

# SENATE BILL No. 1084

February 28, 2006, Introduced by Senators SWITALSKI and EMERSON and referred to the Committee on Appropriations.

A bill to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 2007; 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

1

1 LINE-ITEM APPROPRIATIONS

2 Sec. 101. Subject to the conditions set forth in this bill, the  
3 amounts listed in this part are appropriated for the department of  
4 corrections for the fiscal year ending September 30, 2007, from the  
5 funds indicated in this part. The following is a summary of the  
6 appropriations in this part:

7 **DEPARTMENT OF CORRECTIONS**

8 APPROPRIATION SUMMARY:

9	Average population .....	51,490	
10	Full-time equated unclassified positions.....	16.0	
11	Full-time equated classified positions.....	17,812.5	
12	GROSS APPROPRIATION.....		\$ 1,947,421,500
13	Interdepartmental grant revenues:		
14	Total interdepartmental grants and intradepartmental		
15	transfers .....		1,238,400
16	ADJUSTED GROSS APPROPRIATION.....		\$ 1,946,183,100
17	Federal revenues:		
18	Total federal revenues.....		11,431,500
19	Special revenue funds:		
20	Total local revenues.....		420,900
21	Total private revenues.....		0
22	Total other state restricted revenues.....		68,775,700
23	State general fund/general purpose.....		\$ 1,865,555,000
24	<b>Sec. 102. EXECUTIVE</b>		
25	Full-time equated unclassified positions.....	16.0	
26	Full-time equated classified positions.....	229.2	
27	Unclassified positions.....		\$ 1,384,700

1	Executive direction--37.0 FTE positions .....	4,681,600
2	Policy and strategic planning--34.0 FTE positions ....	6,681,400
3	Prisoner reintegration programs .....	12,552,900
4	Human resources--158.2 FTE positions .....	15,627,800
5	Human resources optimization user charges .....	1,050,800
6	Training .....	11,750,600
7	Worker's compensation .....	17,794,000
8	Sheriffs' coordinating and training office .....	<u>500,000</u>
9	GROSS APPROPRIATION .....	\$ 72,023,800
10	Appropriated from:	
11	Interdepartmental grant revenues:	
12	IDG-MDSP, Michigan justice training fund .....	695,900
13	Federal revenues:	
14	Federal revenues and reimbursements .....	1,116,300
15	Special revenue funds:	
16	State restricted revenues and reimbursements .....	500,000
17	State general fund/general purpose .....	\$ 69,711,600
18	<b>Sec. 103. ADMINISTRATION AND PROGRAMS</b>	
19	Full-time equated classified positions .....	292.9
20	Administrative services--73.9 FTE positions .....	\$ 6,990,100
21	Substance abuse testing and treatment .....	18,311,000
22	Inmate legal services .....	314,900
23	Prison industries operations--219.0 FTE positions ....	19,248,500
24	Rent .....	2,095,200
25	Equipment and special maintenance .....	479,500
26	Compensatory buyout and union leave bank .....	275,000
27	Prosecutorial and detainer expenses .....	<u>4,051,000</u>

1	GROSS APPROPRIATION.....	\$	51,765,200
2	Appropriated from:		
3	Federal revenues:		
4	Federal revenues and reimbursements.....		1,822,800
5	Special revenue funds:		
6	State restricted revenues and reimbursements.....		19,352,700
7	State general fund/general purpose.....	\$	30,589,700
8	<b>Sec. 104. FIELD OPERATIONS ADMINISTRATION</b>		
9	Full-time equated classified positions .....		1,883.9
10	Field operations--1,772.9 FTE positions.....	\$	144,059,400
11	Parole and probation special operations program.....		500,000
12	Parole board operations--27.0 FTE positions.....		2,549,700
13	Loans to parolees.....		294,400
14	Parole/probation services.....		2,867,300
15	Community re-entry centers--48.0 FTE positions.....		14,295,200
16	Electronic monitoring center--36.0 FTE positions.....		<u>5,644,500</u>
17	GROSS APPROPRIATION .....	\$	170,210,500
18	Appropriated from:		
19	Special revenue funds:		
20	Local - community tether program reimbursement.....		420,900
21	State restricted revenues and reimbursements.....		20,236,200
22	State general fund/general purpose.....	\$	149,553,400
23	<b>Sec. 105. COMMUNITY CORRECTIONS</b>		
24	Full-time equated classified positions.....		17.0
25	Community corrections administration--17.0 FTE		
26	positions .....	\$	1,742,400
27	Residential services.....		16,925,500

1	Community corrections comprehensive plans and services	12,533,000
2	Public education and training.....	50,000
3	Regional jail program.....	100
4	Alternatives to prison jail program.....	1,619,600
5	Alternatives to prison treatment program.....	400,000
6	Felony drunk driver jail reduction and community	
7	treatment program .....	2,097,400
8	County jail reimbursement program.....	<u>13,249,000</u>
9	GROSS APPROPRIATION.....	\$ 48,617,000
10	Appropriated from:	
11	Special revenue funds:	
12	State restricted revenues and reimbursements .....	19,689,500
13	State general fund/general purpose .....	\$ 28,927,500
14	<b>Sec. 106. CONSENT DECREES</b>	
15	Full-time equated classified positions .....	471.3
16	Hadix consent decree--138.0 FTE positions .....	\$ 11,600,200
17	DOJ, consent decree--106.8 FTE positions .....	9,560,700
18	DOJ, psychiatric plan - MDCH mental health services ..	36,018,600
19	DOJ, psychiatric plan - MDOC staff and	
20	services--226.5 FTE positions.....	<u>16,968,900</u>
21	GROSS APPROPRIATION.....	\$ 74,148,400
22	Appropriated from:	
23	State general fund/general purpose .....	\$ 74,148,400
24	<b>Sec. 107. HEALTH CARE</b>	
25	Full-time equated classified positions.....	1,043.1
26	Health care administration--22.0 FTE positions .....	\$ 2,951,400
27	Hospital and specialty care services .....	58,851,700

1	Vaccination program.....	691,200
2	Northern region clinical complex--243.4 FTE	
3	positions .....	29,256,800
4	Southeastern region clinical complex--472.3 FTE	
5	positions .....	62,222,900
6	Southwestern region clinical complex--305.4 FTE	
7	positions .....	<u>36,287,600</u>
8	GROSS APPROPRIATION.....	\$ 190,261,600
9	Appropriated from:	
10	Special revenue funds:	
11	State restricted revenues and reimbursements .....	331,400
12	State general fund/general purpose .....	\$ 189,930,200
13	<b>Sec. 108. CORRECTIONAL FACILITIES ADMINISTRATION</b>	
14	Average population .....	240
15	Full-time equated classified positions.....	451.9
16	Correctional facilities administration--39.0 FTE	
17	positions .....	\$ 5,925,100
18	Housing inmates in federal institutions .....	552,600
19	Education services and federal education	
20	grants--10.0 FTE positions .....	5,698,600
21	Federal school lunch program.....	712,800
22	Leased beds and alternatives to leased beds .....	100
23	Inmate housing fund--32.4 FTE positions .....	588,200
24	Average population .....	240
25	Academic/vocational programs--370.5 FTE positions ....	<u>36,862,900</u>
26	GROSS APPROPRIATION.....	\$ 50,340,300
27	Appropriated from:	

1	Federal revenues:	
2	Federal revenues and reimbursements .....	7,588,200
3	Special revenue funds:	
4	State general fund/general purpose .....	\$ 42,752,100
5	<b>Sec. 109. NORTHERN REGION CORRECTIONAL FACILITIES</b>	
6	Average population .....	15,406
7	Full-time equated classified positions.....	4,208.1
8	Alger maximum correctional facility -	
9	Munising--343.0 FTE positions.....	\$ 32,208,800
10	Average population .....	849
11	Baraga maximum correctional facility - Baraga--413.5	
12	FTE positions .....	37,908,400
13	Average population .....	1,172
14	Chippewa correctional facility - Kincheloe--524.3	
15	FTE positions .....	48,490,700
16	Average population .....	2,122
17	Kinross correctional facility - Kincheloe--572.7 FTE	
18	positions .....	56,310,800
19	Average population .....	2,759
20	Marquette branch prison - Marquette--367.7 FTE	
21	positions .....	36,389,300
22	Average population .....	1,070
23	Newberry correctional facility - Newberry--349.0 FTE	
24	positions .....	31,402,000
25	Average population .....	1,204
26	Oaks correctional facility - Eastlake--356.5 FTE	
27	positions .....	35,300,500

1	Average population .....	1,156	
2	Ojibway correctional facility - Marenisco--284.8 FTE		
3	positions .....		25,701,400
4	Average population .....	1,330	
5	Pugsley correctional facility - Kingsley--245.8 FTE		
6	positions .....		21,979,200
7	Average population .....	1,158	
8	Saginaw correctional facility - Freeland--348.0 FTE		
9	positions .....		33,110,200
10	Average population .....	1,480	
11	Standish maximum correctional facility -		
12	Standish--402.8 FTE positions.....		<u>38,558,100</u>
13	Average population .....	1,106	
14	GROSS APPROPRIATION.....	\$	397,359,400
15	Appropriated from:		
16	Special revenue funds:		
17	State restricted revenues and reimbursement .....		2,669,100
18	State general fund/general purpose .....	\$	394,690,300
19	<b>Sec. 110. SOUTHEASTERN REGION CORRECTIONAL FACILITIES</b>		
20	Average population .....	17,402	
21	Full-time equated classified positions.....	4,901.0	
22	Cooper Street correctional facility - Jackson--266.8		
23	FTE positions .....	\$	25,984,800
24	Average population .....	1,360	
25	G. Robert Cotton correctional facility -		
26	Jackson--429.3 FTE positions .....		40,083,700
27	Average population .....	1,854	



1	Charles E. Egeler correctional facility -	
2	Jackson--529.4 FTE positions .....	53,013,300
3	Average population .....	1,591
4	Gus Harrison correctional facility - Adrian--512.8	
5	FTE positions .....	48,330,800
6	Average population .....	2,262
7	Huron Valley correctional complex - Ypsilanti--692.0	
8	FTE positions .....	65,783,100
9	Average population .....	1,658
10	Macomb correctional facility - New Haven--321.5 FTE	
11	positions .....	29,306,700
12	Average population .....	1,228
13	Mound correctional facility - Detroit--277.8 FTE	
14	positions .....	25,520,900
15	Average population .....	1,051
16	Parnall correctional facility - Jackson--264.4 FTE	
17	positions .....	25,225,400
18	Average population .....	1,359
19	Ryan correctional facility - Detroit--316.8 FTE	
20	positions .....	29,599,200
21	Average population .....	1,059
22	Robert Scott correctional facility - Plymouth--339.8	
23	FTE positions .....	30,677,900
24	Average population .....	880
25	Southern Michigan correctional facility -	
26	Jackson--417.8 FTE positions .....	37,565,100
27	Average population .....	1,481

1	Thumb correctional facility - Lapeer--324.6 FTE	
2	positions .....	30,485,600
3	Average population .....	1,219
4	Special alternative incarceration program - Cassidy	
5	Lake--126.0 FTE positions .....	11,388,600
6	Average population .....	400
7	Jackson area support and services - Jackson--82.0	
8	FTE positions .....	<u>14,440,000</u>
9	GROSS APPROPRIATION.....	\$ 467,405,100
10	Appropriated from:	
11	Federal revenues:	
12	IDG-MDCH, forensic center food service.....	542,500
13	Federal revenues and reimbursements.....	904,200
14	Special revenue funds:	
15	State restricted revenues and reimbursements.....	2,951,500
16	State general fund/general purpose.....	\$ 463,006,900
17	<b>Sec. 111. SOUTHWESTERN REGION CORRECTIONAL FACILITIES</b>	
18	Average population .....	18,442
19	Full-time equated classified positions.....	4,314.1
20	Bellamy Creek correctional facility - Ionia--468.1	
21	FTE positions .....	\$ 45,273,500
22	Average population .....	1,830
23	Earnest C. Brooks correctional facility -	
24	Muskegon--483.9 FTE positions.....	45,954,900
25	Average population .....	2,200
26	Carson City correctional facility - Carson	
27	City--498.6 FTE positions .....	47,188,200

1	Average population .....	2,200	
2	Richard A. Handlon correctional facility -		
3	Ionia--255.2 FTE positions .....		24,662,700
4	Average population .....	1,320	
5	Ionia maximum correctional facility - Ionia--323.8		
6	FTE positions .....		29,526,900
7	Average population .....	667	
8	Lakeland correctional facility - Coldwater--687.9		
9	FTE positions .....		65,669,000
10	Average population .....	3,102	
11	Muskegon correctional facility - Muskegon--245.4 FTE		
12	positions .....		25,015,300
13	Average population .....	1,326	
14	Pine River correctional facility - St. Louis--223.6		
15	FTE positions .....		20,628,500
16	Average population .....	1,120	
17	Riverside correctional facility - Ionia--511.8 FTE		
18	positions .....		49,025,700
19	Average population .....	2,331	
20	St. Louis correctional facility - St. Louis--615.8		
21	FTE positions .....		<u>55,727,000</u>
22	Average population .....	2,346	
23	GROSS APPROPRIATION.....	\$	408,671,700
24	Appropriated from:		
25	Special revenue funds:		
26	State restricted revenues and reimbursements .....		2,366,000
27	State general fund/general purpose .....	\$	406,305,700

## Sec. 112. INFORMATION TECHNOLOGY

Information technology services and projects .....	\$	<u>16,618,500</u>
GROSS APPROPRIATION.....	\$	16,618,500
Appropriated from:		
Special revenue funds:		
State restricted revenues and reimbursements .....		679,300
State general fund/general purpose .....	\$	15,939,200

## PART 2

## PROVISIONS CONCERNING APPROPRIATIONS

## GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2006-2007 is \$1,934,330,700.00 and state spending from state resources to be paid to local units of government for fiscal year 2006-2007 is \$90,341,500.00. The itemized statement below identifies appropriations from which spending to units of local government will occur:

## DEPARTMENT OF CORRECTIONS

Field operations - assumption of county probation		
staff .....	\$	45,499,500
Public service work projects .....		11,216,400
Community corrections comprehensive plans and services		12,533,000
Community corrections residential services .....		16,925,500
Community corrections public education and training ..		50,000
Felony drunk driver jail reduction and community		

1	treatment program .....	2,097,400
2	Alternatives to prison jail program.....	1,619,600
3	Alternatives to prison treatment program.....	400,000
4	Regional jail program.....	<u>100</u>
5	TOTAL.....	\$ 90,341,500

6       Sec. 202. The appropriations authorized under this bill are  
7 subject to the management and budget act, 1984 PA 431, MCL 18.1101  
8 to 18.1594.

9       Sec. 203. As used in this bill:

10       (a) "Department" or "MDOC" means the Michigan department of  
11 corrections.

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

13       (c) "FTE" means full-time equated.

14       (d) "IDG" means interdepartmental grant.

15       (e) "IDT" means intradepartmental transfer.

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

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

18       (h) "MPRI" means the Michigan prisoner reentry initiative.

19       (i) "OCC" means the office of community corrections.

20       Sec. 204. The department of civil service shall bill  
21 departments and agencies at the end of the first fiscal quarter for  
22 the 1% charge authorized by section 5 of article XI of the state  
23 constitution of 1963. Payments shall be made for the total amount  
24 of the billing by the end of the second fiscal quarter.

25       Sec. 205. (1) A hiring freeze is imposed on the state  
26 classified civil service. State departments and agencies are  
27 prohibited from hiring any new full-time state classified civil

1 service employees and prohibited from filling any vacant state  
2 classified civil service positions. This hiring freeze does not  
3 apply to internal transfers of classified employees from 1 position  
4 to another within a department.

5 (2) The state budget director may grant exceptions to this  
6 hiring freeze imposed under subsection (1) when the state budget  
7 director believes that the hiring freeze will result in rendering a  
8 state department or agency unable to deliver basic services, cause  
9 loss of revenue to the state, result in the inability of the state  
10 to receive federal funds, or necessitate additional expenditures  
11 that exceed any savings from maintaining a vacancy. The state  
12 budget director shall report quarterly to the chairpersons of the  
13 senate and house of representatives standing committees on  
14 appropriations the number of exceptions to the hiring freeze  
15 approved during the previous quarter and the reasons to justify the  
16 exception.

17 Sec. 208. Unless otherwise specified, the department shall use  
18 the Internet to fulfill the reporting requirements of this bill.  
19 This requirement may include transmission of reports via electronic  
20 mail to the recipients identified for each reporting requirement,  
21 or it may include placement of reports on an Internet or Intranet  
22 site.

23 Sec. 209. Funds appropriated in part 1 shall not be used for  
24 the purchase of foreign goods or services, or both, if  
25 competitively priced and comparable quality American goods or  
26 services, or both, are available. Preference should be given to  
27 goods or services, or both, manufactured or provided by Michigan

1 businesses if they are competitively priced and of comparable  
2 quality.

3 Sec. 210. The director shall take all reasonable steps to  
4 ensure businesses in deprived and depressed communities compete for  
5 and perform contracts to provide services or supplies, or both. The  
6 director shall strongly encourage firms with which the department  
7 contracts to subcontract with certified businesses in depressed and  
8 deprived communities for services, supplies, or both.

9 Sec. 211. (1) Pursuant to the provisions of civil service  
10 rules and regulations and applicable collective bargaining  
11 agreements, individuals seeking employment with the department  
12 shall submit to a controlled substance test. The test shall be  
13 administered by the department.

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

18 Sec. 212. The department may charge fees and collect revenues  
19 in excess of appropriations in part 1 not to exceed the cost of  
20 offender services and programming, employee meals, parolee loans,  
21 academic/vocational services, custody escorts, compassionate  
22 visits, union steward activities, public work programs, and  
23 services provided to units of government. The revenues and fees  
24 collected are appropriated for all expenses associated with these  
25 services and activities.

26 Sec. 213. (1) In addition to the funds appropriated in part 1,  
27 there is appropriated an amount not to exceed \$20,000,000.00 for

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

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

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

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

23 Sec. 217. From the funds appropriated in part 1 for  
24 information technology, departments and agencies shall pay user  
25 fees to the department of information technology for technology-  
26 related services and projects. Such user fees are subject to  
27 provisions of an interagency agreement between the departments and



1 agencies and the department of information technology.

2       Sec. 218. Amounts appropriated in part 1 for information  
3 technology may be designated as work projects and carried forward  
4 to support technology projects under the direction of the  
5 department of information technology. Funds designated in this  
6 manner are not available for expenditure until approved as work  
7 projects under section 451a of the management and budget act, 1984  
8 PA 431, MCL 18.1451a.

9       Sec. 221. (1) Due to the current budgetary problems in this  
10 state, out-of-state travel for the fiscal year ending September 30,  
11 2007 is limited to situations in which 1 or more of the following  
12 conditions apply:

13       (a) The travel is required by legal mandate or court order or  
14 for law enforcement purposes.

15       (b) The travel is necessary to protect the health, safety, or  
16 health and safety of Michigan citizens or visitors or to assist  
17 other states in similar circumstances.

18       (c) The travel is necessary to produce budgetary savings or to  
19 increase state revenues, or both, including protecting existing  
20 federal funds or securing additional federal funds.

21       (d) The travel is necessary to comply with federal  
22 requirements.

23       (e) The travel is necessary to secure specialized training for  
24 staff that is not available within this state.

25       (f) The travel is financed entirely by federal or nonstate  
26 funds.

27       (2) If out-of-state travel is necessary but does not meet 1 or

1 more of the conditions in subsection (1), the state budget director  
2 may grant an exception to allow the travel. Any exceptions granted  
3 by the state budget director shall be reported on a monthly basis  
4 to the senate and house of representatives standing committees on  
5 appropriations.

6 (3) Not later than January 1 of each year, each department  
7 shall prepare a travel report listing all travel by classified and  
8 unclassified employees outside this state in the immediately  
9 preceding fiscal year that was funded in whole or in part with  
10 funds appropriated in the department's budget. The report shall be  
11 submitted to the chairs and members of the senate and house of  
12 representatives standing committees on appropriations, the fiscal  
13 agencies, and the state budget director. The report shall include  
14 the following information:

15 (a) The name of each person receiving reimbursement for travel  
16 outside this state or whose travel costs were paid by this state.

17 (b) The destination of each travel occurrence.

18 (c) The dates of each travel occurrence.

19 (d) A brief statement of the reason for each travel  
20 occurrence.

21 (e) The transportation and related costs of each travel  
22 occurrence, including the proportion funded with state general  
23 fund/general purpose revenues, the proportion funded with state  
24 restricted revenues, the proportion funded with federal revenues,  
25 and the proportion funded with other revenues.

26 (f) A total of all out-of-state travel funded for the  
27 immediately preceding fiscal year.

1     **EXECUTIVE**

2             Sec. 401. The department shall submit 3-year and 5-year prison  
3     population projection updates by February 15, 2007 to the senate  
4     and house appropriations subcommittees on corrections, the senate  
5     and house fiscal agencies, and the state budget director. The  
6     report shall include explanations of the methodology and  
7     assumptions used in developing the projection updates.

8             Sec. 402. The department shall prepare by April 1, 2007  
9     individual reports for the community re-entry program, the  
10    electronic tether program, and the special alternative to  
11    incarceration program. The reports shall be submitted to the house  
12    and senate appropriations subcommittees on corrections, the house  
13    and senate fiscal agencies, and the state budget director. Each  
14    program's report shall include information on all of the following:

15            (a) Monthly new participants.

16            (b) Monthly participant unsuccessful terminations, including  
17    cause.

18            (c) Number of successful terminations.

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

20            (e) Average length of placement.

21            (f) Return to prison statistics.

22            (g) Description of each program location or locations,  
23    capacity, and staffing.

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

26            (i) Comparison with prior year statistics.

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

3           Sec. 405. (1) The department shall review and revise as  
4 necessary policy proposals that provide alternatives to prison for  
5 offenders being sentenced to prison as a result of technical  
6 probation violations and technical parole violations. To the extent  
7 the department has insufficient policies or resources to affect the  
8 continued increase in prison commitments among these offender  
9 populations, the department shall explore other policy options to  
10 allow for program alternatives, including department or OCC-funded  
11 programs, local level programs, and programs available through  
12 private agencies that may be used as prison alternatives for these  
13 offenders.

14           (2) To the extent policies or programs described in subsection  
15 (1) are used, developed, or contracted for, the department may  
16 request that funds appropriated in part 1 be transferred under  
17 section 393(2) of the management and budget act, 1984 PA 431, MCL  
18 18.1393, for their operation.

19           (3) The department shall continue to utilize parole violator  
20 processing guidelines that require parole agents to utilize all  
21 available appropriate community-based, nonincarcerative postrelease  
22 sanctions and services when appropriate. The department shall  
23 periodically evaluate such guidelines for modification, in response  
24 to emerging information from the pilot projects for substance abuse  
25 treatment provided under this bill and applicable provisions of  
26 prior budget acts for the department.

27           (4) By May 1, 2007, the department shall report to the senate

1 and house appropriations subcommittees on corrections, the senate  
2 and house fiscal agencies, and the state budget director on the  
3 number of all parolees returned to prison and probationers  
4 sentenced to prison for either a technical violation or new  
5 sentence from October 1, 2006 through March 30, 2007. After May 1,  
6 2007, the department shall provide monthly reports. The reports  
7 shall include the following information each for probationers,  
8 parolees after their first parole, and parolees who have been  
9 paroled more than once:

10 (a) The number of offenders returned for a new crime with a  
11 comparison of original versus new offenses by major offense type:  
12 assaultive, nonassaultive, drug, and sex.

13 (b) The number of offenders returned for a technical violation  
14 and the type of violation, including, but not limited to, zero gun  
15 tolerance and substance abuse violations.

16 (c) The educational history of those offenders, including how  
17 many had a G.E.D. or high school diploma prior to incarceration in  
18 prison, how many received a G.E.D. while in prison, and how many  
19 received a vocational certificate while in prison.

20 (d) The number of offenders who participated in the MPRI  
21 versus the number of those who did not.

22 Sec. 406. Funds included in part 1 for the sheriffs'  
23 coordinating and training office are appropriated for and may be  
24 expended to defray costs of continuing education, certification,  
25 recertification, decertification, and training of local corrections  
26 officers, the personnel and administrative costs of the sheriffs'  
27 coordinating and training office, the local corrections officers

1 advisory board, and the sheriffs' coordinating and training council  
2 under the local corrections officers training act, 2003 PA 125, MCL  
3 791.531 to 791.546.

4 Sec. 407. (1) By April 1, 2007, the department shall provide a  
5 report on prisoner reintegration programs to the members of the  
6 senate and house appropriations subcommittees on corrections, the  
7 senate and house fiscal agencies, and the state budget director. At  
8 a minimum, the report shall include all of the following  
9 information:

10 (a) Allocations and projected expenditures for each project  
11 funded and for each project to be funded, itemized by service to be  
12 provided and service provider.

13 (b) An explanation of the objectives and results measures for  
14 each program.

15 (c) An explanation of how the programs will be evaluated.

16 (d) A discussion of the evidence and research upon which each  
17 program is based.

18 (e) A discussion and estimate of the impact of prisoner  
19 reintegration programs on reoffending and returns to prison.

20 (f) A progress report on applicable results of each program,  
21 including, but not limited to, the estimated bed space impact of  
22 prisoner reintegration programs.

23 (2) The department shall provide annual reports due April 1,  
24 2007 to the senate and house appropriations subcommittees on  
25 corrections, the senate and house fiscal agencies, and the state  
26 budget director on the status and recidivism levels of offenders  
27 who participated in the MPRI and have been released. The data

1 should be broken out by the following 4 offender types: drug,  
2 nonassaultive, assaultive, and sex.

3 (3) By September 30, 2007, the department shall report to the  
4 senate and house appropriations subcommittees on corrections, the  
5 senate and house fiscal agencies, and the state budget director a  
6 comparison of the overall recidivism rates and length of time prior  
7 to prison return of offenders who participated in the MPRI with  
8 those of offenders who did not. The report should disaggregate the  
9 information by each pilot site in order to compare the practices  
10 and success rates of each pilot.

11 (4) If practicable, the department shall include prisoners  
12 nearing their maximum sentence in the prison phases of the MPRI.

13 Sec. 408. From the funds appropriated in part 1, the department  
14 shall maintain and make publicly accessible the files of all felony  
15 offenders even after an offender is no longer under the  
16 department's jurisdiction on the offender tracking information  
17 system in the same manner as files of current offenders.

18 Sec. 411. As a condition of expending funds appropriated for  
19 policy and strategic planning and prisoner reintegration programs  
20 under section 102 of this bill, the department shall by January 31,  
21 2007 provide a plan to reduce recidivism rates among prisoners  
22 released from correctional facilities to the members of the senate  
23 and house appropriations committees, the senate and house fiscal  
24 agencies, and the state budget director. The plan also shall  
25 include details on how the department proposes to measure the  
26 success of the plan.

1    **ADMINISTRATION AND PROGRAMS**

2           Sec. 501. From the funds appropriated in part 1 for  
3 prosecutorial and detainer expenses, the department shall reimburse  
4 counties for housing and custody of parole violators and offenders  
5 being returned by the department from community placement who are  
6 available for return to institutional status and for prisoners who  
7 volunteer for placement in a county jail.

8           Sec. 502. (1) The department shall screen and assess each  
9 prisoner for alcohol and other drug involvement to determine the  
10 need for further treatment. The assessment process shall be  
11 designed to identify the severity of alcohol and other drug  
12 addiction and determine the treatment plan, if appropriate.

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

18           Sec. 503. (1) In expending residential substance abuse  
19 treatment services funds appropriated under this bill, the  
20 department shall ensure to the maximum extent possible that  
21 residential substance abuse treatment services are available  
22 statewide.

23           (2) By April 1, 2007, the department shall report to the  
24 senate and house appropriations subcommittees on corrections, the  
25 senate and house fiscal agencies, and the state budget director on  
26 the allocation, distribution, and expenditure of all funds  
27 appropriated by the substance abuse testing and treatment line item



1 during fiscal year 2005-2006 and projected for fiscal year 2006-  
2 2007. The report shall include, but not be limited to, an  
3 explanation of an anticipated year-end balance, the number of  
4 participants in substance abuse programs, and the number of  
5 offenders on waiting lists for residential substance abuse  
6 programs. Information required under this subsection shall, where  
7 possible, be separated by MDOC administrative region and by  
8 offender type, including, but not limited to, a distinction between  
9 prisoners, parolees, and probationers.

10 (3) By April 1, 2007, the department shall report to the  
11 senate and house appropriations subcommittees on corrections, the  
12 senate and house fiscal agencies, and the state budget director on  
13 substance abuse testing and treatment program objectives, outcome  
14 measures, and results, including program impact on offender  
15 behavior and recidivism.

#### 16 **FIELD OPERATIONS ADMINISTRATION**

17 Sec. 601. From the funds appropriated in part 1, the  
18 department shall conduct a statewide caseload audit of field  
19 agents. The audit shall address public protection issues and assess  
20 the ability of the field agents to complete their professional  
21 duties. The results of the audit shall be submitted to the senate  
22 and house appropriations subcommittees on corrections and the  
23 senate and house fiscal agencies, and the state budget office by  
24 September 30, 2007.

25 Sec. 602. (1) Of the amount appropriated in part 1 for field  
26 operations, a sufficient amount shall be allocated for the

1 community service work program and shall be used for salaries and  
2 wages and fringe benefit costs of community service coordinators  
3 employed by the department to supervise offenders participating in  
4 work crew assignments. Funds shall also be used to cover motor  
5 transport division rates on state vehicles used to transport  
6 offenders to community service work project sites.

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

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

15 Sec. 603. (1) All prisoners, probationers, and parolees  
16 involved with the electronic tether program shall reimburse the  
17 department for costs associated with their participation in the  
18 program.

19 (2) Program participant contributions and local community  
20 tether program reimbursement for the electronic tether program  
21 appropriated in part 1 are related to program expenditures and may  
22 be used to offset expenditures for this purpose.

23 (3) Included in the appropriation in part 1 is adequate  
24 funding to implement the community tether program to be  
25 administered by the department. The community tether program is  
26 intended to provide sentencing judges and county sheriffs in  
27 coordination with local community corrections advisory boards

1 access to the state's electronic tether program to reduce prison  
2 admissions and improve local jail utilization. The department shall  
3 determine the appropriate distribution of the tether units  
4 throughout the state based upon locally developed comprehensive  
5 corrections plans under the community corrections act, 1988 PA 511,  
6 MCL 791.401 to 791.414.

7 (4) For a fee determined by the department, the department  
8 shall provide counties with the tether equipment, replacement  
9 parts, administrative oversight of the equipment's operation,  
10 notification of violators, and periodic reports regarding county  
11 program participants. Counties are responsible for tether equipment  
12 installation and service. For an additional fee as determined by  
13 the department, the department shall provide staff to install and  
14 service the equipment. Counties are responsible for the  
15 coordination and apprehension of program violators.

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

19 Sec. 604. Community-placement prisoners and parolees shall  
20 reimburse the department for the total costs of the program. As an  
21 alternative method of payment, the department may develop a  
22 community service work schedule for those individuals unable to  
23 meet reimbursement requirements established by the department.

24 Sec. 608. Funds appropriated in part 1 for the parole and  
25 probation special operations program are appropriated for the  
26 purpose of funding law enforcement officer escorts for field agents  
27 making unscheduled visits to verify offenders' whereabouts and

1 activities in selected precincts in cities with a population of  
2 more than 750,000 according to the most recent United States  
3 decennial census. As used in this section, "unscheduled visits"  
4 means visits to locations other than governmental offices between  
5 the hours of 5 p.m. and 8 a.m. and made without appointment with  
6 the supervised offender.

7 **COMMUNITY CORRECTIONS**

8 Sec. 701. The office of community corrections shall provide  
9 and coordinate the delivery and implementation of services in  
10 communities to facilitate successful offender reintegration into  
11 the community. Programs and services to be offered shall include,  
12 but are not limited to, technical assistance for comprehensive  
13 corrections plan development, new program start-up funding, program  
14 funding for those programs delivering services for eligible  
15 offenders in geographic areas identified by the office of community  
16 corrections as having a shortage of available services, technical  
17 assistance, referral services for education, employment services,  
18 and substance abuse and family counseling. As used in this bill:

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

25 (b) "Goal" means the intended or projected result of a  
26 comprehensive corrections plan or community corrections program to

1 reduce prison commitment rates, to reduce the length of stay in a  
2 jail, or to improve the utilization of a jail.

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

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

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

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

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

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

1       Sec. 702. (1) The funds included in part 1 for community  
2       corrections comprehensive plans and services are to encourage the  
3       development through technical assistance grants, implementation,  
4       and operation of community corrections programs that serve as an  
5       alternative to incarceration in a state facility or jail. The  
6       comprehensive corrections plans shall include an explanation of how  
7       the public safety will be maintained, the goals for the local  
8       jurisdiction, offender target populations intended to be affected,  
9       offender eligibility criteria for purposes outlined in the plan,  
10      and how the plans will meet the following objectives, consistent  
11      with section 8(4) of the community corrections act, 1988 PA 511,  
12      MCL 791.408:

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

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

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

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

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

27           (2) The award of community corrections comprehensive plans and

1 residential services funds shall be based on criteria that include,  
2 but are not limited to, the prison commitment rate by category of  
3 offenders, trends in prison commitment rates and jail utilization,  
4 historical trends in community corrections program capacity and  
5 program utilization, and the projected impact and outcome of annual  
6 policies and procedures of programs on prison commitment rates and  
7 jail utilization.

8 (3) Funds awarded for residential services in part 1 shall  
9 provide for a per diem reimbursement of not more than \$47.50.

10 Sec. 703. The comprehensive corrections plans shall also  
11 include, where appropriate, descriptive information on the full  
12 range of sanctions and services that are available and utilized  
13 within the local jurisdiction and an explanation of how jail beds,  
14 residential services, the special alternative incarceration program  
15 (boot camp), probation detention centers, the electronic monitoring  
16 program for probationers, and treatment and rehabilitative services  
17 will be utilized to support the objectives and priorities of the  
18 comprehensive corrections plan and the purposes and priorities of  
19 section 8(4) of the community corrections act, 1988 PA 511, MCL  
20 791.408. The plans shall also include, where appropriate,  
21 provisions that detail how the local communities plan to respond to  
22 sentencing guidelines found in chapter XVII of the code of criminal  
23 procedure, 1927 PA 175, MCL 777.1 to 777.69, and the use of the  
24 county jail reimbursement program under section 706 of this bill.  
25 The state community corrections board shall encourage local  
26 community corrections boards to include in their comprehensive  
27 corrections plans strategies to collaborate with local alcohol and

1 drug treatment agencies of the department of community health for  
2 the provision of alcohol and drug screening, assessment, case  
3 management planning, and delivery of treatment to alcohol- and  
4 drug-involved offenders, including, but not limited to, probation  
5 and parole violators who are at risk of revocation.

6 Sec. 704. (1) As part of the March biannual report specified  
7 in section 12(2) of the community corrections act, 1988 PA 511, MCL  
8 791.412, that requires an analysis of the impact of that act on  
9 prison admissions and jail utilization, the department shall submit  
10 to the senate and house appropriations subcommittees on  
11 corrections, the senate and house fiscal agencies, and the state  
12 budget director the following information for each county and  
13 counties consolidated for comprehensive corrections plans:

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

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

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

23 (d) Data on residential services, including participant data,  
24 participant sentencing guideline scores, program expenditures,  
25 average length of stay, and bed utilization data.

26 (e) Offender disposition data by sentencing guideline range,  
27 by disposition type, number and percent statewide and by county,



1 current year, and comparisons to the previous 3 years.

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

5 Sec. 705. (1) The department shall identify and coordinate  
6 information regarding the availability of and the demand for  
7 community corrections programs, jail-based community corrections  
8 programs, and basic state-required jail data.

9 (2) The department is responsible for the collection,  
10 analysis, and reporting of state-required jail data.

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

14 Sec. 706. (1) The department shall administer a county jail  
15 reimbursement program from the funds appropriated in part 1 for the  
16 purpose of reimbursing counties for housing in jails felons who  
17 otherwise would have been sentenced to prison.

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

22 (a) The felon's sentencing guidelines recommended range upper  
23 limit is more than 18 months, the felon's sentencing guidelines  
24 recommended range lower limit is 12 months or less, the felon's  
25 prior record variable score is 35 or more points, and the felon's  
26 sentence is not for commission of a crime in crime class G or crime  
27 class H under chapter XVII of the code of criminal procedure, 1927

1 PA 175, MCL 777.1 to 777.69.

2 (b) The felon's minimum sentencing guidelines range minimum is  
3 more than 12 months.

4 (3) State reimbursement under this section for prisoner  
5 housing and custody expenses per diverted offender shall be \$43.50  
6 per diem for up to a 1-year total.

7 (4) From the funds appropriated in part 1 for the county jail  
8 reimbursement program, the department shall contract for an ongoing  
9 study to determine the impact of the new legislative sentencing  
10 guidelines. The study shall analyze sentencing patterns of  
11 jurisdictions as well as future patterns in order to determine and  
12 quantify the population impact on prisons and jails of the new  
13 guidelines as well as to identify and define felon or crime  
14 characteristics or sentencing guidelines scores that indicate a  
15 felon is a prison diversion. The department shall contract for a  
16 local and statewide study for this purpose and provide periodic  
17 reports regarding the status and findings of the study to the house  
18 and senate appropriations subcommittees on corrections, the house  
19 and senate fiscal agencies, and the state budget director.

20 (5) The department, the Michigan association of counties, and  
21 the Michigan sheriffs' association shall review the periodic  
22 findings of the study required in subsection (4) and, if  
23 appropriate, recommend modification of the criteria for  
24 reimbursement contained in subsection (2). Any recommended  
25 modification shall be forwarded to the house and senate  
26 appropriations subcommittees on corrections and the state budget  
27 office.

1           (6) The department shall reimburse counties for offenders in  
2 jail based upon the reimbursement eligibility criteria in place on  
3 the date the offender was originally sentenced for the reimbursable  
4 offense.

5           (7) County jail reimbursement program expenditures shall not  
6 exceed the amount appropriated in part 1 for the county jail  
7 reimbursement program. Payments to counties under the county jail  
8 reimbursement program shall be made in the order in which properly  
9 documented requests for reimbursements are received. A request  
10 shall be considered to be properly documented if it meets MDOC  
11 requirements for documentation. The department shall by October 15,  
12 2006 distribute the documentation requirements to all counties.

13           Sec. 708. (1) Funds included in part 1 for the felony drunk  
14 driver jail reduction and community treatment program are  
15 appropriated for and may be expended for any of the following  
16 purposes:

17           (a) To increase availability of treatment options to reduce  
18 drunk driving and drunk driving-related deaths by addressing the  
19 alcohol addiction of felony drunk drivers who otherwise likely  
20 would be sentenced to jail or a combination of jail and other  
21 sanctions.

22           (b) To divert from jail sentences or to reduce the length of  
23 jail sentences for felony drunk drivers who otherwise would have  
24 been sentenced to jail and whose recommended minimum sentence  
25 ranges under sentencing guidelines established under chapter XVII  
26 of the code of criminal procedure, 1927 PA 175, MCL 777.1 to  
27 777.69, have upper limits of 18 months or less, through funding

1 programs that may be used in lieu of incarceration and that  
2 increase the likelihood of rehabilitation.

3 (c) To provide a policy and funding framework to make  
4 additional jail space available for housing convicted felons whose  
5 recommended minimum sentence ranges under sentencing guidelines  
6 established under chapter XVII of the code of criminal procedure,  
7 1927 PA 175, MCL 777.1 to 777.69, have lower limits of 12 months or  
8 less and who likely otherwise would be sentenced to prison, with  
9 the aim of enabling counties to meet or exceed amounts received  
10 through the county jail reimbursement program during fiscal year  
11 2002-2003 and reducing the numbers of felons sentenced to prison.

12 (2) Expenditure of funds included in part 1 for the felony  
13 drunk driver jail reduction and community treatment program shall  
14 be by grant awards consistent with standards developed by a  
15 committee of the state community corrections advisory board. The  
16 chairperson of the committee shall be the board member representing  
17 county sheriffs. Remaining members of the committee shall be  
18 appointed by the chairperson of the board.

19 (3) In developing annual standards, the committee shall  
20 consult with interested agencies and associations. Standards  
21 developed by the committee shall include application criteria,  
22 performance objectives and measures, funding allocations, and  
23 allowable uses of the funds, consistent with the purposes specified  
24 in this section.

25 (4) Allowable uses of the funds shall include reimbursing  
26 counties for transportation, treatment costs, and housing felony  
27 drunk drivers during a period of assessment for treatment and case

1 planning. Reimbursements for housing during the assessment process  
2 shall be at the rate of \$43.50 per day per offender, up to a  
3 maximum of 5 days per offender.

4 (5) The standards developed by the committee shall assign each  
5 county a maximum funding allocation based on the amount the county  
6 received under the county jail reimbursement program in fiscal year  
7 2001-2002 for housing felony drunk drivers whose recommended  
8 minimum sentence ranges under the sentencing guidelines described  
9 in subsection (1)(c) had upper limits of 18 months or less.

10 (6) Awards of funding under this section shall be provided  
11 consistent with the local comprehensive corrections plans developed  
12 under the community corrections act, 1988 PA 511, MCL 791.401 to  
13 791.414. Funds awarded under this section may be used in  
14 conjunction with funds awarded under grant programs established  
15 under that act. Due to the need for felony drunk drivers to be  
16 transitioned from county jails to community treatment services,  
17 local units of government shall utilize funds received under this  
18 section to support county sheriff departments.

19 (7) As used in this section, "felony drunk driver" means a  
20 felon convicted of operating a motor vehicle under the influence of  
21 intoxicating liquor or a controlled substance, or both, third or  
22 subsequent offense, under section 625(9)(c) of the Michigan vehicle  
23 code, 1949 PA 300, MCL 257.625, or its predecessor statute,  
24 punishable as a felony.

25 Sec. 709. (1) By April 1, 2007, the department shall report to  
26 the members of the senate and house appropriations subcommittees on  
27 corrections, the senate and house fiscal agencies, and the state

1 budget director on each of the following programs from the previous  
2 fiscal year:

3 (a) The county jail reimbursement program.

4 (b) The felony drunk driver jail reduction and community  
5 treatment program.

6 (c) The alternatives to prison jail and treatment programs.

7 (d) The jail capacity expansion program.

8 (e) New initiatives to control prison population growth funded  
9 under residential services and comprehensive plans and services.

10 (2) For each program listed under subsection (1), the report  
11 under subsection (1) shall include information on each of the  
12 following:

13 (a) Program objectives and outcome measures.

14 (b) Expenditures by location.

15 (c) The impact on jail utilization.

16 (d) The impact on prison admissions.

17 (e) Other information relevant to an evaluation of the  
18 program.

19 **CONSENT DECREES**

20 Sec. 801. Funding appropriated in part 1 for consent decree  
21 line items is appropriated into separate control accounts created  
22 for each line item. Funding in each control account shall be  
23 distributed as necessary into separate accounts created for the  
24 purpose of separately identifying costs and expenditures associated  
25 with each consent decree.

**HEALTH CARE**

Sec. 901. The department shall not expend funds appropriated under part 1 for any surgery, procedure, or treatment to provide or maintain a prisoner's sex change unless it is determined medically necessary by the chief medical officer of the department.

Sec. 907. The bureau of health care services shall develop information on Hepatitis C prevention and the risks associated with exposure to Hepatitis C, and the health care providers shall disseminate this information verbally and in writing to each prisoner at the health screening and full health appraisal conducted at admissions, at the annual health care screening 1 week before or after a prisoner's birthday, and prior to release to the community by parole, transfer to community residential placement, or discharge on the maximum.

Sec. 908. From the funds appropriated in part 1, the department shall offer an alanine aminotransferase (ALT) test to each prisoner who has received positive parole action. An explanation of results of the test shall be provided confidentially to the prisoner prior to release on parole, and if appropriate based on the test results, the prisoner shall also be provided a recommendation to seek follow-up medical attention in the community. The test shall be voluntary; if the prisoner refuses to be tested, that decision shall not affect parole release, conditions of parole, or parole supervision.

**INSTITUTIONAL OPERATIONS**

Sec. 1002. From the funds appropriated in part 1, the

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

8       Sec. 1003. The department shall prohibit prisoners access to  
9 or use of the Internet or any similar system.

10       Sec. 1004. Any department employee who, in the course of his  
11 or her job, is determined by a physician to have had a potential  
12 exposure to the Hepatitis B virus, shall receive a Hepatitis B  
13 vaccination upon request.

14       Sec. 1006. (1) The inmate housing fund shall be used for the  
15 custody, treatment, clinical, and administrative costs associated  
16 with the housing of prisoners other than those specifically  
17 budgeted for elsewhere in this bill. Funding in the inmate housing  
18 fund is appropriated into a separate control account. Funding in  
19 the control account shall be distributed as necessary into separate  
20 accounts created to separately identify costs for specific  
21 purposes.

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

26       Sec. 1007. The department shall establish a uniform rate to be  
27 paid by agencies that benefit from public work services provided by



1 special alternative incarceration participants and prisoners.

2       Sec. 1011. As a condition of expending funds appropriated for  
3 academic/vocational programs under section 108 of this bill, the  
4 department shall by January 31, 2007 provide a plan to increase  
5 certification rates among prisoners enrolled in general educational  
6 development (G.E.D.) programs at correctional facilities to the  
7 members of the senate and house appropriations committees, the  
8 senate and house fiscal agencies, and the state budget director.  
9 The plan shall include detailed information on certification rates  
10 for the most recent 5-year period, a comparison with prisoner  
11 certification rates in other states and a national average, and  
12 details on how the department plans to improve certification rates.