

Act No. 124
Public Acts of 2007
Approved by the Governor
October 31, 2007
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**STATE OF MICHIGAN
94TH LEGISLATURE
REGULAR SESSION OF 2007**

Introduced by Reps. Alma Smith and Leland

ENROLLED HOUSE BILL No. 4348

AN ACT to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 2008; 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, 2008, 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 | 51,841 | |
| Full-time equated unclassified positions | 16.0 | |
| Full-time equated classified positions | 17,637.4 | |
| GROSS APPROPRIATION | | \$ 2,078,269,100 |
| Appropriated from: | | |
| Interdepartmental grant revenues: | | |
| Total interdepartmental grants and intradepartmental transfers | 1,264,600 | |
| ADJUSTED GROSS APPROPRIATION | | \$ 2,077,004,500 |
| Federal revenues: | | |
| Total federal revenues | 10,340,700 | |
| Special revenue funds: | | |
| Total local revenues | 429,700 | |
| Total private revenues | 0 | |
| Total other state restricted revenues | 70,149,600 | |
| State general fund/general purpose | | \$ 1,996,084,500 |

Sec. 102. EXECUTIVE

| | | |
|--|------|--------------|
| Full-time equated unclassified positions | 16.0 | |
| Full-time equated classified positions | 8.0 | |
| Unclassified positions—16.0 FTE positions..... | | \$ 1,373,500 |
| Executive direction—8.0 FTE positions | | 1,790,000 |
| Mental health study | | 400,000 |
| GROSS APPROPRIATION | | \$ 3,563,500 |
| Appropriated from: | | |
| State general fund/general purpose | | \$ 3,563,500 |

Sec. 103. PLANNING AND COMMUNITY SUPPORT

| | | |
|--|------|----------------|
| Full-time equated classified positions | 72.0 | |
| Planning, community development, and research—32.0 FTE positions | | \$ 2,934,400 |
| Mental health awareness training | | 100,000 |
| Prisoner reintegration programs | | 33,173,700 |
| Community corrections administration—17.0 FTE positions | | 1,891,300 |
| Substance abuse testing and treatment services—23.0 FTE positions..... | | 20,042,800 |
| Residential services..... | | 16,925,500 |
| Community corrections comprehensive plans and services..... | | 12,533,000 |
| Public education and training..... | | 50,000 |
| Regional jail program | | 100 |
| Felony drunk driver jail reduction and community treatment program | | 2,097,400 |
| County jail reimbursement program | | 13,249,000 |
| GROSS APPROPRIATION | | \$ 102,997,200 |
| Appropriated from: | | |
| Federal revenues: | | |
| DOJ, office of justice programs, Byrne grants..... | | 729,400 |
| DOJ, office of justice programs, RSAT | | 142,800 |
| DOJ, prisoner reintegration..... | | 1,035,000 |
| Special revenue funds: | | |
| Telephone fees and commissions..... | | 8,555,500 |
| Civil infraction fees | | 7,514,400 |
| State general fund/general purpose | | \$ 85,020,100 |

Sec. 104. OPERATIONS SUPPORT ADMINISTRATION

| | | |
|--|-------|---------------|
| Full-time equated classified positions | 259.1 | |
| Operations support administration—3.0 FTE positions..... | | \$ 405,000 |
| Bureau of human resources—159.2 FTE positions | | 15,881,900 |
| Human resources optimization user charges..... | | 1,079,700 |
| New custody staff training | | 11,533,000 |
| Compensatory buyout and union leave bank..... | | 100 |
| Worker's compensation..... | | 16,162,000 |
| Bureau of fiscal management—60.9 FTE positions | | 5,287,900 |
| Office of legal services—28.0 FTE positions | | 3,086,200 |
| Internal affairs—8.0 FTE positions | | 814,100 |
| Rent..... | | 2,095,200 |
| Equipment and special maintenance | | 425,500 |
| Administrative hearings officers | | 3,963,900 |
| Sheriffs' coordinating and training office | | 500,000 |
| Prosecutorial and detainer expenses | | 4,051,000 |
| GROSS APPROPRIATION | | \$ 65,285,500 |
| Appropriated from: | | |
| Interdepartmental grant revenues: | | |
| IDG-MDSP, Michigan justice training fund | | 695,900 |
| Special revenue funds: | | |
| Local corrections officer training fund | | 500,000 |
| Correctional industries revolving fund..... | | 107,800 |
| State general fund/general purpose | | \$ 63,981,800 |

Sec. 105. FIELD OPERATIONS ADMINISTRATION

| | | |
|---|---------|----------------|
| Full-time equated classified positions | 1,924.9 | |
| Field operations—1,801.9 FTE positions | | \$ 152,033,000 |
| Parole board operations—33.0 FTE positions | | 2,883,200 |
| Parole/probation services | | 2,867,300 |
| Community re-entry centers—51.0 FTE positions | | 16,800,500 |
| Electronic monitoring center—39.0 FTE positions | | 7,086,900 |
| GROSS APPROPRIATION | | \$ 181,670,900 |
| Appropriated from: | | |
| Special revenue funds: | | |
| Local - community tether program reimbursement | | 429,700 |
| Re-entry center offender reimbursements | | 133,900 |
| Parole and probation oversight fees | | 10,753,900 |
| Parole and probation oversight fees set-aside | | 3,267,300 |
| Public works user fees | | 248,900 |
| Tether program participant contributions | | 6,010,800 |
| Telephone fees and commissions | | 2,522,200 |
| State general fund/general purpose | | \$ 158,304,200 |

Sec. 106. CORRECTIONAL FACILITIES ADMINISTRATION

| | | |
|--|---------|----------------|
| Average population | 2,638 | |
| Full-time equated classified positions | 1,857.0 | |
| Correctional facilities administration—39.0 FTE positions | | \$ 6,898,000 |
| Prison food service—487.0 FTE positions | | 84,025,000 |
| Transportation—229.0 FTE positions | | 25,441,700 |
| Facility maintenance and repurposing | | 120,000 |
| Central records—63.0 FTE positions | | 5,295,800 |
| Inmate legal services | | 314,900 |
| Loans to parolees | | 179,400 |
| Housing inmates in federal institutions | | 793,900 |
| Prison industries operations—219.0 FTE positions | | 20,097,000 |
| Education services and federal education grants—10.0 FTE positions | | 5,718,900 |
| Federal school lunch program | | 712,800 |
| Leased beds and alternatives to leased beds | | 100 |
| Inmate housing fund—450.5 FTE positions | | 44,414,700 |
| Average population | 2,638 | |
| MPRI education program—359.5 FTE positions | | 37,860,400 |
| GROSS APPROPRIATION | | \$ 231,872,600 |
| Appropriated from: | | |
| Interdepartmental grant revenues: | | |
| IDG-MDCH, forensic center food service | | 568,700 |
| Federal revenues: | | |
| DAG-FNS, national school lunch | | 712,800 |
| DED-OESE, title 1 | | 521,800 |
| DED-OVAE, adult education | | 1,892,500 |
| DED, adult literacy grants | | 308,300 |
| DED-OSERS | | 101,300 |
| DED, vocational education equipment | | 277,300 |
| DED, youthful offender/Specter grant | | 1,289,400 |
| DOJ-BOP, federal prisoner reimbursement | | 211,000 |
| DOJ-OJP, serious and violent offender reintegration initiative | | 1,010,000 |
| DOJ, prison rape elimination act grant | | 1,000,000 |
| SSA-SSI, incentive payment | | 123,600 |
| Special revenue funds: | | |
| Correctional industries revolving fund | | 20,097,000 |
| Public works user fees | | 174,000 |
| Resident stores | | 231,400 |
| State general fund/general purpose | | \$ 203,353,500 |

Sec. 107. CONSENT DECREES

| | | |
|--|-------|----------------------|
| Full-time equated classified positions | 470.3 | |
| Hadix consent decree—137.0 FTE positions | | \$ 12,043,800 |
| DOJ consent decree—106.8 FTE positions | | 10,031,300 |
| DOJ psychiatric plan - MDCH mental health services | | 38,108,200 |
| DOJ psychiatric plan - MDOC staff and services—226.5 FTE positions | | 17,986,500 |
| GROSS APPROPRIATION | | <u>\$ 78,169,800</u> |
| Appropriated from: | | |
| State general fund/general purpose | | \$ 78,169,800 |

Sec. 108. HEALTH CARE

| | | |
|--|---------|-----------------------|
| Full-time equated classified positions | 1,041.1 | |
| Health care administration—14.0 FTE positions | | \$ 2,164,900 |
| Hospital and specialty care services | | 84,274,900 |
| Vaccination program | | 691,200 |
| Northern region clinical complexes—270.9 FTE positions | | 36,636,400 |
| Southeastern region clinical complexes—453.4 FTE positions | | 68,847,300 |
| Southwestern region clinical complexes—302.8 FTE positions | | 41,551,600 |
| GROSS APPROPRIATION | | <u>\$ 234,166,300</u> |
| Appropriated from: | | |
| Special revenue funds: | | |
| Prisoner health care copayments | | 331,400 |
| State general fund/general purpose | | <u>\$ 233,834,900</u> |

Sec. 109. NORTHERN REGION CORRECTIONAL FACILITIES

| | | |
|--|---------|-----------------------|
| Average population | 15,855 | |
| Full-time equated classified positions | 4,033.4 | |
| Alger maximum correctional facility - Munising—331.1 FTE positions | | \$ 31,735,600 |
| Average population | 849 | |
| Baraga maximum correctional facility - Baraga—400.6 FTE positions | | 37,495,500 |
| Average population | 1,172 | |
| Chippewa correctional facility - Kincheloe—543.2 FTE positions | | 50,794,200 |
| Average population | 2,282 | |
| Kinross correctional facility - Kincheloe—562.5 FTE positions | | 55,757,000 |
| Average population | 2,999 | |
| Marquette branch prison - Marquette—367.7 FTE positions | | 37,539,700 |
| Average population | 1,201 | |
| Newberry correctional facility - Newberry—290.0 FTE positions | | 26,491,800 |
| Average population | 978 | |
| Oaks correctional facility - Eastlake—324.6 FTE positions | | 34,062,000 |
| Average population | 1,156 | |
| Ojibway correctional facility - Marenisco—271.3 FTE positions | | 24,640,000 |
| Average population | 1,378 | |
| Pugsley correctional facility - Kingsley—231.4 FTE positions | | 20,897,500 |
| Average population | 1,158 | |
| Saginaw correctional facility - Freeland—330.0 FTE positions | | 31,687,600 |
| Average population | 1,480 | |
| Standish maximum correctional facility - Standish— 381.0 FTE positions | | <u>37,750,000</u> |
| Average population | 1,202 | |
| GROSS APPROPRIATION | | <u>\$ 388,850,900</u> |
| Appropriated from: | | |
| Special revenue funds: | | |
| Public works user fees | | 1,916,500 |
| Resident stores | | 1,348,500 |
| State general fund/general purpose | | <u>\$ 385,585,900</u> |

Sec. 110. SOUTHEASTERN REGION CORRECTIONAL FACILITIES

| | | |
|---|---------|----------------|
| Average population | 16,537 | |
| Full-time equated classified positions | 4,325.4 | |
| Cooper street correctional facility - Jackson—286.8 FTE positions | | \$ 28,938,400 |
| Average population | 1,752 | |
| G. Robert Cotton correctional facility - Jackson— 414.3 FTE positions | | 39,172,400 |
| Average population | 1,854 | |
| Charles E. Egeler correctional facility - Jackson— 372.4 FTE positions | | 37,896,700 |
| Average population | 1,108 | |
| Gus Harrison correctional facility - Adrian—493.3 FTE positions | | 47,352,200 |
| Average population | 2,342 | |
| Huron Valley correctional complex - Ypsilanti—681.0 FTE positions | | 64,913,700 |
| Average population | 1,772 | |
| Macomb correctional facility - New Haven—307.5 FTE positions..... | | 27,945,500 |
| Average population | 1,228 | |
| Mound correctional facility - Detroit—295.6 FTE positions..... | | 26,677,200 |
| Average population | 1,051 | |
| Parnall correctional facility - Jackson—270.8 FTE positions | | 26,836,500 |
| Average population | 1,712 | |
| Ryan correctional facility - Detroit—323.6 FTE positions | | 29,227,400 |
| Average population | 1,059 | |
| Robert Scott correctional facility - Plymouth—360.5 FTE positions | | 33,182,700 |
| Average population | 1,040 | |
| Southern Michigan correctional facility - Jackson..... | | 3,597,500 |
| Thumb correctional facility - Lapeer—309.6 FTE positions | | 29,860,800 |
| Average population | 1,219 | |
| Special alternative incarceration program - Cassidy Lake—120.0 FTE positions..... | | 10,956,400 |
| Average population | 400 | |
| Jackson area support and services—90.0 FTE positions | | 16,184,600 |
| GROSS APPROPRIATION | | \$ 422,742,000 |
| Appropriated from: | | |
| Federal revenues: | | |
| DOJ, state criminal alien assistance program | | 985,500 |
| Special revenue funds: | | |
| Public works user fees | | 1,913,300 |
| Resident stores | | 1,439,300 |
| State general fund/general purpose | | \$ 418,403,900 |

Sec. 111. SOUTHWESTERN REGION CORRECTIONAL FACILITIES

| | | |
|--|---------|---------------|
| Average population | 16,811 | |
| Full-time equated classified positions | 3,646.2 | |
| Bellamy Creek correctional facility - Ionia—405.5 FTE positions | | \$ 41,780,400 |
| Average population | 1,850 | |
| Earnest C. Brooks correctional facility - Muskegon— 486.5 FTE positions..... | | 47,018,400 |
| Average population | 2,440 | |
| Carson City correctional facility - Carson City—504.0 FTE positions..... | | 48,607,100 |
| Average population | 2,440 | |
| Richard A. Handlon correctional facility - Ionia— 237.2 FTE positions..... | | 23,484,100 |
| Average population | 1,320 | |
| Ionia maximum correctional facility - Ionia—317.8 FTE positions..... | | 30,384,600 |
| Average population | 707 | |
| Lakeland correctional facility - Coldwater—615.7 FTE positions..... | | 59,250,600 |
| Average population | 3,102 | |
| Muskegon correctional facility - Muskegon—232.4 FTE positions | | 23,945,800 |
| Average population | 1,326 | |
| Pine River correctional facility - St. Louis—221.4 FTE positions | | 20,877,600 |
| Average population | 1,200 | |
| St. Louis correctional facility - St. Louis—566.7 FTE positions | | 52,628,800 |

| | | For Fiscal Year Ending Sept. 30, 2008 |
|--|-------|---|
| Average population | 2,426 | |
| Ionia area support and services—59.0 FTE positions | \$ | 3,339,800 |
| GROSS APPROPRIATION | \$ | 351,317,200 |
| Appropriated from: | | |
| Special revenue funds: | | |
| Public works user fees | | 750,100 |
| Resident stores | | 1,635,400 |
| State general fund/general purpose | \$ | 348,931,700 |
| Sec. 112. INFORMATION TECHNOLOGY | | |
| Information technology services and projects | \$ | 17,633,200 |
| GROSS APPROPRIATION | \$ | 17,633,200 |
| Appropriated from: | | |
| Special revenue funds: | | |
| Correctional industries revolving fund | | 141,600 |
| Parole and probation oversight fees set-aside | | 556,400 |
| State general fund/general purpose | \$ | 16,935,200 |

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 2007-2008 is \$2,066,234,100.00 and state spending from state resources to be paid to local units of government for fiscal year 2007-2008 is \$91,440,000.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

DEPARTMENT OF CORRECTIONS

| | | |
|--|----|------------|
| Field operations - assumption of county probation staff | \$ | 47,487,800 |
| Public service work projects | | 10,326,600 |
| 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 treatment program | | 2,097,400 |
| Community reentry centers | | 2,019,600 |
| Regional jail program | | 100 |
| TOTAL | \$ | 91,440,000 |

Sec. 202. The appropriations 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) "DAG" means the United States department of agriculture.
- (b) "DAG-FNS" means the DAG food and nutrition service.
- (c) "DED" means the United States department of education.
- (d) "DED-OESE" means the DED office of elementary and secondary education.
- (e) "DED-OSERS" means the DED office of special education and rehabilitative services.
- (f) "DED-OVAE" means the DED office of vocational and adult education.
- (g) "Department" or "MDOC" means the Michigan department of corrections.
- (h) "DOJ" means the United States department of justice.
- (i) "DOJ-BOP" means the DOJ bureau of prisons.

- (j) "DOJ-OJP" means the DOJ office of justice programs.
- (k) "FTE" means full-time equated.
- (l) "GED" means general education diploma.
- (m) "GPS" means global positioning system.
- (n) "IDG" means interdepartmental grant.
- (o) "IDT" means intradepartmental transfer.
- (p) "MDCH" means the Michigan department of community health.
- (q) "MDSP" means the Michigan department of state police.
- (r) "MPRI" means the Michigan prisoner reentry initiative.
- (s) "OCC" means the office of community corrections.
- (t) "RSAT" means residential substance abuse treatment.
- (u) "SSA" means the United States social security administration.
- (v) "SSA-SSI" means SSA supplemental security income.

Sec. 204. The department of civil service shall bill departments and agencies at the end of the first fiscal quarter for the 1% charge 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. 205. (1) A hiring freeze is imposed on the state classified civil service. State departments and agencies are prohibited from hiring any new full-time state classified civil service employees and prohibited from filling any vacant state classified civil service positions. This hiring freeze does not apply to internal transfers of classified employees from 1 position to another within a department.

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

Sec. 206. The department shall not take disciplinary action against an employee for communicating with a member of the legislature or his or her staff.

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

Sec. 207a. (1) Before privatizing any services or activities currently provided by state employees in the department, the department shall submit to the senate and house appropriations committees a preprivatization cost-benefit analysis. This analysis shall utilize accurate, reliable, and objective data. Included in this analysis shall be a comparative estimate of the costs that will be incurred by the state over the life of the contract if either or both of the following occur:

(a) The service or activity continues to be provided by state employees.

(b) The service or activity is privatized. The costs of privatizing these services shall include the costs of all necessary monitoring and oversight of the private entity by the state. These private entities must be adequately bonded, so as not to expose the state to any potential future liability or legal causes of action.

(2) The department shall not commence any efforts to privatize the services or activities currently provided by state employees under appropriations made by this act until the cost-benefit analysis prescribed by subsection (1) has been sent to both the senate and house appropriations committees 14 days prior to the efforts to privatize and proves a cost savings of at least 5% of the costs of continuing to use state employees in providing the services or activities.

(3) A private contractor with a contract with this state that expends state or federal tax dollars shall have all records pertinent to state contracts, including all records detailing compliance with section 209 of this act, be subject to disclosure to the department or the department of management and budget.

(4) State employees shall be given the opportunity to bid on contracts that privatize services that are or were provided by state employees. Should the contract be awarded to any state employee, he or she would cease being an employee of the state.

Sec. 208. Unless otherwise specified, the department shall use the Internet to fulfill the reporting requirements of this act. This requirement may include transmission of reports via electronic mail to the recipients identified for each reporting requirement or it may include placement of reports on an Internet or Intranet site. There shall be at least 1 separate and distinct electronic file for each section that includes a reporting requirement.

Sec. 209. Funds appropriated in part 1 shall not be used for the purchase of foreign goods or services, or both, if competitively priced and comparable quality American goods or services, or both, are available. Preference should be given to goods or services, or both, manufactured or provided by Michigan businesses if they are competitively priced and of comparable quality. In addition, preference should be given to goods or services, or both, that are manufactured or provided by Michigan businesses owned and operated by veterans if they are competitively priced and of comparable quality.

Sec. 210. (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. 211. The department may charge fees and collect revenues in excess of appropriations in part 1 not to exceed the cost of offender services and programming, employee meals, parolee loans, academic/vocational services, custody escorts, compassionate visits, union steward activities, public work programs, and services provided to units of government. The revenues and fees collected are appropriated for all expenses associated with these services and activities.

Sec. 212. Preference should be given to purchasing produce from Michigan growers and processors when their produce is competitively priced and of comparable quality.

Sec. 213. By February 15, 2008, the department shall provide the members of the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director with a report detailing nongeneral fund/general purpose sources of revenue, including, but not limited to, federal revenues, state restricted revenues, local and private revenues, offender reimbursements and other payments, revolving funds, and 1-time sources of revenue, whether or not such revenues were appropriated. The report shall include statements detailing for each account the total amount of revenue received during fiscal year 2006-2007, the amount by which the revenue exceeded any applicable appropriated fund source, the amount spent during fiscal year 2006-2007, the account balance at the close of fiscal year 2006-2007, and the projected revenues and expenditures for fiscal year 2007-2008.

Sec. 214. From the funds appropriated in part 1 for information technology, the department shall pay user fees to the department of information technology for technology-related services and projects. These user fees are subject to provisions of an interagency agreement between the departments and agencies and the department of information technology.

Sec. 215. Amounts appropriated in part 1 for information technology may be designated as work projects and carried forward to support department of corrections technology projects under the direction of the department of information technology. Funds designated in this manner are not available for expenditure until approved as work projects under section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a.

Sec. 216. (1) Due to the current budgetary problems in this state, out-of-state travel shall be limited to situations in which 1 or more of the following conditions apply:

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

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

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

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

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

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

(2) If out-of-state travel is necessary but does not meet 1 or more of the conditions listed in subsection (1), the state budget director may grant an exception to allow the travel. Any exceptions granted by the state budget director shall be reported on a monthly basis to the senate and house standing committees on appropriations.

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

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

(b) The destination of each travel occurrence.

(c) The dates of each travel occurrence.

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

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

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

Sec. 217. The director 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. The director shall strongly encourage firms with which the department contracts to subcontract with certified businesses in deprived and depressed communities for services, supplies, or both.

Sec. 218. It is the intent of the legislature that no expenditures for employee dry cleaning allowances be made or obligations to pay employee dry cleaning allowances be incurred for dry cleaning allowances in excess of the amounts authorized under collective bargaining contracts in effect from January 1, 2002 to December 31, 2004.

Sec. 219. It is the intent of the legislature that any contract for prisoner telephone services entered into after the effective date of this act include a condition that fee schedules for prisoner telephone calls, including rates and any surcharges other than those necessary to meet special equipment costs, be the same as fee schedules for calls placed from outside of correctional facilities.

Sec. 221. (1) The department shall report no later than April 1, 2008 on each specific policy change made to implement a public act affecting the department that took effect during the previous calendar year to the senate and house appropriations subcommittees on corrections, the joint committee on administrative rules, and the senate and house fiscal agencies.

(2) Funds appropriated in part 1 shall not be used to adopt a rule that will apply to a small business and that will have a disproportionate economic impact on small businesses because of the size of those businesses if the department fails to reduce the disproportionate economic impact of the rule on small businesses as provided under section 40 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.240.

(3) As used in this section:

(a) "Rule" means that term as defined under section 7 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.207.

(b) "Small business" means that term as defined under section 7a of the administrative procedures act of 1969, 1969 PA 306, MCL 24.207a.

Sec. 222. Funds appropriated in part 1 shall not be used by a principal executive department, state agency, or authority to hire a person to provide legal services that are the responsibility of the attorney general. This prohibition does not apply to legal services for bonding activities and for those activities that the attorney general authorizes.

Sec. 223. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$10,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under 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 under 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 \$2,000,000.00 for local contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under 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 \$2,000,000.00 for private contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

EXECUTIVE

Sec. 301. For 3 years after a felony offender is released from the department's jurisdiction, the department shall maintain the offender's file on the offender tracking information system and make it publicly accessible in the same manner as the file of the current offender. However, the department shall immediately remove the offender's file from the offender tracking information system upon determination that the offender was wrongfully convicted and the offender's file is not otherwise required to be maintained on the offender tracking information system.

Sec. 302. (1) From the funds appropriated in part 1 for the mental health study, the department shall allocate not more than \$400,000.00 for the purpose of contracting for an independent study prescribed under this section.

(2) In consultation with the MDCH, the department shall contract for an independent study on the prevalence of prisoners in need of mental health treatment, substance abuse services, or both, and on the provision of services to prisoners in need of mental health treatment, substance abuse services, or both. The study must be completed or supervised by a psychiatrist as defined in section 100c of the mental health code, 1974 PA 258, MCL 330.1100c. The lead psychiatrist shall not be a current or former employee or contractual agent of the department or the department of community health. At a minimum, the study shall collect and evaluate data on all of the following, to the extent possible under the health insurance portability and accountability act (HIPAA), 42 USC 1320d-6 and 45 CFR parts 160 and 164:

(a) The number of prisoners receiving substance abuse services, including a description and breakdown of the type of substance abuse services provided to prisoners, by major offense type.

(b) The number of prisoners with a primary diagnosis of mental illness, the number of prisoners considered to currently require mental health services, and the number of prisoners receiving mental health services, including a description and breakdown, encompassing, at a minimum, the categories of inpatient, residential, and outpatient care, and the type of mental health services provided to those prisoners, by major offense type.

(c) The number of prisoners with a primary diagnosis of mental illness and receiving substance abuse services, including a description and breakdown, encompassing, at a minimum, the categories of inpatient, residential, and outpatient care, of the type of treatment provided to those prisoners, by major offense type.

(d) Data indicating whether prisoners receiving mental health services for a primary diagnosis of mental illness were previously hospitalized in a state psychiatric hospital for persons with mental illness, by major offense type.

(e) Data indicating whether prisoners with a primary diagnosis of mental illness and receiving substance abuse services were previously hospitalized in a state psychiatric hospital for persons with mental illness.

(f) The cost of psychotropic pharmaceuticals for prisoners with a primary diagnosis of mental illness itemized by type, specific diagnosis, identification as a brand name or a generically equivalent pharmaceutical, and the name of the manufacturer or distributor.

(g) Quarterly and fiscal year-to-date expenditures itemized by vendor, status of payments from contractors to vendors, and projected year-end expenditures from accounts for substance abuse treatment and mental health care.

(h) The number of prisoners that have had their primary diagnosis of mental illness changed while in prison by a mental health clinician from an earlier diagnosis received in prison or while hospitalized in a state psychiatric hospital for persons with mental illness, itemized by current and previous diagnosis.

(i) The number of prisoners with a primary diagnosis of mental illness that previously had received substance abuse services, including a description and breakdown, encompassing, at a minimum, the categories of inpatient, residential, and outpatient care, of the type of treatment provided to those prisoners.

(j) All department policies and procedures relating to prisoners and parolees with mental illness, substance abuse disorders, or both, including, but not limited to, those related to prisoners with discharge status.

(3) A report on the study, together with any recommendations contained in the study and response from the department, shall be provided to the members of the senate and house appropriations subcommittees on corrections and community health, the senate and house fiscal agencies, MDCH, and the state budget director no later than 30 days following the receipt of the completed study. The report shall include all of the information required under subsection (2) and any recommendations. The report also shall include a plan by the department to implement those recommendations with which it agrees and an explanation of any disagreements with recommendations.

Sec. 303. It is the intent of the legislature that the quantity of database systems in use by the department be optimal for efficient data usage and communications. By January 1, 2008, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on a plan to implement secure, encrypted, Internet-based database systems that can electronically communicate with each other and with other law-enforcement-related databases by September 30, 2008.

PLANNING AND COMMUNITY SUPPORT

Sec. 401. The department shall submit 3-year and 5-year prison population projection updates by February 1, 2008 to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director. The report shall include explanations of the methodology and assumptions used in developing the projection updates.

Sec. 402. It is the intent of the legislature that the funds appropriated in part 1 for prisoner reintegration programs be expended for the purpose of reducing victimization by reducing offender recidivism through the following prisoner reintegration programming:

- (a) The provision of employment and job training.
- (b) The provision of assistance in acquiring the documents necessary to obtain a state identification card or operator's license.
- (c) The provision of housing assistance.
- (d) Referral to mental health services.
- (e) Referral to substance abuse services.
- (f) Referral to public health services.
- (g) Referral to education.
- (h) Referral to any other services necessary for successful reintegration.

Sec. 403. (1) By April 1, 2008, the department shall provide a report on prisoner reintegration programs to the members of the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director. At a minimum, the report shall include all of the following information:

- (a) Allocations and projected expenditures for each project funded and for each project to be funded, itemized by service to be provided and service provider.
- (b) An explanation of the objectives and results measures for each program.
- (c) An explanation of how the programs will be evaluated.
- (d) A discussion of the evidence and research upon which each program is based.
- (e) A discussion and estimate of the impact of prisoner reintegration programs on reoffending and returns to prison.
- (f) A progress report on applicable results of each program, including, but not limited to, the estimated bed space impact of prisoner reintegration programs.

(2) The department shall provide quarterly reports on January 1, 2008, April 1, 2008, July 1, 2008, and September 30, 2008 to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on the status and recidivism levels of offenders who participated in the MPRI and have been released. The data should be broken out by the following 4 offender types: drug, nonassaultive, assaultive, and sex.

(3) By September 30, 2008, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director a comparison of the overall recidivism rates and length of time prior to prison return of offenders who participated in the MPRI with those of offenders who did not. The report should disaggregate the information by each site in order to compare the practices and success rates of each site.

(4) The department shall include prisoners nearing their maximum sentence in the prison phases of the MPRI.

(5) The MPRI shall include programming on understanding conditions of parole, and each offender's transition accountability plan shall include a plan for following conditions of parole. The department shall ensure that each offender understands his or her conditions of parole prior to release from prison.

(6) The department shall provide monthly reports to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on parolees who participated in the MPRI and have tested positive for substances in the previous month and since October 1, 2007. The report shall include any sanctions imposed by the department in response to the positive substance test.

(7) The department shall provide monthly reports to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on parolees who participated in the MPRI and have a diagnosis of mental illness or received mental health treatment while in prison. The report shall include the number of offenders successfully referred to the local community mental health agency, by county, and number of parolees participating in treatment for mental illness, by county.

Sec. 404. (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. 405. (1) In expending residential substance abuse treatment services funds appropriated under this act, the department shall ensure to the maximum extent possible that residential substance abuse treatment services are available statewide.

(2) By April 1, 2008, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on the allocation, distribution, and expenditure of all funds appropriated by the substance abuse testing and treatment line item during fiscal year 2006-2007 and projected for fiscal year 2007-2008. The report shall include, but not be limited to, an explanation of an anticipated year-end balance, the number of participants in substance abuse programs, and the number of offenders on waiting lists for residential substance abuse programs. Information required under this subsection shall, where possible, be separated by MDOC administrative region and by offender type, including, but not limited to, a distinction between prisoners, parolees, and probationers.

(3) By April 1, 2008, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on substance abuse testing and treatment program objectives, outcome measures, and results, including program impact on offender behavior and recidivism.

Sec. 406. (1) By December 1, 2007, the department shall develop uniform minimum standards for MPRI sites and the expenditure of MPRI funds, including funds appropriated for prisoner reintegration programs. At a minimum, the standards shall address all of the following:

(a) The acceptable range or ranges for administrative costs.

(b) How local program results are to be reported and quantified.

(c) The acceptable range or ranges for per-participant expenditures.

(d) Procedures for referral and follow up by the department on the status of referrals to substance abuse treatment, health care, and mental health treatment.

(e) Any other standards determined by the department to be consistent with good management practices and optimum program results.

(2) By March 1, 2008, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on the standards required by subsection (1). The report shall include information explaining how each standard was determined and how it is being implemented. The department shall implement these standards after review by the senate and house appropriations subcommittees on corrections.

Sec. 407. (1) By March 1, 2008, the department shall report to the senate and house subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on offenders who have served their maximum sentence and been released from prison in the last 5 years. The report shall include the following information:

(a) The number of offenders who were paroled and returned to prison prior to serving their maximum sentence compared to the number of offenders who served their maximum sentence without ever having been paroled.

(b) The number of offenders disaggregated by major offense type: assaultive, nonassaultive, drug, and sex.

(c) The educational history of those offenders, including how many had a GED or high school diploma prior to incarceration in prison, how many received a GED while in prison, and how many received a vocational certificate while in prison.

(d) A comparison of each offender's original offense to the offender's new offense by major offense type: assaultive, nonassaultive, drug, and sex, for offenders who have since returned to prison with a new commitment after previously serving a maximum sentence.

(2) The department shall provide monthly reports to the senate and house subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on offenders who have served their maximum sentence and been released from prison in the previous month. The reports shall include the following information:

(a) The number of offenders who were paroled and returned to prison prior to serving their maximum sentence compared to the number of offenders who served their maximum sentence without ever having been paroled.

(b) The number of offenders disaggregated by major offense type: assaultive, nonassaultive, drug, and sex.

(c) Each offender's adjudication history based on their presentence investigation report.

Sec. 408. As a condition of expending funds appropriated for planning, community development and research, and prisoner reintegration programs under part 1, the department shall by January 31, 2008 provide a plan to reduce recidivism rates among prisoners released from correctional facilities to the members of the senate and house appropriations committees, the senate and house fiscal agencies, and the state budget director. The plan shall include detailed information on 3-year recidivism rates in this state for the most recent 5-year period, a detailed comparison of those rates to rates in other states and a national average, and details on how the department plans to improve recidivism rates. The plan also shall include details on how the department proposes to measure the success of the plan.

Sec. 409. 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 that appears to be in place of incarceration in a state correctional facility or jail based on historical local sentencing patterns or that 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. 410. (1) The funds included in part 1 for community corrections comprehensive plans and services are to encourage the development through technical assistance grants, implementation, and operation of community corrections programs that 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 and residential services funds shall be based on criteria that include, but are not 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 residential services in part 1 shall provide for a per diem reimbursement of not more than \$47.50.

Sec. 411. The comprehensive corrections plans shall also include, where appropriate, descriptive information on the full range of sanctions and services that are available and utilized within the local jurisdiction and an explanation of how jail beds, 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 plans 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, and the use of the county jail reimbursement program under section 414. The state community corrections board shall encourage local community corrections advisory boards to include in their comprehensive corrections plans strategies to collaborate with local alcohol and drug treatment agencies of the MDCH 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. 412. (1) As part of the March biannual report specified in section 12(2) of the community corrections act, 1988 PA 511, MCL 791.412, that 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 residential services, 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 the previous 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.

Sec. 413. (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 is 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. 414. (1) The department shall administer a county jail reimbursement program from the funds appropriated in part 1 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 on or after January 1, 1999 and 1 of the following applies:

(a) The felon's sentencing guidelines recommended range upper limit is more than 18 months, the felon's sentencing guidelines recommended range lower limit is 12 months or less, the felon's prior record variable score is 35 or more points, and the felon's sentence is not for commission of a crime in crime class G or crime class H under chapter XVII of the code of criminal procedure, 1927 PA 175, MCL 777.1 to 777.69.

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

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

(4) From the funds appropriated in part 1 for the county jail reimbursement program, the department shall conduct an ongoing study to determine the impact of the new legislative sentencing guidelines. The study shall analyze sentencing patterns of jurisdictions as well as 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 conduct 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.

(5) The department, the state budget office, the Michigan association of counties, and the Michigan sheriffs' association shall review the periodic findings of the study required in subsection (4) and, if appropriate, recommend modification of the criteria for reimbursement contained in subsection (2) at meetings convened by the chairs of the house and senate appropriations subcommittees on corrections.

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

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

Sec. 415. (1) As a condition of receipt of the funds appropriated in part 1 for community corrections plans and services and residential services, the department shall only award those funds requested under a properly prepared and approved comprehensive corrections plan submitted under section 8 of the community corrections act, 1988 PA 511, MCL 791.408, or directly applied for under section 10 of the community corrections act, 1988 PA 511, MCL 791.410.

(2) The department shall only halt funding for an entity funded under section 8 of the community corrections act, 1988 PA 511, MCL 791.408, in instances of substantial noncompliance during the period covered by the plan.

Sec. 416. (1) Funds included in part 1 for the felony drunk driver jail reduction and community treatment program are appropriated for and may be expended for any of the following purposes:

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

(b) To divert from jail sentences or to reduce the length of jail sentences for felony drunk drivers who otherwise would have been sentenced to jail and whose recommended minimum sentence ranges under sentencing guidelines established under chapter XVII of the code of criminal procedure, 1927 PA 175, MCL 777.1 to 777.69, have upper limits of 18 months or less, through funding programs that may be used in lieu of incarceration and that increase the likelihood of rehabilitation.

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

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

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

(4) Allowable uses of the funds shall include reimbursing counties for transportation, treatment costs, and housing felony drunk drivers during a period of assessment for treatment and case planning. Reimbursements for housing during the assessment process shall be at the rate of \$43.50 per day per offender, up to a maximum of 5 days per offender.

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

(6) Awards of funding under this section shall be provided consistent with the local comprehensive corrections plans developed under the community corrections act, 1988 PA 511, MCL 791.401 to 791.414. Funds awarded under this section may be used in conjunction with funds awarded under grant programs established under that act. Due to the

need for felony drunk drivers to be transitioned from county jails to community treatment services, it is the intent of the legislature that local units of government utilize funds received under this section to support county sheriff departments.

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

Sec. 417. (1) By April 1, 2008, the department shall report to the members of the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on each of the following programs from the previous fiscal year:

- (a) The county jail reimbursement program.
- (b) The felony drunk driver jail reduction and community treatment program.
- (c) The alternatives to prison jail and treatment programs.
- (d) Any new initiatives to control prison population growth funded or proposed to be funded under part 1.

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

- (a) Program objectives and outcome measures.
- (b) Expenditures by location.
- (c) The impact on jail utilization.
- (d) The impact on prison admissions.
- (e) Other information relevant to an evaluation of the program.

Sec. 418. (1) It is the intent of the legislature that the department ensure that each prisoner make all reasonable efforts to obtain the documents necessary to obtain a state operator's license or state identification card prior to a prisoner's discharge or parole hearing. The process for prisoners to acquire this documentation shall be part of the department's operating procedure by the end of the fiscal year.

(2) The department shall cooperate with MDCH to develop a process by which prisoners can obtain their birth certificates. By April 1, 2008, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on the process developed under this section.

Sec. 419. (1) The department shall provide weekly electronic mail reports to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on prisoner, parolee, and probationer populations by facility, and prison capacities.

(2) The department shall provide monthly electronic mail reports to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director. By July 1, 2008, the department shall provide monthly reports for March 2006 through September 2007. The reports shall include information on end-of-month prisoner populations in county jails, the net operating capacity according to the most recent certification report, identified by date, and end-of-month data, year-to-date data, and comparisons to the prior year for the following:

- (a) Community residential program populations, separated by centers and electronic monitoring.
- (b) Parole populations.
- (c) Probation populations, with identification of the number in special alternative incarceration.
- (d) Prison and camp populations, with separate identification of the number in special alternative incarceration and the number of lifers.
- (e) Parole board activity, including the numbers and percentages of parole grants and parole denials.
- (f) Prisoner exits, identifying transfers to community placement, paroles from prisons and camps, paroles from community placement, total movements to parole, prison intake, prisoner deaths, prisoners discharging on the maximum sentence, and other prisoner exits.
- (g) Prison intake and returns, including probation violators, new court commitments, violators with new sentences, escaper new sentences, total prison intake, returns from court with additional sentences, community placement returns, technical parole violator returns, and total returns to prison and camp.

Sec. 420. The department shall report to the senate and house appropriations subcommittees on corrections, the senate and house judiciary committees, the senate and house fiscal agencies, and the state budget director on the status of the department's response to the performance audits by the office of the auditor general on the department's staffing,

health care services, food service and prisoner transportation, mental health care services, and pharmaceuticals. The department shall provide the reports within 30 days after each audit's official release date.

Sec. 421. Of the funds appropriated in part 1, \$100,000.00 is appropriated for the purpose of providing an interdepartmental grant to the Michigan state police for the purpose of providing grants for training teams of law enforcement officers and mental health treatment providers. The teams shall be trained in effective and safe ways of assisting people with mental illness during law enforcement contacts and directing people with mental illness to treatment programs. It is the intent of the legislature that mental health awareness training be incorporated into continuing education for all law enforcement officers in the state.

Sec. 422. It is the intent of the legislature that MPRI programs become standard operating procedure in the department by the end of fiscal year 2008-2009.

OPERATIONS AND SUPPORT ADMINISTRATION

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

Sec. 502. Funds included in part 1 for the sheriffs' coordinating and training office are appropriated for and may be expended to defray costs of continuing education, certification, recertification, decertification, and training of local corrections officers, the personnel and administrative costs of the sheriffs' coordinating and training office, the local corrections officers advisory board, and the sheriffs' coordinating and training council under the local corrections officers training act, 2003 PA 125, MCL 791.531 to 791.546.

Sec. 503. Funds appropriated in part 1 for administrative hearings officers are appropriated as an interdepartmental grant to the department of labor and economic growth for the purpose of funding administrative hearings officers for adjudication of grievances pertaining to the department of corrections. The department shall not expend appropriations from part 1 to satisfy charges from the department of labor and economic growth for administrative hearings officers in excess of the amount expressly appropriated by this act for the administrative hearings officers.

FIELD OPERATIONS ADMINISTRATION

Sec. 601. 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, and the state budget office by February 15, 2008.

Sec. 602. (1) Of the amount appropriated in part 1 for field operations, a sufficient amount shall be allocated for the community service work program and 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 offenders with community service work of tangible benefit to a community while fulfilling court-ordered community service work sanctions and other postconviction obligations.

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

Sec. 603. (1) All prisoners, probationers, and parolees involved with the electronic tether program shall reimburse the department for costs 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 costs of the equipment.

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

(3) Included in the appropriation in part 1 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 under the community corrections act, 1988 PA 511, MCL 791.401 to 791.414.

(4) For a fee determined by the department, the department shall 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. For an additional fee as determined by the department, the department shall provide staff to install and service the equipment. Counties are responsible for the coordination and apprehension of program violators.

(5) 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. 604. Community-placement prisoners and parolees shall reimburse the department for the total 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. 606. It is the intent of the legislature that the department shall ensure that parolees and probationers may timely contact their parole or probation agents and maintain procedures that preclude any necessity for an offender to have access to an agent's home telephone number or other personal information pertaining to the agent.

Sec. 607. The department shall not expend funds appropriated in part 1 for rental payments or operational expenses for premises leased under lease number 7787 and located at 322 Front Avenue SW, Grand Rapids, Michigan, also known as parcel 41-13-25-378-005, more than 120 days after the effective date of this act.

Sec. 608. By April 1, 2008, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on the use of GPS electronic monitoring. At a minimum, the report shall include all of the following:

(a) Details on the failure rate of parolees for whom GPS tether is utilized, including the number and rate of parolee technical violations, including specifying failures due to committing a new crime that is uncharged but leads to parole termination, and the number and rate of parolee violators with new sentences.

(b) Information on the factors considered in determining whether an offender is placed on active GPS tether, passive GPS tether, radio frequency tether, or some combination of these or other types of electronic monitoring.

(c) Monthly data on the number of offenders on active GPS tether, passive GPS tether, radio frequency tether, and any other type of tether.

Sec. 609. Not more than 6 months after the pilot program is implemented, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on the use of kiosk reporting stations. At a minimum, the report shall include all of the following:

(a) Factors considered in determining whether an offender is assigned to report at a kiosk.

(b) Information on the location, costs, safety features, and other features of kiosks used for offender reporting.

(c) Information on pilot program outcome measures.

(d) An evaluation of the kiosk reporting pilot program, including any need for improvement and an assessment of the potential for expanded use of kiosk reporting stations.

Sec. 611. The department shall prepare by April 1, 2008 individual reports for the community re-entry program, the electronic tether program, and the special alternative to incarceration program. The reports shall be submitted to the house and senate appropriations subcommittees on corrections, the house and senate fiscal agencies, and the state budget director. Each program's report shall include information on all of the following:

(a) Monthly new participants by type of offender. Community re-entry program participants shall be categorized by reason for placement. For technical rule violators, the report shall sort offenders by length of time since release from prison, by the most recent violation, and by the number of violations occurring since release from prison.

- (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 each program location or locations, 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.

Sec. 612. (1) The department shall review and revise as necessary 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 applicable provisions of prior budget acts for the department.

(4) The department shall provide monthly reports to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on the number of all parolees returned to prison and probationers sentenced to prison for either a technical violation or new sentence during the preceding calendar month. The reports shall include the following information each for probationers, parolees after their first parole, and parolees who have been paroled more than once:

(a) The numbers of parole and probation violators returned to or sent to prison for a new crime with a comparison of original versus new offenses by major offense type: assaultive, nonassaultive, drug, and sex.

(b) The numbers of parole and probation violators returned to or sent to prison for a technical violation and the type of violation, including, but not limited to, zero gun tolerance and substance abuse violations. For parole technical rule violators, the report shall list violations by type, by length of time since release from prison, by the most recent violation, and by the number of violations occurring since release from prison.

(c) The educational history of those offenders, including how many had a GED or high school diploma prior to incarceration in prison, how many received a GED while in prison, and how many received a vocational certificate while in prison.

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

(e) The unduplicated number of offenders who participated in substance abuse treatment programs, mental health treatment programs, or both, while in prison, itemized by diagnosis.

Sec. 613. The department shall report by February 1, 2008 to the members of the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on parole and probation special operations program participants from October 1, 2005 to September 30, 2007.

CONSENT DECREES

Sec. 701. Funding appropriated in part 1 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. 801. 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. 802. (1) As a condition of expenditure of the funds appropriated in part 1, the department shall provide the senate and house of representatives appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director with all of the following:

(a) Quarterly reports on physical and mental health care detailing the average number of days between a prisoner's diagnosis and commencement of treatment for that diagnosis, quarterly and fiscal year-to-date expenditures itemized by vendor, allocations, status of payments from contractors to vendors, and projected year-end expenditures from accounts for prisoner health care, mental health care, pharmaceutical services, and durable medical equipment.

(b) Not more than 1 week after receiving the final findings and recommendations of the national commission on correctional health care, a report with regard to the following:

(i) Bureau of health care services organizational structure, administration, and management.

(ii) Timeliness, appropriateness, and quality of the following services:

(A) Clinical services provided through the department, including nursing, dental, and clinical support services.

(B) Clinical psychological services provided through the department, including intake processing, assaultive offender program, and sex offender treatment program.

(C) Mental health services to treat the seriously mentally ill provided through the department of community health, including inpatient care, rehabilitative treatment, residential treatment, crisis stabilization, and outpatient mental health treatment.

(D) Primary on-site medical services, on-site inpatient medical services, specialty services, and utilization review procedures provided by the state's health care contractors.

(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 shall be considered and given the opportunity to competitively bid as vendors under future managed care contracts.

Sec. 804. (1) The department shall report quarterly to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on prisoner health care utilization. The report shall include the number of inpatient hospital days, outpatient visits, and emergency room visits in the previous quarter and since October 1, 2007, by facility.

(2) By April 1, 2008, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on prisoners receiving off-site inpatient medical care that would have received care in a state correctional facility if beds were available. The report shall include the number of prisoners receiving off-site inpatient medical care and average length of stay in an off-site facility during the period they would have received care in a state correctional facility if beds were available, by month and correctional facilities administration region.

Sec. 805. The bureau of health care services shall develop information on Hepatitis C and human immunodeficiency virus (HIV) prevention and the risks associated with exposure to Hepatitis C and HIV. 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 sentence.

Sec. 806. (1) From the funds appropriated in part 1, the department shall require a Hepatitis C antibody test and an HIV test for each prisoner prior to release to the community by parole, transfer to community residential placement, or discharge on the maximum sentence. The department shall require an HIV test and a Hepatitis C risk factor screening for each prisoner at the health screening at admissions. If Hepatitis C risk factors are identified, the department shall offer the prisoner a Hepatitis C antibody test. An explanation of results of the tests shall be provided confidentially to the prisoner, and if appropriate based on the test results, the prisoner shall also be provided a recommendation to seek follow-up medical attention.

(2) By March 1, 2008, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house appropriations subcommittees on community health, the senate and house fiscal agencies, and the state budget director on the number of offenders tested and the number of offenders testing positive for HIV, the Hepatitis C antibody, or both at prison admission and parole, transfer to community residential placement, or discharge on the maximum sentence. The department shall keep records of those offenders testing positive for HIV,

the Hepatitis C antibody, or both at prison admission, parole, transfer to community residential placement, and discharge. These records shall clearly state the date each test was performed.

(3) As a condition of expenditure of the funds appropriated in part 1, the department shall keep records of the following:

(a) The number of offenders testing positive for the Hepatitis C antibody who do not receive treatment, by reason for not participating.

(b) The number of offenders achieving a sustained viral response from Hepatitis C treatment.

(c) Cost and duration of treatment by offender.

Sec. 807. The department shall ensure that all medications for a prisoner be transported with that prisoner when the prisoner is transferred from 1 correctional facility to another. Prisoners being released shall be provided with a supply of medication to allow for continuity of care in the community.

Sec. 808. There are sufficient funds and FTEs appropriated in part 1 to provide a full complement of nurses for clinical complexes working regular pay hours, and it is the intent of the legislature that sufficient nurses be hired or retained to limit the use of overtime other-than-holiday pay.

Sec. 809. The department, in conjunction with efforts to implement the MPRI, shall cooperate with the MDCH to share data and information as they relate to prisoners being released who are HIV positive or positive for the Hepatitis C antibody. By April 1, 2008, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on all of the following:

(a) Programs and the location of programs implemented as a result of the work under this section.

(b) The programs' potential impact on the state budget.

(c) The number of prisoners released to the community by parole, discharge on the maximum sentence, or transfer to community residential placement who are HIV positive, positive for the Hepatitis C antibody, or both.

(d) The number of offenders successfully referred to the local public health department, by county, and the number of parolees participating in treatment for Hepatitis C, HIV, or both after 6 months in the community, by county.

Sec. 811. The department shall provide to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director a copy of the bureau of health care services quality assurance report not more than 1 week after its completion, but not later than September 30, 2008. The report shall include recommendations for quality improvements and a plan to implement those recommendations.

CORRECTIONAL FACILITIES ADMINISTRATION

Sec. 901. (1) By April 1, 2008, the department shall provide to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director a plan to make all department facilities and camps tobacco-free. It is the intent of the legislature that implementation of the plan shall commence no later than September 1, 2008, and be completed within 2 months after it is commenced.

(2) By September 30, 2008, the department shall provide to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director a progress report on implementation of the plan described in subsection (1). Both the plan and the progress report shall contain all of the following:

(a) A schedule for transitioning all facilities to tobacco-free status, including identification of any facilities that are already tobacco-free.

(b) Details on the department's efforts to provide tobacco cessation programs for prisoners and staff.

(c) Identification of the short-term and projected long-term budgetary and program implications of converting all facilities and camps to tobacco-free status, including the effects on institutional safety and security.

Sec. 902. 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. 903. Except as otherwise provided in this section, the department shall prohibit prisoners' access to or use of the Internet or any similar system. Under adequate supervision and with security precautions that ensure appropriate computer use by prisoners, the department may allow a prisoner access to or use of the Internet for the purposes of

educational programming, employment training, job searches, or other Internet-based programs and services consistent with programming objectives, efficient operations, and the safety and security of the institution.

Sec. 904. 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. 905. (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.

Sec. 906. (1) The department shall establish a uniform rate to be paid by public and private agencies that benefit from public work services provided by special alternative incarceration participants and prisoners.

(2) It is the intent of the legislature that to the degree consistent with public safety and the safety and security of the institutions, public works projects be continued at the level provided in 2006 PA 331 by April 1, 2008.

(3) It is the intent of the legislature that public works user fee schedules be revised to double the rates in effect as of September 30, 2007, and that upon implementation of the fee increase, the department increase wages for prisoners on public works crews by not more than 10%.

Sec. 907. The department shall report monthly to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on academic/vocational programs. The report shall provide information relevant to an assessment of the department's academic and vocational programs, including, but not limited to, the following:

(a) The number of instructors and the number of instructor vacancies, by program and facility.

(b) The number of prisoners enrolled in each program, the number of prisoners completing each program, the number of prisoners who fail each program, the number of prisoners who do not complete each program and the reason for not completing the program, the number of prisoners transferred to another facility while enrolled in a program and the reason for transfer, the number of prisoners enrolled who are repeating the program by reason, and the number of prisoners on waiting lists for each program, all itemized by facility.

(c) The steps the department has undertaken to improve programs, track records, accommodate transfers and prisoners with health care needs, and reduce waiting lists.

(d) The number of prisoners not paroled at their earliest release date due to lack of a GED, and the reason the prisoners do not have their GED.

(e) The number of prisoners paroled without a GED.

(f) An explanation of the value and purpose of each program, e.g., to improve employability, reduce recidivism, reduce prisoner idleness, or some combination of these and other factors.

(g) An identification of program outcomes for each academic and vocational program.

(h) An explanation of the department's plans for academic and vocational programs.

Sec. 908. (1) By February 1, 2008, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director, the percent of offenders included in the prison population intake for fiscal years 2005-2006 and 2006-2007 who have a high school diploma or a GED.

(2) By February 1, 2008, the department shall provide the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director with statistical reports on the efficacy of both department-provided prison general education and vocational education programs in reducing offender recidivism rates. At a minimum, the report should compare the recidivism rates of the following groups of offenders:

(a) Offenders who completed a GED while in prison and participated in the MPRI.

(b) Offenders who completed a GED while in prison but did not participate in the MPRI.

(c) Offenders who completed a vocational education program while in prison and participated in the MPRI.

(d) Offenders who completed a vocational education program while in prison but did not participate in the MPRI.

Sec. 909. As a condition of expending funds appropriated for academic/vocational programs under part 1, the department shall by January 31, 2008 provide a plan to increase certification rates among prisoners enrolled in GED programs at correctional facilities to the members of the senate and house appropriations committees, the senate and

house fiscal agencies, and the state budget director. The plan shall include detailed information on certification rates for the most recent 5-year period, a comparison with prisoner certification rates in other states and a national average, and details on how the department plans to improve certification rates.

Sec. 910. The department shall allow the Michigan Braille transcribing fund program to operate at its current location. The donation of the building by the Michigan Braille transcribing fund at the G. Robert Cotton correctional facility in Jackson is acknowledged and appreciated. The department shall continue to encourage the Michigan Braille transcribing fund to produce high-quality materials for use by the visually impaired.

Sec. 911. (1) From the appropriations in part 1, the department shall ensure that all prisoner activities shall include the presence of a sufficient number of correctional officers needed to maintain the safety and security of the institution.

(2) By February 1, 2008, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director the number of critical incidents occurring each month by type and the number and severity of assaults occurring each month at each facility during calendar year 2007.

Sec. 912. 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, 2008 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. 913. The department shall develop and maintain a statewide waiting list for offenders referred for assessment for the assaultive offender program for parole eligibility and, if possible, shall transfer prisoners into facilities where assaultive offender programs are available in order to facilitate timely participation and completion prior to parole eligibility hearings. Nothing in this section should be deemed to make parole denial appealable in court.

Sec. 914. Funds appropriated in part 1 for transportation are appropriated for costs incurred by the department in transporting offenders. It is the intent of the legislature that costs of offender transportation be met through expenditure of the line item for transportation, and that any costs in excess of the amount expressly appropriated for transportation be met solely through transfers into that line item under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Sec. 915. Funds appropriated in part 1 for prison food service are appropriated for costs incurred by the department in providing food to prisoners, to department employees as provided by collective bargaining agreements, and to governmental agencies as provided by interagency agreements and contracts. It is the intent of the legislature that costs of prison food service be met through expenditure of the line item for prison food service, and that any costs in excess of the amount expressly appropriated for prison food service be met solely through transfers into that line item under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Sec. 916. From the funds appropriated in part 1, the department shall allocate \$100,000.00 for the acquisition of stab-proof vests, contingent on entering into a contract for the construction or manufacture of stab-proof vests.

Sec. 917. It is the intent of the legislature that the department implement evidence-based pilot programs that change offenders' behaviors, values, beliefs, and attitudes toward victims and the community.

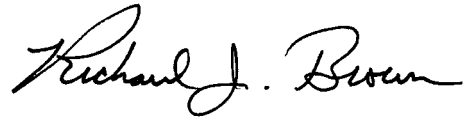
Sec. 918. Following receipt of an auditor general performance audit on offender transportation, the department, in conjunction with the department of management and budget, shall issue a request for information on the possible bidding of all offender transportation services. State employees shall be given the opportunity to respond to a request for information on offender transportation services. Any response to the request for information shall include an explanation of how savings of at least 5% over existing costs of offender transportation would be realized.

Sec. 919. Following receipt of an auditor general performance audit on prison food service, the department, in conjunction with the department of management and budget, shall issue a request for information on the possible bidding of all prison food service. State employees shall be given the opportunity to respond to a request for information on prison food service. Any response to the request for information shall include an explanation of how savings of at least 5% over existing costs of prison food service would be realized.

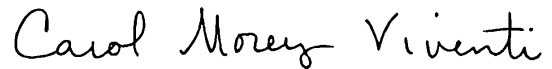
Sec. 920. The department shall make every effort to operate a garden or horticultural operation at each correctional facility, where practical, in order to provide food for correctional facilities and not-for-profit organizations.

Sec. 921. Funds appropriated in part 1 for facility maintenance and repurposing are appropriated for necessary utility and security costs for the former Camp Manistique and for conducting a feasibility study on potential future uses of closed correctional facilities, camps, and prison farms located in the Upper Peninsula.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor