

Act No. 92
Public Acts of 1999
Approved by the Governor
June 30, 1999
Filed with the Secretary of State
June 30, 1999
EFFECTIVE DATE: June 30, 1999

STATE OF MICHIGAN
90TH LEGISLATURE
REGULAR SESSION OF 1999

Introduced by Reps. LaSata, Mortimer, Pappageorge, Pumford, Mead, Toy, Kukuk, Caul, Jellema,
Godchaux, Byl, Cameron Brown, Geiger, Jansen and Scranton

ENROLLED HOUSE BILL No. 4300

AN ACT 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:

PART 1

LINE-ITEM APPROPRIATIONS

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

DEPARTMENT OF CORRECTIONS

APPROPRIATION SUMMARY:

Average population	49,918	
Full-time equated unclassified positions	16.0	
Full-time equated classified positions	19,174.3	
GROSS APPROPRIATION	\$	1,567,641,800
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		6,615,600
ADJUSTED GROSS APPROPRIATION	\$	1,561,026,200
Federal revenues:		
Total federal revenues		25,686,400
Special revenue funds:		
Total local revenues		412,800
Total private revenues		0
Total other state restricted revenues		48,347,900
State general fund/general purpose	\$	1,486,579,100

Sec. 102. EXECUTIVE

Full-time equated unclassified positions	16.0	
Full-time equated classified positions	77.0	
Unclassified positions—16.0 FTE positions		\$ 1,290,900
Executive administration—11.0 FTE positions		1,433,000
Audit and internal affairs—19.0 FTE positions		1,326,800
Policy and hearings—47.0 FTE positions		4,358,300
GROSS APPROPRIATION		\$ 8,409,000
Appropriated from:		
State general fund/general purpose		\$ 8,409,000

Sec. 103. ADMINISTRATION AND PROGRAMS

Full-time equated classified positions	215.2	
Administration and fiscal management—36.5 FTE positions		\$ 2,780,000
Office of personnel and labor relations—26.7 FTE positions		2,280,700
Program services—15.0 FTE positions		1,346,400
Planning, research, and information services—85.5 FTE positions		9,316,600
Federal education programs—19.0 FTE positions		3,016,400
Rent		2,049,100
Training administration—32.5 FTE positions		4,566,500
GROSS APPROPRIATION		\$ 25,355,700
Appropriated from:		
Federal revenues:		
DED, life skills grant		300,000
DED-OVAE, vocational education - basic grants to states		270,100
DED-OESE, chapter 1 program for neglected and delinquent children		506,000
DED-OVAE, state administered basic grant program		1,842,100
DED-OSERS, special education - grants to states		98,200
Special revenue funds:		
Local-county reimbursement		118,800
Correctional industries revolving fund		93,500
Resident stores		277,800
State general fund/general purpose		\$ 21,849,200

Sec. 104. CENTRAL SUPPORT ACCOUNTS

Equipment		\$ 341,900
Special maintenance		1,712,100
Worker's compensation		16,060,400
Compensatory buyout		225,000
Union leave bank		50,000
GROSS APPROPRIATION		\$ 18,389,400
Appropriated from:		
State general fund/general purpose		\$ 18,389,400

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

Inmate legal services program		\$ 315,800
Reimbursement to counties, parole revocation hearings, and court settlements		4,060,400
Substance abuse administration and testing		19,644,800
MDOC in-prison pilot drug treatment program		1,500,000
MDOC technical violator pilot drug treatment program		1,000,000
New employee training		16,615,600
Training projects		111,600
Criminal justice training fund		608,700
GROSS APPROPRIATION		\$ 43,856,900
Appropriated from:		
Interdepartmental grant revenues:		
IDG-MDSP, Michigan justice training fund		608,700

Federal revenues:		
DOJ, office of justice programs, corrections programs—grants to states	\$	2,684,100
HHS-SAMHSA		563,000
State general fund/general purpose	\$	40,001,100

Sec. 106. PRISON INDUSTRIES OPERATIONS

Full-time equated classified positions	169.8	
Personnel costs—169.8 FTE positions	\$	12,655,200
GROSS APPROPRIATION	\$	12,655,200
Appropriated from:		
Special revenue funds:		
Correctional industries revolving fund		12,655,200
State general fund/general purpose	\$	0

Sec. 107. FIELD OPERATIONS

Full-time equated classified positions	1,648.0	
Personnel costs—1,544.0 FTE positions	\$	87,491,400
Operating costs		6,787,800
Community service work program—10.0 FTE positions		525,400
Parole board operations—22.0 FTE positions		1,591,000
Building occupancy charges - property management		512,500
Rent		841,000
Loans to parolees		204,400
Boot camp - phase III/intensive supervision—72.0 FTE positions		2,865,300
Parole/probation services		2,032,700
GROSS APPROPRIATION	\$	102,851,500
Appropriated from:		
Special revenue funds:		
Oversight fees		5,359,300
Supervision fees		2,032,700
State general fund/general purpose	\$	95,459,500

Sec. 108. COMMUNITY PLACEMENT

Average population	808	
Full-time equated classified positions	541.3	
Tether operations—167.3 FTE positions	\$	7,783,000
Community residential program operations—269.1 FTE positions		21,339,800
Technical rule violator center—104.9 FTE positions		9,021,400
GROSS APPROPRIATION	\$	38,144,200
Appropriated from:		
Special revenue funds:		
Local-community tether program reimbursement		294,000
Resident contributions revenues		3,919,800
Program participant contributions		4,098,900
Public works user fees		135,000
State general fund/general purpose	\$	29,696,500

Sec. 109. SPECIAL ALTERNATIVE INCARCERATION PROGRAM

Full-time equated classified positions	135.0	
Personnel costs—135.0 FTE positions	\$	7,609,000
Operational costs		1,799,900
GROSS APPROPRIATION	\$	9,408,900
Appropriated from:		
Special revenue funds:		
Public works user fees		130,400
State general fund/general purpose	\$	9,278,500

Sec. 110. OFFICE OF COMMUNITY CORRECTIONS

Full-time equated classified positions.....	17.0	
Personnel costs—17.0 FTE positions.....	\$	1,177,100
Operating costs		265,000
OCC board expenses		15,000
Probation residential centers		14,934,600
Community corrections comprehensive plans and services.....		13,033,000
Public education and training.....		50,000
County jail reimbursement program		17,982,200
Regional jail program		100
GROSS APPROPRIATION.....	\$	47,457,000
Appropriated from:		
Special revenue funds:		
Telephone fees and commissions.....		16,244,700
State general fund/general purpose	\$	31,212,300

Sec. 111. CONSENT DECREES

Average population	400	
Full-time equated classified positions.....	577.4	
Prisoner rehabilitation education program	\$	1,020,100
Hadix consent decree—157.0 FTE positions.....		10,292,500
DOJ consent decree—166.5 FTE positions.....		10,607,500
DOJ psychiatric plan - MDCH mental health services.....		68,912,400
DOJ psychiatric plan - MDOC staff and services—253.9 FTE positions		14,689,900
GROSS APPROPRIATION.....	\$	105,522,400
Appropriated from:		
State general fund/general purpose	\$	105,522,400

Sec. 112. OFFICE OF HEALTH CARE

Full-time equated classified positions.....	18.0	
Health care administration—18.0 FTE positions	\$	2,006,200
Hospital and specialty care services		39,903,400
Vaccination program		1,491,300
GROSS APPROPRIATION.....	\$	43,400,900
Appropriated from:		
Federal revenues:		
HHS-HRSA		80,000
State general fund/general purpose	\$	43,320,900

Sec. 113. CLINICAL OPERATIONS

Full-time equated classified positions.....	913.4	
Adrian clinical complex—31.2 FTE positions.....	\$	2,687,500
Baraga clinical complex—7.0 FTE positions		1,301,000
Coldwater clinical complex—38.8 FTE positions.....		3,548,500
Corrections camps clinical—55.1 FTE positions.....		1,954,900
Detroit clinical complex—32.2 FTE positions		2,578,300
Ionia clinical complex—124.9 FTE positions		10,151,300
Jackson clinical complex—230.9 FTE positions		21,783,700
Kincheloe clinical complex—64.0 FTE positions.....		6,005,200
Lapeer clinical complex—19.2 FTE positions		1,455,500
Macomb clinical complex—19.0 FTE positions		1,414,100
Marquette clinical complex—48.0 FTE positions		4,082,700
Muskegon clinical complex—56.5 FTE positions		3,653,500
Newberry clinical complex—4.0 FTE positions.....		1,455,500
Oaks clinical complex—4.0 FTE positions		1,161,100
Plymouth clinical complex—52.0 FTE positions.....		4,098,000
Saginaw clinical complex—19.0 FTE positions.....		1,392,500
St. Louis clinical complex—55.1 FTE positions.....		3,883,400

		For Fiscal Year Ending Sept. 30, 2000
Standish clinical complex—17.0 FTE positions.....	\$	1,496,700
Ypsilanti clinical complex—35.5 FTE positions		2,646,800
GROSS APPROPRIATION.....	\$	76,750,200
Appropriated from:		
State general fund/general purpose	\$	76,750,200

Sec. 114. CORRECTIONAL FACILITIES - ADMINISTRATION

Full-time equated classified positions.....	139.0	
Conveying convicts to penal institutions.....	\$	249,000
Federal school lunch program		700,000
Correctional facilities administration—10.0 FTE positions.....		805,200
Extradition services.....		220,300
Housing inmates in federal institutions.....		494,200
Jackson area administrative support and services—120.0 FTE positions	13,373,900	
Northern region office—2.0 FTE positions		188,000
Southeastern region office—2.0 FTE positions		183,800
Southwestern region office—2.0 FTE positions		188,700
Leased beds		100
Jackson food production kitchen		5,000,000
Surplus food program—3.0 FTE positions		325,300
GROSS APPROPRIATION.....	\$	21,728,500
Appropriated from:		
Intradepartmental transfer revenues:		
IDT, surplus food user fees		247,600
IDT, production kitchen user fees.....		5,000,000
Federal revenues:		
DOJ-BOP, federal prisoner reimbursement		314,000
DAG-FNS, national school lunch program		700,000
Special revenue funds:		
State general fund/general purpose	\$	15,466,900

Sec. 115. ALGER MAXIMUM SECURITY CORRECTIONAL FACILITY - MUNISING

Average population	524	
Full-time equated classified positions.....	319.2	
Personnel costs—315.2 FTE positions.....	\$	19,679,400
Operational costs		2,261,600
Academic/vocational programs—4.0 FTE positions.....		285,800
GROSS APPROPRIATION.....	\$	22,226,800
Appropriated from:		
Special revenue funds:		
Resident stores		9,900
State general fund/general purpose	\$	22,216,900

Sec. 116. BARAGA MAXIMUM CORRECTIONAL FACILITY - BARAGA

Average population	844	
Full-time equated classified positions.....	400.2	
Personnel costs—390.2 FTE positions.....	\$	21,704,500
Operational costs		3,094,000
Academic/vocational programs—10.0 FTE positions.....		561,200
GROSS APPROPRIATION.....	\$	25,359,700
Appropriated from:		
Special revenue funds:		
Resident stores		14,100
State general fund/general purpose	\$	25,345,600

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

Average population	2,200
Full-time equated classified positions.....	549.7

		For Fiscal Year Ending Sept. 30, 2000
Personnel costs—528.7 FTE positions.....	\$	31,411,200
Operational costs		6,552,300
Academic/vocational programs—21.0 FTE positions.....		1,371,900
GROSS APPROPRIATION.....	\$	39,335,400
Appropriated from:		
Special revenue funds:		
Resident stores		148,500
State general fund/general purpose	\$	39,186,900
Sec. 118. CARSON CITY CORRECTIONAL FACILITY COMPLEX - CARSON CITY		
Average population		2,200
Full-time equated classified positions.....		555.2
Personnel costs—536.2 FTE positions.....	\$	32,062,500
Operational costs		6,701,600
Academic/vocational programs—19.0 FTE positions.....		1,259,600
GROSS APPROPRIATION.....	\$	40,023,700
Appropriated from:		
Special revenue funds:		
Resident stores		97,500
State general fund/general purpose	\$	39,926,200
Sec. 119. CHIPPEWA CORRECTIONAL FACILITY - KINCHELOE		
Average population		2,094
Full-time equated classified positions.....		512.3
Personnel costs—496.3 FTE positions.....	\$	30,157,600
Operational costs		6,140,500
Academic/vocational programs—16.0 FTE positions.....		1,194,600
GROSS APPROPRIATION.....	\$	37,492,700
Appropriated from:		
Special revenue funds:		
Resident stores		155,200
State general fund/general purpose	\$	37,337,500
Sec. 120. COOPER STREET CORRECTIONAL FACILITY - JACKSON		
Average population		1,302
Full-time equated classified positions.....		284.8
Personnel costs—277.8 FTE positions.....	\$	15,631,300
Operational costs		3,663,700
Academic/vocational programs—7.0 FTE positions.....		524,600
GROSS APPROPRIATION.....	\$	19,819,600
Appropriated from:		
Special revenue funds:		
Resident stores		71,200
Public works user fees		30,700
State general fund/general purpose	\$	19,717,700
Sec. 121. G. ROBERT COTTON CORRECTIONAL FACILITY - JACKSON		
Average population		1,692
Full-time equated classified positions.....		424.0
Personnel costs—412.0 FTE positions.....	\$	25,064,500
Operational costs		4,815,400
Academic/vocational programs—12.0 FTE positions.....		973,000
GROSS APPROPRIATION.....	\$	30,852,900
Appropriated from:		
Special revenue funds:		
Resident stores		116,600
State general fund/general purpose	\$	30,736,300

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

Average population	750	
Full-time equated classified positions	252.4	
Personnel costs—238.4 FTE positions.....	\$	14,440,300
Operational costs		2,831,900
Academic/vocational programs—14.0 FTE positions.....		1,072,800
GROSS APPROPRIATION.....	\$	18,345,000
Appropriated from:		
Special revenue funds:		
Resident stores		49,100
State general fund/general purpose	\$	18,295,900

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

Average population	1,006	
Full-time equated classified positions	304.4	
Personnel costs—296.4 FTE positions.....	\$	16,677,700
Operational costs		2,181,400
Academic/vocational programs—8.0 FTE positions.....		714,000
GROSS APPROPRIATION.....	\$	19,573,100
Appropriated from:		
Special revenue funds:		
Resident stores		98,300
State general fund/general purpose	\$	19,474,800

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

Average population	1,315	
Full-time equated classified positions	294.0	
Personnel costs—270.0 FTE positions.....	\$	16,013,200
Operational costs		3,401,200
Academic/vocational programs—24.0 FTE positions.....		1,746,800
GROSS APPROPRIATION.....	\$	21,161,200
Appropriated from:		
Special revenue funds:		
Resident stores		77,800
State general fund/general purpose	\$	21,083,400

Sec. 125. GUS HARRISON CORRECTIONAL FACILITY - ADRIAN

Average population	2,200	
Full-time equated classified positions	561.6	
Personnel costs—543.6 FTE positions.....	\$	31,282,400
Operational costs		6,545,700
Academic/vocational programs—18.0 FTE positions.....		1,245,900
GROSS APPROPRIATION.....	\$	39,074,000
Appropriated from:		
Special revenue funds:		
Resident stores		200,000
State general fund/general purpose	\$	38,874,000

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

Average population	482	
Full-time equated classified positions	293.8	
Personnel costs—287.8 FTE positions.....	\$	17,101,900
Operational costs		3,030,200
Academic/vocational programs—6.0 FTE positions.....		442,500
GROSS APPROPRIATION.....	\$	20,574,600
Appropriated from:		
Special revenue funds:		
Resident stores		49,000
State general fund/general purpose	\$	20,525,600

Sec. 127. IONIA MAXIMUM FACILITY - IONIA

Average population	636	
Full-time equated classified positions	350.6	
Personnel costs—343.6 FTE positions.....	\$	20,975,700
Operational costs		2,360,000
Academic/vocational programs—7.0 FTE positions.....		556,900
GROSS APPROPRIATION.....	\$	23,892,600
Appropriated from:		
Special revenue funds:		
Resident stores		9,600
State general fund/general purpose	\$	23,883,000

Sec. 128. IONIA TEMPORARY FACILITY - IONIA

Average population	960	
Full-time equated classified positions	224.4	
Personnel costs—208.9 FTE positions.....	\$	12,707,500
Operational costs		2,951,800
Print shop operations.....		375,000
Academic/vocational programs—15.5 FTE positions.....		1,146,000
GROSS APPROPRIATION.....	\$	17,180,300
Appropriated from:		
Intradepartmental transfer revenues:		
IDT, print shop user fees		375,000
Special revenue funds:		
Resident stores		50,100
Public works user fees		15,100
State general fund/general purpose	\$	16,740,100

Sec. 129. JACKSON MAXIMUM CORRECTIONAL FACILITY - JACKSON

Average population	1,556	
Full-time equated classified positions	642.2	
Personnel costs—633.2 FTE positions.....	\$	34,630,200
Operational costs		5,652,700
Academic/vocational programs—9.0 FTE positions.....		518,400
GROSS APPROPRIATION.....	\$	40,801,300
Appropriated from:		
Federal revenues:		
Federal revenues and reimbursements		2,932,800
Special revenue funds:		
Resident stores		46,600
State general fund/general purpose	\$	37,821,900

Sec. 130. KINROSS CORRECTIONAL FACILITY - KINCHELOE

Average population	2,165	
Full-time equated classified positions	547.5	
Personnel costs—518.5 FTE positions.....	\$	31,068,600
Operational costs		7,445,000
Academic/vocational programs—29.0 FTE positions.....		1,717,200
GROSS APPROPRIATION.....	\$	40,230,800
Appropriated from:		
Special revenue funds:		
Resident stores		147,500
State general fund/general purpose	\$	40,083,300

Sec. 131. LAKELAND CORRECTIONAL FACILITY - COLDWATER

Average population	1,200
Full-time equated classified positions	257.1

		For Fiscal Year Ending Sept. 30, 2000
Personnel costs—247.1 FTE positions.....	\$	16,177,900
Operational costs		3,746,800
Academic/vocational programs—10.0 FTE positions.....		907,700
GROSS APPROPRIATION.....	\$	20,832,400
Appropriated from:		
Special revenue funds:		
Resident stores		49,100
State general fund/general purpose	\$	20,783,300
Sec. 132. MACOMB CORRECTIONAL FACILITY - NEW HAVEN		
Average population		1,468
Full-time equated classified positions.....		399.3
Personnel costs—387.3 FTE positions.....	\$	19,743,300
Operational costs		4,099,600
Academic/vocational programs—12.0 FTE positions.....		742,200
GROSS APPROPRIATION.....	\$	24,585,100
Appropriated from:		
Special revenue funds:		
Resident stores		98,000
Public works user fees.....		11,200
State general fund/general purpose	\$	24,475,900
Sec. 133. MARQUETTE BRANCH PRISON - MARQUETTE		
Average population		1,129
Full-time equated classified positions.....		436.2
Personnel costs—426.2 FTE positions.....	\$	26,701,500
Operational costs		4,612,800
Academic/vocational programs—10.0 FTE positions.....		932,500
GROSS APPROPRIATION.....	\$	32,246,800
Appropriated from:		
Special revenue funds:		
Resident stores		148,900
State general fund/general purpose	\$	32,097,900
Sec. 134. MICHIGAN REFORMATORY - IONIA		
Average population		1,338
Full-time equated classified positions.....		408.1
Personnel costs—392.1 FTE positions.....	\$	24,545,100
Operational costs		6,069,600
Academic/vocational programs—16.0 FTE positions.....		1,389,000
GROSS APPROPRIATION.....	\$	32,003,700
Appropriated from:		
Special revenue funds:		
Resident stores		147,000
State general fund/general purpose	\$	31,856,700
Sec. 135. MID-MICHIGAN CORRECTIONAL FACILITY - ST. LOUIS		
Average population		960
Full-time equated classified positions.....		230.4
Personnel costs—221.4 FTE positions.....	\$	13,298,600
Operational costs		2,952,800
Academic/vocational programs—9.0 FTE positions.....		649,900
GROSS APPROPRIATION.....	\$	16,901,300
Appropriated from:		
Special revenue funds:		
Resident stores		48,800
Public works user fees.....		8,300
State general fund/general purpose	\$	16,844,200

Sec. 136. MOUND CORRECTIONAL FACILITY - DETROIT

Average population	1,044	
Full-time equated classified positions	365.4	
Personnel costs—355.4 FTE positions		\$ 18,945,100
Operational costs		3,135,300
Academic/vocational programs—10.0 FTE positions		565,500
GROSS APPROPRIATION		\$ 22,645,900
Appropriated from:		
Special revenue funds:		
Resident stores		98,500
State general fund/general purpose		\$ 22,547,400

Sec. 137. MUSKEGON CORRECTIONAL FACILITY - MUSKEGON

Average population	1,310	
Full-time equated classified positions	326.4	
Personnel costs—310.4 FTE positions		\$ 19,166,200
Operational costs		4,130,200
Academic/vocational programs—16.0 FTE positions		1,171,800
GROSS APPROPRIATION		\$ 24,468,200
Appropriated from:		
Special revenue funds:		
Resident stores		73,200
State general fund/general purpose		\$ 24,395,000

Sec. 138. NEWBERRY CORRECTIONAL FACILITY - NEWBERRY

Average population	928	
Full-time equated classified positions	320.4	
Personnel costs—307.4 FTE positions		\$ 17,301,900
Operational costs		3,015,800
Academic/vocational programs—13.0 FTE positions		887,100
GROSS APPROPRIATION		\$ 21,204,800
Appropriated from:		
Special revenue funds:		
Resident stores		49,100
State general fund/general purpose		\$ 21,155,700

Sec. 139. OAKS CORRECTIONAL FACILITY - EASTLAKE

Average population	744	
Full-time equated classified positions	382.8	
Personnel costs—377.8 FTE positions		\$ 22,612,600
Operational costs		3,206,700
Academic/vocational programs—5.0 FTE positions		379,400
GROSS APPROPRIATION		\$ 26,198,700
Appropriated from:		
Special revenue funds:		
Resident stores		12,100
State general fund/general purpose		\$ 26,186,600

Sec. 140. PARNALL CORRECTIONAL FACILITY - JACKSON

Average population	1,448	
Full-time equated classified positions	308.0	
Personnel costs—295.0 FTE positions		\$ 18,061,400
Operational costs		3,178,800
Academic/vocational programs—13.0 FTE positions		936,300
GROSS APPROPRIATION		\$ 22,176,500
Appropriated from:		
Special revenue funds:		
Correctional industries revolving fund		80,100
Resident stores		112,600
State general fund/general purpose		\$ 21,983,800

Sec. 141. PINE RIVER CORRECTIONAL FACILITY - ST. LOUIS

Average population	960	
Full-time equated classified positions	239.6	
Personnel costs—225.6 FTE positions	\$	9,074,000
Operational costs		3,280,800
Academic/vocational programs—14.0 FTE positions		658,600
GROSS APPROPRIATION	\$	13,013,400
Appropriated from:		
State general fund/general purpose	\$	13,013,400

Sec. 142. RIVERSIDE CORRECTIONAL FACILITY - IONIA

Average population	1,034	
Full-time equated classified positions	347.0	
Personnel costs—341.0 FTE positions	\$	20,589,300
Operational costs		4,521,200
Academic/vocational programs—6.0 FTE positions		399,500
GROSS APPROPRIATION	\$	25,510,000
Appropriated from:		
Special revenue funds:		
Resident stores		49,000
State general fund/general purpose	\$	25,461,000

Sec. 143. RYAN CORRECTIONAL FACILITY - DETROIT

Average population	1,044	
Full-time equated classified positions	356.3	
Personnel costs—346.3 FTE positions	\$	20,073,200
Operational costs		3,380,800
Academic/vocational programs—10.0 FTE positions		666,700
GROSS APPROPRIATION	\$	24,120,700
Appropriated from:		
Special revenue funds:		
Resident stores		98,400
State general fund/general purpose	\$	24,022,300

Sec. 144. SAGINAW CORRECTIONAL FACILITY - FREELAND

Average population	1,468	
Full-time equated classified positions	404.1	
Personnel costs—387.6 FTE positions	\$	21,628,400
Operational costs		4,043,900
Academic/vocational programs—16.5 FTE positions		767,100
GROSS APPROPRIATION	\$	26,439,400
Appropriated from:		
Special revenue funds:		
Resident stores		98,500
State general fund/general purpose	\$	26,340,900

Sec. 145. SCOTT CORRECTIONAL FACILITY - PLYMOUTH

Average population	847	
Full-time equated classified positions	357.7	
Personnel costs—340.7 FTE positions	\$	20,010,700
Operational costs		2,924,200
Academic/vocational programs—17.0 FTE positions		1,283,900
GROSS APPROPRIATION	\$	24,218,800
Appropriated from:		
Special revenue funds:		
Resident stores		97,900
State general fund/general purpose	\$	24,120,900

Sec. 146. SOUTHERN MICHIGAN CORRECTIONAL FACILITY - JACKSON

Average population	881	
Full-time equated classified positions	468.8	
Personnel costs—458.8 FTE positions	\$	24,802,300
Operational costs		2,475,300
Academic/vocational programs—10.0 FTE positions		651,800
Print shop operations		282,000
GROSS APPROPRIATION	\$	28,211,400
Appropriated from:		
Intradepartmental transfer revenues:		
IDT, print shop user fees		282,000
Special revenue funds:		
Resident stores		76,700
State general fund/general purpose	\$	27,852,700

Sec. 147. ST. LOUIS CORRECTIONAL FACILITY - ST. LOUIS

Average population	672	
Full-time equated classified positions	370.1	
Personnel costs—362.1 FTE positions	\$	17,344,900
Operational costs		2,650,900
Academic/vocational programs—8.0 FTE positions		463,200
GROSS APPROPRIATION	\$	20,459,000
Appropriated from:		
State general fund/general purpose	\$	20,459,000

Sec. 148. STANDISH MAXIMUM CORRECTIONAL FACILITY - STANDISH

Average population	524	
Full-time equated classified positions	322.8	
Personnel costs—316.8 FTE positions	\$	18,779,400
Operational costs		2,355,300
Academic/vocational programs—6.0 FTE positions		238,000
GROSS APPROPRIATION	\$	21,372,700
Appropriated from:		
Special revenue funds:		
Resident stores		9,800
State general fund/general purpose	\$	21,362,900

Sec. 149. THUMB CORRECTIONAL FACILITY - LAPEER

Average population	1,194	
Full-time equated classified positions	330.7	
Personnel costs—316.7 FTE positions	\$	17,847,400
Operational costs		3,556,400
Academic/vocational programs—14.0 FTE positions		818,000
GROSS APPROPRIATION	\$	22,221,800
Appropriated from:		
Special revenue funds:		
Resident stores		49,100
State general fund/general purpose	\$	22,172,700

Sec. 150. WESTERN WAYNE CORRECTIONAL FACILITY - PLYMOUTH

Average population	775	
Full-time equated classified positions	294.6	
Personnel costs—291.1 FTE positions	\$	17,606,400
Operational costs		3,580,100
Academic/vocational programs—3.5 FTE positions		326,500
GROSS APPROPRIATION	\$	21,513,000
Appropriated from:		
Special revenue funds:		
Resident stores		103,400
State general fund/general purpose	\$	21,409,600

Sec. 151. MICHIGAN YOUTH CORRECTIONAL FACILITY - BALDWIN

Average population	480	
Full-time equated classified positions	2.0	
Administration—2.0 FTE positions		\$ 186,000
Management services		10,382,900
Lease payments		5,589,100
GROSS APPROPRIATION		\$ 16,158,000
Appropriated from:		
Federal revenues:		
DOJ, office of justice programs, VOI/TIS		15,396,100
State general fund/general purpose		\$ 761,900

Sec. 152. CORRECTION CAMPS

Average population	3,920	
Full-time equated classified positions	887.7	
Personnel costs—869.7 FTE positions		\$ 47,598,500
Operational costs		13,846,500
Dental lab operations		102,300
Academic/vocational programs—18.0 FTE positions		1,172,200
GROSS APPROPRIATION		\$ 62,719,500
Appropriated from:		
Intradepartmental transfer revenues:		
IDT, dental lab user fees		102,300
Special revenue funds:		
Resident stores		108,200
Public works user fees		385,900
State general fund/general purpose		\$ 62,123,100

Sec. 153. INMATE HOUSING FUND

Average population	1,416	
Full-time equated classified positions	391.4	
Inmate housing fund—391.4 FTE positions		\$ 8,547,200
GROSS APPROPRIATION		\$ 8,547,200
Appropriated from:		
State general fund/general purpose		\$ 8,547,200

PART 1A

SUPPLEMENTAL LINE-ITEM APPROPRIATIONS FOR FISCAL YEAR 1998-1999

Sec. 175. CORRECTIONAL FACILITIES - ADMINISTRATION

Leased beds	\$ (30,807,400)
Leased beds and alternatives to leased beds	30,807,400
State general fund/general purpose	\$ 0

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 hearings, 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	100
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 approximate shortfall to the state budget director, the senate and house appropriations committees, and the senate and house fiscal agencies.

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

Sec. 203. As used in this act:

- (a) "ADP" means automated data processing.
- (b) "DAG" means the United States department of agriculture.
- (c) "DAG-FCS" means the DAG food and consumer service.
- (d) "DED" means the United States department of education.
- (e) "DED-OESE" means the DED office of elementary and secondary education.
- (f) "DED-OSERS" means the DED office of special education and rehabilitative services.
- (g) "DED-OVAE" means the DED office of vocational and adult education.
- (h) "Department" or "MDOC" means the Michigan department of corrections.
- (i) "DOJ" means the United States department of justice.
- (j) "DOJ-BOP" means the DOJ bureau of prisons.
- (k) "FTE" means full-time equated position.
- (l) "HHS" means the United States department of health and human services.
- (m) "HHS-HRSA" means the HHS health resources and services administration.
- (n) "HHS-SAMHSA" means the HHS substance abuse and mental health services administration.
- (o) "IDG" means interdepartmental grant.
- (p) "IDT" means intradepartmental transfer.
- (q) "MDCH" means the Michigan department of community health.
- (r) "MDSP" means the Michigan department of state police.
- (s) "OCC" means the office of community corrections.
- (t) "OP-BFS" means the operating procedure, bureau of field services.
- (u) "PREP" means the prisoner rehabilitation and education program.
- (v) "VOI/TIS" means the DOJ violent offender incarceration and truth in sentencing program contained in the violent crime control and law enforcement act of 1994, Public Law 103-322, 108 Stat. 1796.

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

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

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

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

Sec. 208. Of the state general fund/general purpose revenue appropriated in part 1, \$379,245,100.00 represents a state spending increase over the amount provided to the department for the fiscal year ending September 30, 1994, and

may be used to meet state match requirements of programs contained in the violent crime control and law enforcement act of 1994, Public Law 103-322, 108 Stat. 1796, or successor grant programs, so that any additional federal funds received shall supplement funding provided to the department in part 1.

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

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

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

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

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

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

(2) Beginning with the report on April 1, 2000, the department shall submit to the department of management and budget, the senate and house appropriations committees, the senate and house fiscal agencies, and the senate and house standing committees having jurisdiction over technology issues, quarterly reports identifying for the 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.

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

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

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

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

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

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

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

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

(2) By April 1, 2000, the department shall report to the house and senate appropriations subcommittees on corrections and the house and senate fiscal agencies on the allocation, distribution, and expenditure of all funds appropriated by the substance abuse administration and testing line item. Information required by this subsection shall, where possible, be separated by MDOC administrative region and by offender type, including at a minimum a distinction between prisoners, parolees, and probationers.

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

Sec. 221. The amount appropriated in section 105 for the MDOC technical violator pilot drug treatment program shall be used by the department to continue to implement a pilot program aimed at reducing parolee and probationer prison admissions for substance abuse related technical violations or crimes.

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

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

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

(3) The department shall contract with 1 or more independent third parties for evaluation of alcohol and substance abuse programs administered by the department, including in-prison programs and programs provided through community placement or field programs. The evaluation shall measure the impact of alcohol and other substance abuse programs on prison admission, length of stay, jail utilization, and offender relapse and recidivism. The evaluation of a program funded under section 219(6) of 1998 PA 321 shall be consistent with any requirements contained in the federal residential substance abuse and treatment grant for that program. Evaluation of substance abuse treatment pilot programs funded under sections 220 and 221 of this act and sections 220 and 221 of 1998 PA 321 shall be consistent with recommendations developed and agreed to under section 222 of 1998 PA 321, and shall be structured so as to allow the pilot programs funded under this act and under 1998 PA 321 to be compared with each other. Evaluations required by this section shall to the extent feasible compare offenders treated under those programs with other offenders of similar characteristics.

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

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

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

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

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

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

EXECUTIVE

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

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

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

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

(2) Annual reports shall be prepared and submitted by April 1, 2000 to the house and senate appropriations subcommittees on corrections, the house and senate fiscal agencies, and the state budget director.

Sec. 305. From the funds appropriated in part 1, the department shall continue to maintain county jail services staff sufficient to enable the department to continue to fulfill its functions of providing technical support, inspections of county jails, and maintenance of the jail reimbursement program.

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

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

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

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

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

Sec. 309. From the funds appropriated in section 105 for reimbursement 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 placement to institutional status and for prisoners who volunteer for placement in a county jail.

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

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

PRISON INDUSTRIES OPERATIONS

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

FIELD OPERATIONS

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

Sec. 503. (1) It is the intent of the legislature that the funding appropriated in section 107 for parole and probation agents will provide sufficient parole and probation agents to maintain a ratio of 90 workload units per agent.

(2) From the funds appropriated in part 1, the department shall conduct a statewide caseload audit of field agents. The audit shall address public protection issues and assess the ability of the field agents to complete their professional duties. The results of the audit shall be submitted to the senate and house appropriations subcommittees on corrections and the senate and house fiscal agencies by September 30, 2000.

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

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

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

COMMUNITY PLACEMENT PROGRAMS

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

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

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

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

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

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

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

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

SPECIAL ALTERNATIVE INCARCERATION PROGRAM

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

OFFICE OF COMMUNITY CORRECTIONS

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

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

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

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

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

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

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

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

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

Sec. 802. (1) The funds included in section 110 for community corrections comprehensive plans and services are to encourage the development through technical assistance grants, implementation, and operation of community corrections programs which serve as an alternative to incarceration in a state facility or jail. The comprehensive corrections plans shall include an explanation of how the public safety will be maintained, the goals for the local jurisdiction, offender target populations intended to be affected, offender eligibility criteria for purposes outlined in the plan, and how the plans will meet the following objectives, consistent with section 8(4) of the community corrections act, 1988 PA 511, MCL 791.408:

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

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

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

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

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

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

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

Sec. 803. The comprehensive corrections plans shall also include, where appropriate, descriptive information on the full range of sanctions and services which are available and utilized within the local jurisdiction and an explanation of how jail beds, probation residential services, the special alternative incarceration program (boot camp), probation detention centers, the electronic monitoring program for probationers, and treatment and rehabilitative services will be utilized to support the objectives and priorities of the comprehensive corrections plan and the purposes and priorities of section 8(4) of the community corrections act, 1988 PA 511, MCL 791.408. The plans shall also include, where appropriate, provisions that detail how the local communities plan to respond to sentencing guidelines found in chapter XVII of the code of criminal procedure, 1927 PA 175, MCL 777.1 to 777.69, the development and implementation of

probation sentencing recommendation guidelines pursuant to section 501 of this act, and the use of the county jail reimbursement program pursuant to section 808 of this act. The state community corrections board shall encourage local community corrections boards to include in their comprehensive corrections plans strategies to collaborate with local alcohol and drug treatment agencies of the department of community health for the provision of alcohol and drug screening, assessment, case management planning, and delivery of treatment to alcohol- and drug-involved offenders, including, but not limited to, probation and parole violators who are at risk of revocation.

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

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

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

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

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

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

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

(3) It is the intent of the legislature that the funds appropriated in section 110 for public education and training be fully expended. To this end, the department shall submit by October 15, 1999 to the house and senate appropriations subcommittees on corrections plans for public education grants to communities and yearly training in cooperation with local community corrections advisory boards based on full expenditure of the funds appropriated in section 110 for public education and training.

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

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

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

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

Sec. 808. (1) The department shall administer a county jail reimbursement program from the funds appropriated in section 110 for the purpose of reimbursing counties for housing in jails felons who otherwise would have been sentenced to prison.

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

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

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

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

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

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

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

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

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

(6) From the funds appropriated in section 110 for the county jail reimbursement program, the department shall contract for an ongoing study to determine the impact of the new legislative sentencing guidelines. The study shall analyze historical sentencing patterns of jurisdictions as well as current and future patterns in order to determine and quantify the population impact on prisons and jails of the new guidelines as well as to identify and define felon or crime characteristics or sentencing guidelines scores that indicate a felon is a prison diversion. The department shall contract for a local and statewide study for this purpose and provide periodic reports regarding the status and findings of the study to the house and senate appropriations subcommittees on corrections, the house and senate fiscal agencies, and the state budget director.

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

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

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

- (a) Orientation and assessment.
- (b) Substance abuse counseling.
- (c) Life skills counseling.
- (d) Education.
- (e) Employment preparation.
- (f) Vocational training.
- (g) Employment.
- (h) Community service.
- (i) Physical training.
- (j) Cognitive skill training.

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

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

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

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

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

CONSENT DECREES

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

HEALTH CARE

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

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

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

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

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

INSTITUTIONAL OPERATIONS

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

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

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

Sec. 1103. If funds appropriated under part 1 for the prisoner rehabilitation and education program are expended to pay for higher education expenses of a prisoner, the prisoner, as a condition of receiving those funds, shall contractually

agree with the department to repay those funds. This requirement will not be implemented if a federal judge determines that implementation would violate a federal consent decree or court order.

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

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

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

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

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

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

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

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

Sec. 1116. (1) It is the intent of the legislature that the department spend, on average, no more than \$67.00 per day per prisoner incarcerated out-of-state. The average per diem will cover bed leasing, transportation, medical, and other costs arising from sending prisoners to facilities out-of-state.

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

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

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

Sec. 1118. From the funds appropriated in part 1, the department shall contract for or perform its own evaluation of Project RESTART funded in section 134 and Project CHANGE funded in section 139. A report on the results of the study shall be submitted to the house and senate appropriations subcommittees on corrections and the house and senate fiscal agencies by March 1, 2000. The study shall measure cognitive changes and recidivism rates, if appropriate, and track the security level changes for participants in comparison to the participant's skills and abilities upon entry to the program, to a control group of prisoners who would have been eligible for the program, but could not participate due to relocation, parole, or other like situations, and to the general population.

INMATE HOUSING FUND

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

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

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.

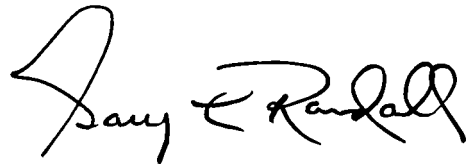
(c) The total estimated cost of this project is \$30,807,400.00.

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

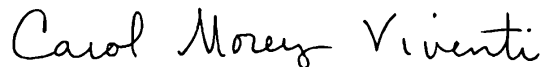
(3) Funds appropriated in this section for leased beds and alternatives to leased beds and expended for out-of-state leased beds are subject to the provisions of section 1116 of 1998 PA 321.

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

This act is ordered to take immediate effect.



Clerk of the House of Representatives.



Secretary of the Senate.

Approved -----

Governor.