



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536



BILL ANALYSIS

Telephone: (517) 373-2768
Fax: (517) 373-1986
TDD: (517) 373-0543

House Bill 4437 (as introduced)
Committee: Appropriations

FY 2008-09 Year-to-Date Gross Appropriation	\$2,015,064,200
Changes from FY 2008-09 Year-to-Date:	
1. Facility Closures and Adjustments. The Governor saved \$117,992,800 through the closure of unspecified facilities, which would result in a 1,077.2 FTE reduction and a prison population reduction of 3,886. Approximately three or four prisons and one or two camps would be closed. Additional savings of \$37,355,100 included full-year savings from the FY 2008-09 closure of Deerfield Correctional Facility and Camp Branch, as well as administrative and program savings related to the FY 2008-09 closures and the FY 2009-10 unspecified closures. The Governor also included an additional \$4,745,100 for double bunking housing units at Egeler and other unspecified facilities.	(150,602,800)
2. Field Operations and Re-entry. The Governor added \$1,000,500 to the Parole Board for five more members and three employees. To supervise additional parolees, the Governor included \$7,299,500 for 78.0 FTE parole/probation agents, 3.0 FTE parole/probation managers and 3.0 FTE secretaries. \$16,889,000 was included for full-year funding for the 800 GPS tethers added in FY 2008-09, as well as 2,000 new GPS tethers. The Governor proposed \$22,682,000 more for re-entry programming, \$1.0 million for probation residential centers for high-risk probationers, \$750,000 for polygraph testing, and net reduction of \$390,500 due to changes in the Intensive Detention Re-entry Program.	49,230,500
3. Female Prisoner Consolidation. The Governor included savings from consolidating female prisoners at the Huron Valley Complex (HVC). The Governor included a \$19,341,100 reduction for the full-year savings for closing Scott Correctional Facility in May 2009, and provided an additional \$16,659,000 for moving 328 male prisoners in mental health treatment at HVC to the Woodland Center at DHS' Maxey Training School. Other savings realized through consolidating females at HVC totaled \$936,000.	(3,618,100)
4. Health Care. The Governor included \$8.0 million for mental health treatment, \$4,185,500 to fully fund Hepatitis C treatment, \$3,482,200 for pharmaceutical cost increases, \$2,149,400 for 24/7 nursing coverage, \$1,896,400 for prisoner health care contract cost increases, \$426,400 for Medical Service Providers, \$3,660,300 for information technology systems and support, and \$1,118,700 for 40 new Duane Waters Health Center beds.	24,918,900
5. Efficiencies. The Governor saved \$3,517,100 through consolidating adjacent prisons at four sites, \$3.0 million by contracting for food purchasing, \$2.0 million by redesigning prisoner education programs, and \$1.2 million by ending a contract for the parolee apprehension program and operating the program at the MDOC.	(9,717,100)
6. Federal and Restricted Funds. The Governor proposed to reappropriate the \$4.8 million prison store revenue, eliminate and offset with GF/GP the \$1.8 million prison store surcharge, offset supervision fees with \$1.0 million GF/GP, offset \$400,500 GF/GP with additional State Criminal Alien Assistance Program funding, and remove \$8,556,900 in over-appropriated Federal and restricted revenues.	(3,756,900)
7. Economic Adjustments. The Governor recommended increases for salaries, insurances, retirement, worker's compensation, food, and fuel.	35,084,900
8. Other Changes. Other changes recommended by the Governor result in a net increase.	1,791,300
Total Changes.....	(\$56,669,300)
FY 2009-10 Governor's Recommendation.....	\$1,958,394,900

Changes from FY 2008-09 Year to Date:

1. **Deletions.** The Governor eliminated a number of sections including: hiring freeze (205), communication with the Legislature (206), privatization project plan/evaluation (207), restricted fund revenue report (213), DIT work projects (215), elimination of uniform cleaning allowance increase (218), prisoner telephone fee elimination (219), report on policy changes (221), litigation report (224), displaced employees (225), workgroup on prison store operations (228), workgroup on facility business office operations (229), county jail study (230), travel for conferences or seminars (231), archival OTIS information (301(2)), mental health study (302), information technology report (303), MPRI reports (403), intensive substance abuse services (405a), MPRI standards (406), statistical report (407), condition for receipt of community corrections funding (415), report on prisoner birth certificate process (418(2)), performance audits (420), mental health training (421), MPRI as standard operating procedure (422), female technical rule violator pilot program (423), judicial data warehouse user fees (504), community placement reimbursement (604), field agent personal information (606), field manager caseloads (607), kiosk reporting stations (609), health care services contract (802), report on infirmary bed opportunity days (804(2)), nursing overtime (808), health care quality assurance report (811), tobacco-free facilities (901), education reports (908), prisoner education program plan (909), Braille program (910), presence of a sufficient number of officers for safety and security (911(1)), staff ratios report (912), assaultive offender programs (913), offender transportation (914), prison food services (915), value-based programming (917), offender transportation Request for Information (RFI) (918), food service RFI (919), prison gardens (920), prisoner employment and programming (922), school district education programs (923), prisoners with mental illness (924), report on prisoners with mental illness in segregation (925), prison store surcharge (926), and W.J. Maxey Training School (927).
2. **Civil Service Charges.** The Governor changed the requirement that the Civil Service Commission bill the DOC for the 1% civil service charge authorized in the State constitution to a requirement that they bill the DOC for charges authorized in the State constitution. (Sec. 204)
3. **Out-of-State Travel.** The Governor deleted language allowing the state budget director to grant exceptions to allow out-of-state travel and a report to the Legislature on the exceptions granted. (Sec. 216)
4. **Staff Savings Initiative.** The Governor did not require reports on the staff savings initiative. (Sec. 304)
5. **Prison Population Projections Report.** The Governor postponed the population projection report due date from February 1 to February 15. (Sec. 401)
6. **Re-entry Programs.** The Governor required the DOC to develop a performance-based dashboard tracking and reporting system that establishes key indicators of the Michigan Prisoner Re-entry Initiative. (Sec. 403)
7. **County Jail Reimbursement Program (CJRP).** The Governor proposed to exclude eligibility for Class F offenses as well as the offenses of uttering and publishing (MCL 750.249), buying, receiving, possessing, or concealing a stolen motor vehicle (MCL 750.535(7)), and theft of another person's identification (MCL 445.65). Additionally, the Governor proposed to reimburse counties \$60 per diem for prison presumptive offenders and \$40 per diem for straddle cell offenders. Currently, CJRP reimburses counties \$43.50 per diem for offenders who have a minimum sentencing guidelines (SG) range minimum of more than 12 months (prison presumptive) and offenders sentenced for crimes other than Class G and H crimes who have a SG range upper limit more than 18 months, a SG range lower limit of 12 months or less, and a prior record variable score of 35 or more points (straddle cell). (Sec. 414)
8. **Diversion Programs Report.** The Governor removed the reports on CJRP, the Felony Drunk Driver Jail Reduction and Community Treatment Program, and alternatives to prison programs, but retained the report on new initiatives to control prison population growth. (Sec. 417)
9. **Report Frequency.** The Governor changed the offender population report, the parole and probation violator report, and the academic/vocational program report from monthly reports to quarterly reports. (Sec. 419(2), 612(4), and 907)
10. **Field Agent Caseload Audit.** The Governor moved the due date of the audit from February 15 to May 31. (Sec. 601)
11. **Programs for Parolees with HIV or Hepatitis C.** The Governor modified the content of the report. (Sec. 809)
12. **Public Works Projects.** The Governor deleted provisions stating intent that public works projects be continued at the level provided in FY 2006-07, requiring that user fees be halved, and requiring a website listing the number of prisoners available for work crews and the number necessary to fulfill current contracts at each facility. (Sec. 906)

Date Completed: 2-26-09

Fiscal Analyst: Lindsay Hollander

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations.

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