 priated an amount not to exceed \$5,000,000.00 for local contingency  
19 funds. These funds are not available for expenditure until they have  
20 been transferred to another line item in this act under section 393(2) of  
21 the management and budget act, 1984 PA 431, MCL 18.1393.

22       (4) In addition to the funds appropriated in part 1, there is appro-  
23 priated an amount not to exceed \$5,000,000.00 for private contingency  
24 funds. These funds are not available for expenditure until they have  
25 been transferred to another line item in this act under section 393(2) of  
26 the management and budget act, 1984 PA 431, MCL 18.1393.



**SB 965, As Passed Senate, March 22, 2000**

Senate Bill No. 965

17

1       Sec. 207. At least 120 days before beginning any effort to  
2 privatize, the department shall submit a complete project plan to the  
3 appropriate senate and house of representatives appropriations subcommit-  
4 tees and the senate and house fiscal agencies. The plan shall include  
5 the criteria under which the privatization initiative will be evaluated.  
6 The evaluation shall be completed and submitted to the appropriate senate  
7 and house of representatives appropriations subcommittees and the senate  
8 and house fiscal agencies within 30 months.

9       Sec. 208. The department shall continue to pilot the use of the  
10 Internet to fulfill the reporting requirements of this act. This may  
11 include transmission of reports via electronic mail to the recipients  
12 identified for each reporting requirement or it may include placement of  
13 reports on the Internet or legislative Intranet site. The senate and  
14 house of representatives appropriations subcommittees and senate and  
15 house fiscal agencies shall be notified in writing of the Internet or  
16 Intranet site of any such report. Quarterly, the department shall pro-  
17 vide a cumulative listing of the reports submitted during the most recent  
18 3-month period along with the Internet or Intranet site of each report,  
19 and a list of those reports expected to be transmitted in the following  
20 quarter.

21       Sec. 209. Funds appropriated in part 1 shall not be used for the  
22 purchase of foreign goods or services, or both, if competitively priced  
23 and of comparable quality American goods or services, or both, are  
24 available.

25       Sec. 210. The director of each department receiving appropriations  
26 in part 1 shall take all reasonable steps to ensure businesses in  
27 deprived and depressed communities compete for and perform contracts to

**SB 965, As Passed Senate, March 22, 2000**

Senate Bill No. 965

18

1 provide services or supplies, or both. Each director shall strongly  
2 encourage firms with which the department contracts to subcontract with  
3 certified businesses in depressed and deprived communities for services,  
4 supplies, or both.

5       Sec. 211. (1) Pursuant to the provisions of civil service rules and  
6 regulations and applicable collective bargaining agreements, individuals  
7 seeking employment with the department shall submit to a controlled sub-  
8 stance test. The test shall be administered by the department.

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

12       Sec. 212. The department may charge fees and collect revenues in  
13 excess of appropriations in part 1 not to exceed the cost of employee  
14 meals, academic/vocational services, custody escorts, compassionate  
15 visits, union steward activities, public work programs, and emergency  
16 services provided to units of government. The revenues and fees col-  
17 lected shall be appropriated for all expenses associated with these serv-  
18 ices and activities.

19       Sec. 213. Of the state general fund/general purpose revenue appro-  
20 priated in part 1, \$511,748,700.00 represents a state spending increase  
21 over the amount provided to the department for the fiscal year ending  
22 September 30, 1994, and may be used to meet state match requirements of  
23 programs contained in the violent crime control and law enforcement act  
24 of 1994, Public Law 103-322, 108 Stat. 1796, or successor grant programs,  
25 so that any additional federal funds received shall supplement funding  
26 provided to the department in part 1.

**SB 965, As Passed Senate, March 22, 2000**

Senate Bill No. 965

19

1       Sec. 214. A prisoner who wins money in a lottery shall pay from  
2 those winnings the amount necessary to reimburse the state for the  
3 accrued cost of incarcerating that prisoner.

**4 SUBSTANCE ABUSE TESTING AND TREATMENT**

5       Sec. 301. (1) The department shall screen and assess each prisoner  
6 for alcohol and other drug involvement to determine the need for further  
7 treatment. The assessment process shall be designed to identify the  
8 severity of alcohol and other drug addiction and determine the treatment  
9 plan, if appropriate.

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

15       Sec. 302. (1) In expending residential substance abuse treatment  
16 services funds appropriated by this act, the department shall ensure to  
17 the maximum extent possible that residential substance abuse treatment  
18 services are available statewide.

19       (2) By April 1, 2001, the department shall report to the house and  
20 senate appropriations subcommittees on corrections and the house and  
21 senate fiscal agencies on the allocation, distribution, and expenditure  
22 of all funds appropriated by the substance abuse administration and test-  
23 ing line item. Information required by this subsection shall, where pos-  
24 sible, be separated by MDOC administrative region and by offender type,

**SB 965, As Passed Senate, March 22, 2000**

Senate Bill No. 965

20

1 including at a minimum a distinction between prisoners, parolees, and  
2 probationers.

3       Sec. 303. The amount appropriated in section 103 for the MDOC  
4 in-prison drug treatment program shall be used by the department to con-  
5 tinue to implement a minimum of 2 in-prison drug treatment programs, with  
6 at least 1 program being for male prisoners and 1 for female prisoners.

7       Sec. 304. The amount appropriated in section 103 for the MDOC tech-  
8 nical violator pilot drug treatment program shall be used by the depart-  
9 ment to continue to implement a pilot program aimed at reducing parolee  
10 and probationer prison admissions for substance abuse related technical  
11 violations or crimes.

12       Sec. 306. (1) The purpose of the substance abuse treatment pilot  
13 programs funded under sections 304 and 305 and under 1998 PA 321 is to  
14 evaluate and compare various substance abuse treatment modalities with  
15 regard to cost and impact on prison admission, length of stay, jail util-  
16 ization, and offender relapse and recidivism and to provide for continued  
17 monitoring of offenders and evaluation of program efficacy.

18       (2) Any funds appropriated under section 103 for the MDOC in-prison  
19 drug treatment program and the MDOC technical violator pilot drug treat-  
20 ment program that remain unexpended at the end of the fiscal year shall  
21 not revert to the general fund but instead shall be placed in separate  
22 work project accounts to be spent as provided under this section and  
23 sections 304 and 305.

24       (3) The department shall contract with 1 or more independent third  
25 parties for evaluation of alcohol and substance abuse programs adminis-  
26 tered by the department, including in-prison programs and programs  
27 provided through community placement or field programs. The evaluation

**SB 965, As Passed Senate, March 22, 2000**

Senate Bill No. 965

21

1 shall measure the impact of alcohol and other substance abuse programs on  
2 prison admission, length of stay, jail utilization, and offender relapse  
3 and recidivism. The evaluation of a program funded under section 219(6)  
4 of 1998 PA 321 shall be consistent with any requirements contained in the  
5 federal residential substance abuse and treatment grant for that  
6 program. Evaluation of substance abuse treatment pilot programs funded  
7 under sections 304 and 305 of this act and sections 220 and 221 of 1998  
8 PA 321 shall be consistent with recommendations developed and agreed to  
9 under section 222 of 1998 PA 321, and shall be structured so as to allow  
10 the pilot programs funded under this act and under 1998 PA 321 to be com-  
11 pared with each other. Evaluations required by this section shall to the  
12 extent feasible compare offenders treated under those programs with other  
13 offenders of similar characteristics.

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

17 (5) The department shall report by April 1, 2001 to the house and  
18 senate appropriations subcommittees on corrections and the house and  
19 senate fiscal agencies on the progress on implementation of the substance  
20 abuse treatment pilot programs funded under this act, 1999 PA 92, and  
21 1998 PA 321 and on implementation of evaluation and monitoring require-  
22 ments provided by this section.

**SB 965, As Passed Senate, March 22, 2000**

Senate Bill No. 965

22

**1 EXECUTIVE**

2       Sec. 401. The department shall submit 3-year and 5-year prison pop-  
3 ulation projection updates by February 1, 2001 to the senate and house  
4 appropriations subcommittees on corrections, the senate and house fiscal  
5 agencies, and the state budget director.

6       Sec. 402. (1) The department shall annually prepare and submit  
7 individual reports for the technical rule violator program, the community  
8 residential program, the electronic tether program, and the special  
9 alternative to incarceration program. The reports shall include the  
10 following:

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

23       (2) Annual reports shall be prepared and submitted by April 1, 2001  
24 to the house and senate appropriations subcommittees on corrections, the  
25 house and senate fiscal agencies, and the state budget director.

26       Sec. 403. From the funds appropriated in part 1, the department  
27 shall continue to maintain county jail services staff sufficient to

**SB 965, As Passed Senate, March 22, 2000**

Senate Bill No. 965

23

1 enable the department to continue to fulfill its functions of providing  
2 technical support, inspections of county jails, and maintenance of the  
3 jail reimbursement program.

**4 ADMINISTRATION AND PROGRAMS**

5       Sec. 501. From the funds appropriated in part 1 for prosecutorial  
6 and detainer expenses, the department shall reimburse counties for hous-  
7 ing and custody of parole violators and offenders being returned by the  
8 department from community placement to institutional status and for pris-  
9 oners who volunteer for placement in a county jail.

10       Sec. 502. It is the intent of the legislature to encourage the  
11 department to expand prison industries operations by seeking strategic  
12 partnerships with private industry.

**13 FIELD OPERATIONS ADMINISTRATION**

14       Sec. 601. It is the intent of the legislature that the funding  
15 appropriated in section 104 for parole and probation agents will provide  
16 sufficient parole and probation agents to maintain a ratio of 90 workload  
17 units per agent.

18       Sec. 602. (1) Of the amount appropriated in section 104 for field  
19 programs, \$546,900.00 is for the community service work program and shall  
20 be used for salaries and wages and fringe benefit costs of community  
21 service coordinators employed by the department to supervise offenders  
22 participating in work crew assignments. Funds shall also be used to

**SB 965, As Passed Senate, March 22, 2000**

Senate Bill No. 965

24

1 cover motor transport division rates on state vehicles used to transport  
2 offenders to community service work project sites.

3 (2) The community service work program shall provide adult offenders  
4 with community service work of tangible benefit to a community while ful-  
5 filling court-ordered community service work sanctions and other postcon-  
6 viction obligations.

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

11 Sec. 603. (1) All prisoners, probationers, and parolees involved  
12 with the electronic tether program shall reimburse the department for the  
13 equipment costs and telephone charges associated with their participation  
14 in the program. The department may require community service work reim-  
15 bursement as a means of payment for those able-bodied individuals unable  
16 to pay for the cost of the equipment.

17 (2) Program participant contributions and local community tether  
18 program reimbursement for the electronic tether program appropriated in  
19 section 104 are related to program expenditures and may be used to offset  
20 expenditures for this purpose.

21 (3) Included in the appropriation in section 104 is adequate funding  
22 to implement the community tether program to be administered by the  
23 department. The community tether program is intended to provide sentenc-  
24 ing judges and county sheriffs in coordination with local community cor-  
25 rections advisory boards access to the state's electronic tether program  
26 to reduce prison admissions and improve local jail utilization. The  
27 department shall determine the appropriate distribution of the tether



**SB 965, As Passed Senate, March 22, 2000**

Senate Bill No. 965

25

1 units throughout the state based upon locally developed comprehensive  
2 corrections plans pursuant to the community corrections act, 1988 PA 511,  
3 MCL 791.401 to 791.414.

4 (4) For a fee determined by the department, the department will pro-  
5 vide counties with the tether equipment, replacement parts, administra-  
6 tive oversight of the equipment's operation, notification of violators,  
7 and periodic reports regarding county program participants. Counties are  
8 responsible for tether equipment installation and service and apprehen-  
9 sion of program violators. For an additional fee as determined by the  
10 department, the department will provide staff to install and service the  
11 equipment. Counties are responsible for the coordination and apprehen-  
12 sion of program violators.

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

16 Sec. 604. Community-placement prisoners and parolees shall reim-  
17 burse the department for the operational costs of the program. As an  
18 alternative method of payment, the department may develop a community  
19 service work schedule for those individuals unable to meet reimbursement  
20 requirements established by the department.

21 Sec. 605. The department shall establish a uniform rate to be paid  
22 by agencies that benefit from public work services provided by special  
23 alternative incarceration participants and prisoners.

24 Sec. 606. As a condition of receiving funds appropriated in section  
25 104, 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.

**1 COMMUNITY CORRECTIONS**

2       Sec. 701. The office of community corrections shall provide and  
3 coordinate the delivery and implementation of services in communities to  
4 facilitate successful offender reintegration into the community.  
5 Programs and services to be offered shall include, but are not limited  
6 to, technical assistance for comprehensive corrections plan development,  
7 new program start-up funding, program funding for those programs deliver-  
8 ing services for eligible offenders in geographic areas identified by the  
9 office of community corrections as having a shortage of available serv-  
10 ices, technical assistance, referral services for education, employment  
11 services, and substance abuse and family counseling. As used in this  
12 act:

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

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

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

25       (d) "Offender eligibility criteria" means particular criminal viola-  
26 tions, state felony sentencing guidelines descriptors, and offender  
27 characteristics developed by advisory boards and approved by local units

**SB 965, As Passed Senate, March 22, 2000**

Senate Bill No. 965

27

1 of government that identify the offenders suitable for community  
2 corrections programs funded through the office of community corrections.

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

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

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

13 (ii) A currently incarcerated felon or misdemeanor who is granted  
14 early release from incarceration to a community corrections program or  
15 who is granted early release from incarceration as a result of a commu-  
16 nity corrections program.

17 Sec. 702. (1) The funds included in section 105 for community cor-  
18 rections comprehensive plans and services are to encourage the develop-  
19 ment through technical assistance grants, implementation, and operation  
20 of community corrections programs which serve as an alternative to incar-  
21 ceration in a state facility or jail. The comprehensive corrections  
22 plans shall include an explanation of how the public safety will be main-  
23 tained, the goals for the local jurisdiction, offender target populations  
24 intended to be affected, offender eligibility criteria for purposes out-  
25 lined in the plan, and how the plans will meet the following objectives,  
26 consistent with section 8(4) of the community corrections act, 1988  
27 PA 511, MCL 791.408:

05705'00 (S-1)

**SB 965, As Passed Senate, March 22, 2000**

Senate Bill No. 965

28

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

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

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

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

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

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

21       (3) Funds awarded for probation residential centers in section 105  
22 shall provide for a per diem reimbursement of not more than \$43.00.

23       Sec. 703. The comprehensive corrections plans shall also include,  
24 where appropriate, descriptive information on the full range of sanctions  
25 and services which are available and utilized within the local jurisdic-  
26 tion and an explanation of how jail beds, probation residential services,  
27 the special alternative incarceration program (boot camp), probation

**SB 965, As Passed Senate, March 22, 2000**

Senate Bill No. 965

29

1 detention centers, the electronic monitoring program for probationers,  
2 and treatment and rehabilitative services will be utilized to support the  
3 objectives and priorities of the comprehensive corrections plan and the  
4 purposes and priorities of section 8(4) of the community corrections act,  
5 1988 PA 511, MCL 791.408. The plans shall also include, where appropri-  
6 ate, provisions that detail how the local communities plan to respond to  
7 sentencing guidelines found in chapter XVII of the code of criminal pro-  
8 cedure, 1927 PA 175, MCL 777.1 to 777.69, and the use of the county jail  
9 reimbursement program pursuant to section 707 of this act. The state  
10 community corrections board shall encourage local community corrections  
11 boards to include in their comprehensive corrections plans strategies to  
12 collaborate with local alcohol and drug treatment agencies of the depart-  
13 ment of community health for the provision of alcohol and drug screening,  
14 assessment, case management planning, and delivery of treatment to  
15 alcohol- and drug-involved offenders, including, but not limited to, pro-  
16 bation and parole violators who are at risk of revocation.

17       Sec. 704. (1) As part of the March biannual report specified under  
18 section 12(2) of the community corrections act, 1988 PA 511, MCL 791.412,  
19 which requires an analysis of the impact of that act on prison admissions  
20 and jail utilization, the department shall submit to the senate and house  
21 appropriations subcommittees on corrections, the senate and house fiscal  
22 agencies, and the state budget director the following information for  
23 each county and counties consolidated for comprehensive corrections  
24 plans:

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

**SB 965, As Passed Senate, March 22, 2000**

Senate Bill No. 965

30

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

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

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

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

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

15 (3) It is the intent of the legislature that the funds appropriated  
16 in section 105 for public education and training be fully expended. To  
17 this end, the department shall submit by October 15, 2000 to the house  
18 and senate appropriations subcommittees on corrections plans for public  
19 education grants to communities and yearly training in cooperation with  
20 local community corrections advisory boards based on full expenditure of  
21 the funds appropriated in section 105 for public education and training.

22 Sec. 705. (1) The department shall identify and coordinate informa-  
23 tion regarding the availability of and the demand for community correc-  
24 tions programs, jail-based community corrections programs, and basic  
25 state required jail data.

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

**SB 965, As Passed Senate, March 22, 2000**

Senate Bill No. 965

31

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

4       Sec. 706. From the funds appropriated in section 105 for community  
5 corrections comprehensive plans and services and probation residential  
6 services, no funds shall be awarded to local jurisdictions that have not  
7 had their community corrections comprehensive plans, budget requests, and  
8 substantial modifications approved by the local community corrections  
9 advisory board and the local governing authority, officially reviewed by  
10 the state community corrections board, and approved by the director of  
11 the department.

12       Sec. 707. (1) The department shall administer a county jail reim-  
13 bursement program from the funds appropriated in section 105 for the pur-  
14 pose of reimbursing counties for housing in jails felons who otherwise  
15 would have been sentenced to prison.

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

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

22       (b) The felon was convicted of operating a motor vehicle under the  
23 influence of intoxicating liquor or a controlled substance, or a combina-  
24 tion of both, third or subsequent offense, under section 625(8)(c) of the  
25 Michigan vehicle code, 1949 PA 300, MCL 257.625, or its predecessor stat-  
26 ute, punishable as a felony.

**SB 965, As Passed Senate, March 22, 2000**

Senate Bill No. 965

32

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

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

7 (a) The felon was convicted of operating a motor vehicle under the  
8 influence of intoxicating liquor or a controlled substance, or a combina-  
9 tion of both, third or subsequent offense, under section 625(8)(c) of the  
10 Michigan vehicle code, 1949 PA 300, MCL 257.625, or its predecessor stat-  
11 ute, punishable as a felony.

12 (b) The felon's minimum sentencing guidelines range minimum is not  
13 less than 7 months, and the felon's prior record variable score is 35 or  
14 more points.

15 (c) The felon's minimum sentencing guidelines range minimum is more  
16 than 12 months.

17 (4) Except as provided in subsection (5), state reimbursement under  
18 this section for prisoner housing and custody expenses per diverted  
19 offender for the first 90 days of the offender's incarceration shall be  
20 \$47.00 per diem for a county with a population of more than 100,000 and  
21 \$42.00 per diem for a county with a population of 100,000 or less. After  
22 the diverted offender has been incarcerated 90 days, state reimbursement  
23 shall be \$40.00 per diem for the remainder of the incarceration up to 1  
24 year total.

25 (5) For the first 90 days for diverted offenders housed in beds  
26 developed under multicounty projects approved and funded under section  
27 807 of 1998 PA 321, state reimbursement shall be \$47.00 per diem. After



**SB 965, As Passed Senate, March 22, 2000**

Senate Bill No. 965

33

1 the diverted offender has been incarcerated 90 days, state reimbursement  
2 shall be \$40.00 per diem for the remainder of the incarceration up to 1  
3 year total.

4 (6) From the funds appropriated in section 105 for the county jail  
5 reimbursement program, the department shall contract for an ongoing study  
6 to determine the impact of the new legislative sentencing guidelines.  
7 The study shall analyze historical sentencing patterns of jurisdictions  
8 as well as current and future patterns in order to determine and quantify  
9 the population impact on prisons and jails of the new guidelines as well  
10 as to identify and define felon or crime characteristics or sentencing  
11 guidelines scores that indicate a felon is a prison diversion. The  
12 department shall contract for a local and statewide study for this pur-  
13 pose and provide periodic reports regarding the status and findings of  
14 the study to the house and senate appropriations subcommittees on correc-  
15 tions, the house and senate fiscal agencies, and the state budget  
16 director.

17 (7) The department, the Michigan association of counties, and the  
18 Michigan sheriffs' association shall review the periodic findings of the  
19 study required in subsection (6) and, if appropriate, recommend modifica-  
20 tion of the criteria for reimbursement contained in subsection (3)(b) and  
21 (c). Any recommended modification shall be forwarded to the house and  
22 senate appropriations subcommittees on corrections.

23 (8) The department shall reimburse counties for offenders in jail  
24 based upon the reimbursement formula in place on the date the offender  
25 was sentenced.

26 (9) County jail reimbursement program expenditures shall not exceed  
27 the amount appropriated in section 105 for this purpose.

**SB 965, As Passed Senate, March 22, 2000**

Senate Bill No. 965

34

1       (10) County jail reimbursement funds that remain unexpended at the  
2 close of fiscal year 2000-2001 shall be expended in a manner consistent  
3 with the purposes of this section and allocated to each county based on  
4 their level of participation in the program.

5       Sec. 708. (1) From the funds appropriated in section 105 for proba-  
6 tion residential centers, funds are allocated for the operation of a pro-  
7 bation detention program in a county that has adopted a charter pursuant  
8 to 1966 PA 293, MCL 45.501 to 45.521. The probation detention program  
9 shall have a capacity of 100 beds. The department shall provide the pro-  
10 gram administrator monthly with 90-day projections of the numbers of beds  
11 expected to be needed for probationers and parolees in Phase II residen-  
12 tial placement under section 4(2) of the special alternative carcera-  
13 tion act, 1988 PA 287, MCL 798.14, and the program administrator shall  
14 make beds available as necessary to house probationers and parolees  
15 entering Phase II residential placement.

16       (2) Funds awarded for probation residential centers in section 105  
17 shall provide for a per diem reimbursement of not more than \$43.00.

18       (3) Payments under this section for operation of the probation  
19 detention program shall be made at the same rates applicable to disburse-  
20 ment of other funds awarded under the probation residential centers line  
21 item, not to exceed a total expenditure of \$1,569,580.00.

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

**SB 965, As Passed Senate, March 22, 2000**

Senate Bill No. 965

35

1 (a) Orientation and assessment.

2 (b) Substance abuse counseling.

3 (c) Life skills counseling.

4 (d) Education.

5 (e) Employment preparation.

6 (f) Vocational training.

7 (g) Employment.

8 (h) Community service.

9 (i) Physical training.

10 (j) Cognitive skill training.

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

19 (6) The operation of the probation detention program shall be  
20 included in an approved community corrections comprehensive plan for the  
21 county described in subsection (1) pursuant to the community corrections  
22 act, 1988 PA 511, MCL 791.401 to 791.414, and shall be consistent with  
23 sections 701, 702, 703, and 706.

24 (7) The comprehensive plan shall specify the programs, eligibility  
25 criteria, referral, and enrollment process, the assessment and  
26 client-specific planning case management process, a program design that  
27 includes a variable length of stay based on assessed need, and the

**SB 965, As Passed Senate, March 22, 2000**

Senate Bill No. 965

36

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

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

8 (9) The department shall require the program administrator to report  
9 not later than March 1, 2001 to the state budget director, the senate and  
10 house fiscal agencies, and the senate and house appropriations subcommit-  
11 tees on corrections concerning the program's impact on prison admissions  
12 and recidivism including, but not limited to, the numbers of offenders  
13 released from the probation detention program who are arrested for a  
14 felony offense within 1 year of their termination from the program.

15 **CONSENT DECREES**

16 Sec. 801. Funding appropriated in section 106 for consent decree  
17 line items is appropriated into separate control accounts created for  
18 each line item. Funding in each control account shall be distributed as  
19 necessary into separate accounts created for the purpose of separately  
20 identifying costs and expenditures associated with each consent decree.

21 Sec. 802. The maximum reimbursement to colleges participating in  
22 the prisoner rehabilitation and education program (PREP) shall be limited  
23 to \$4.00 per student contact hour not to exceed 19.5 contact hours per  
24 semester credit hour.

**SB 965, As Passed Senate, March 22, 2000**

Senate Bill No. 965

37

1       Sec. 803. (1) Appropriations in this act shall not be used to pay  
2 any costs associated with college or university programming for prison  
3 inmates, unless such payments are required by existing court orders or  
4 consent decrees.

5       (2) If the department is successful in modifying the consent decree  
6 to eliminate required college and university programming, all funding for  
7 the prisoner rehabilitation and education program shall be used for  
8 employee leadership training.

**9 HEALTH CARE**

10       Sec. 901. The department shall not expend funds appropriated under  
11 part 1 for any surgery, procedure, or treatment to provide or maintain a  
12 prisoner's sex change unless it is determined medically necessary by a  
13 physician.

14       Sec. 902. The department may require prisoners to pay a copayment  
15 of not less than \$3.00 for nonemergency medical care.

**16 INSTITUTIONAL OPERATIONS**

17       Sec. 1001. As a condition of expenditure of the funds appropriated  
18 in part 1, the department shall ensure that smoking areas are designated  
19 for use by prisoners and staff at each facility. At a minimum, all out-  
20 door areas within each facility's perimeter shall be designated for smok-  
21 ing, except that smoking may be forbidden within 20 feet of any building  
22 designated as nonsmoking or smoke-free.

**SB 965, As Passed Senate, March 22, 2000**

Senate Bill No. 965

38

1       Sec. 1002. From the funds appropriated in part 1, the department  
2 shall allocate sufficient funds to develop a pilot children's visitation  
3 program. The pilot program shall teach parenting skills and arrange for  
4 day visitation at these facilities for parents and their children, except  
5 for the families of prisoners convicted of a crime involving criminal  
6 sexual conduct in which the victim was less than 18 years of age or  
7 involving child abuse.

8       Sec. 1003. It is the intent of the legislature that possession and  
9 use of personal property by prisoners be considered a privilege and not a  
10 right.

11       Sec. 1004. As a condition of expenditure of funds appropriated in  
12 part 1, the department shall prohibit prisoners from using interdepart-  
13 mental mail except to correspond with the department.

14       Sec. 1005. Funds appropriated under part 1 shall not be expended to  
15 provide prisoners with access to or use of the Internet or any similar  
16 system.

17       Sec. 1006. Any department employee who, in the course of his or her  
18 job, is determined by a physician to have had a potential exposure to the  
19 hepatitis B virus, shall receive a hepatitis B vaccination upon request.

20       Sec. 1007. As a condition of receiving the funds appropriated in  
21 part 1, the department shall prepare a report by September 30, 2001 on  
22 lawsuits brought against departmental employees by prisoners. The report  
23 shall include the number of cases found to be meritorious and nonmerito-  
24 rious by the courts. Of the meritorious cases, the report shall provide  
25 the number of suits that involved male departmental employees and the  
26 number that involved female employees, as well as the number of employees

1 disciplined in these actions and the proportion of male employees and  
2 female employees disciplined.

3       Sec. 1008. From the funds appropriated in part 1, the department  
4 shall contract for or perform its own evaluation of Project RESTART and  
5 Project CHANGE to determine whether funding for these programs should be  
6 continued. A report on the results of the study shall be submitted to  
7 the house and senate appropriations subcommittees on corrections and the  
8 house and senate fiscal agencies by March 1, 2001. The study shall mea-  
9 sure cognitive changes and recidivism rates, if appropriate, and track  
10 the security level changes for participants in comparison to the  
11 participant's skills and abilities upon entry to the program, to a con-  
12 trol group of prisoners who would have been eligible for the program, but  
13 could not participate due to relocation, parole, or other like situa-  
14 tions, and to the general population.

15       Sec. 1009. (1) The inmate housing fund shall be used for the custo-  
16 dy, treatment, clinical, and administrative costs associated with the  
17 housing of prisoners other than those specifically budgeted for elsewhere  
18 in this act. Funding in the inmate housing fund is appropriated into a  
19 separate control account. Funding in the control account shall be dis-  
20 tributed as necessary into separate accounts created to separately iden-  
21 tify costs for specific purposes.

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