

FIRST CONFERENCE REPORT

The Committee of Conference on the matters of difference between the two Houses concerning

House Bill No. 4437, entitled

A bill to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 2010; 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.

Recommends:

First: That the House and Senate agree to the Substitute of the Senate as passed by the Senate, amended to read as follows:

(attached)

Second: That the House and Senate agree to the title of the bill to read as follows:

A bill to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 2010; 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.

Alma Wheeler Smith

Alan L. Cropsey

Fred Durhal, Jr.

Roger Kahn

John Proos

Liz Brater

Conferees for the House

Conferees for the Senate

**SENATE SUBSTITUTE FOR
HOUSE BILL NO. 4437**

A bill to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 2010; 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:

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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, 2010, 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 45,433

Full-time equated unclassified positions..... 21.0

Full-time equated classified positions..... 15,746.1

GROSS APPROPRIATION..... \$ 1,930,185,700

Appropriated from:

Interdepartmental grant revenues:

Total interdepartmental grants and intradepartmental

transfers 891,900

ADJUSTED GROSS APPROPRIATION..... \$ 1,929,293,800

Federal revenues:

Total federal revenues..... 7,746,100

Special revenue funds:

Total local revenues..... 432,700

Total private revenues..... 0

Total other state restricted revenues..... 50,924,600

State general fund/general purpose..... \$ 1,870,190,400

Sec. 102. EXECUTIVE

Full-time equated unclassified positions..... 21.0

Full-time equated classified positions..... 12.0

Unclassified positions--21.0 FTE positions..... \$ 1,812,100

Executive direction--12.0 FTE positions..... 2,188,900

1	Neal, et al. settlement agreement	<u>10,000,000</u>
2	GROSS APPROPRIATION.....	\$ 14,001,000
3	Appropriated from:	
4	State general fund/general purpose	\$ 14,001,000
5	Sec. 103. PLANNING AND COMMUNITY SUPPORT	
6	Full-time equated classified positions.....	73.0
7	Planning and community development support--59.0 FTE	
8	positions	\$ 6,090,500
9	Mental health awareness training.....	100,000
10	Prisoner reintegration programs.....	56,605,700
11	Substance abuse testing and treatment services--14.0	
12	FTE positions	19,191,500
13	Residential services.....	18,075,500
14	Community corrections comprehensive plans and services	12,758,000
15	Public education and training.....	50,000
16	Regional jail program.....	100
17	Felony drunk driver jail reduction and community	
18	treatment program	1,740,100
19	County jail reimbursement program.....	16,572,100
20	County jail reimbursement program savings	<u>(4,300,000)</u>
21	GROSS APPROPRIATION.....	\$ 126,883,500
22	Appropriated from:	
23	Federal revenues:	
24	DOJ, office of justice programs, RSAT.....	143,500
25	DOJ, prisoner reintegration.....	1,035,000
26	Special revenue funds:	
27	Civil infraction fees.....	7,514,400

1	State general fund/general purpose	\$	118,190,600
2	Sec. 104. OPERATIONS SUPPORT ADMINISTRATION		
3	Full-time equated classified positions		142.9
4	Operations support administration--50.0 FTE positions	\$	4,799,000
5	New custody staff training		250,500
6	Compensatory buyout and union leave bank		100
7	Worker's compensation		14,330,800
8	Bureau of fiscal management--59.9 FTE positions		6,442,900
9	Office of legal services--23.0 FTE positions		2,583,700
10	Internal affairs--10.0 FTE positions		1,039,800
11	Rent		2,095,200
12	Equipment and special maintenance		2,425,500
13	Administrative hearings officers		3,549,600
14	Judicial data warehouse user fees		50,000
15	Sheriffs' coordinating and training office		500,000
16	Prosecutorial and detainer expenses		<u>4,051,000</u>
17	GROSS APPROPRIATION	\$	42,118,100
18	Appropriated from:		
19	Interdepartmental grant revenues:		
20	IDG-MDSP, Michigan justice training fund		298,400
21	Special revenue funds:		
22	Local corrections officer training fund		500,000
23	Correctional industries revolving fund		110,400
24	State general fund/general purpose	\$	41,209,300
25	Sec. 105. FIELD OPERATIONS ADMINISTRATION		
26	Full-time equated classified positions		2,174.9
27	Field operations--1,992.6 FTE positions	\$	171,935,100

1	Parole board operations--63.0 FTE positions	5,584,900
2	Parole/probation services	2,243,500
3	Community re-entry centers--58.3 FTE positions	15,628,000
4	Electronic monitoring center--61.0 FTE positions	<u>11,306,300</u>
5	GROSS APPROPRIATION	\$ 206,697,800
6	Appropriated from:	
7	Special revenue funds:	
8	Local - community tether program reimbursement	432,700
9	Re-entry center offender reimbursements	136,800
10	Parole and probation oversight fees	8,300,000
11	Parole and probation oversight fees set-aside	2,643,500
12	Public works user fees	249,400
13	Tether program participant contributions	3,033,800
14	State general fund/general purpose	\$ 191,901,600
15	Sec. 106. CORRECTIONAL FACILITIES ADMINISTRATION	
16	Average population	210
17	Full-time equated classified positions	1,503.6
18	Correctional facilities administration--28.0 FTE	
19	positions	\$ 5,697,400
20	Prison food service--423.0 FTE positions	72,611,800
21	Transportation--215.6 FTE positions	23,351,600
22	Central records--53.5 FTE positions	4,589,100
23	DOJ psychiatric plan - MDCH mental health services ...	45,489,700
24	DOJ psychiatric plan - MDOC staff and services--149.7	
25	FTE positions	14,622,500
26	Inmate legal services	1,004,900
27	Loans to parolees	179,400

1	Housing inmates in federal institutions	793,900
2	Prison store operations--75.0 FTE positions	4,800,000
3	Prison industries operations--219.0 FTE positions	20,358,300
4	Education services and federal education grants--10.0	
5	FTE positions	3,420,500
6	Federal school lunch program.....	712,800
7	Leased beds and alternatives to leased beds	100
8	Inmate housing fund--26.3 FTE positions	4,432,200
9	Average population	210
10	Correctional cost savings.....	(38,209,200)
11	MPRI education program--303.5 FTE positions	<u>32,467,400</u>
12	GROSS APPROPRIATION.....	\$ 196,322,400
13	Appropriated from:	
14	Interdepartmental grant revenues:	
15	IDG-MDCH, forensic center food service	593,500
16	Federal revenues:	
17	DAG-FNS, national school lunch.....	712,800
18	DED-OESE, title 1.....	522,900
19	DED-OVAE, adult education.....	893,000
20	DED-OSERS.....	108,000
21	DED, vocational education equipment	277,400
22	DED, youthful offender/Specter grant	1,292,100
23	DOJ-BOP, federal prisoner reimbursement	211,000
24	DOJ-OJP, serious and violent offender reintegration	
25	initiative	10,300
26	DOJ, prison rape elimination act grant	1,004,300
27	SSA-SSI, incentive payment	126,600

1	Special revenue funds:	
2	Correctional industries revolving fund.....	20,358,300
3	Resident stores.....	4,800,000
4	State general fund/general purpose.....	\$ 165,412,200
5	Sec. 107. HEALTH CARE	
6	Full-time equated classified positions.....	1,170.0
7	Health care administration--13.0 FTE positions.....	\$ 2,048,300
8	Prisoner health care services.....	95,881,400
9	Vaccination program.....	691,200
10	Northern region clinical complexes--249.8 FTE	
11	positions	29,481,200
12	Southeastern region clinical complexes--602.9 FTE	
13	positions	93,540,500
14	Southwestern region clinical complexes--304.3 FTE	
15	positions	<u>38,004,700</u>
16	GROSS APPROPRIATION.....	\$ 259,647,300
17	Appropriated from:	
18	Special revenue funds:	
19	Prisoner health care copayments.....	336,300
20	State general fund/general purpose.....	\$ 259,311,000
21	Sec. 108. NORTHERN REGION CORRECTIONAL FACILITIES	
22	Average population	12,917
23	Full-time equated classified positions.....	3,174.4
24	Alger maximum correctional facility - Munising--268.0	
25	FTE positions	\$ 27,231,400
26	Average population	889
27	Baraga maximum correctional facility - Baraga--332.1	

1	FTE positions	31,363,100
2	Average population 884	
3	Chippewa correctional facility - Kincheloe--475.3 FTE	
4	positions	47,349,800
5	Average population 2,282	
6	Kinross correctional facility - Kincheloe--357.3 FTE	
7	positions	35,813,100
8	Average population 1,799	
9	Marquette branch prison - Marquette--352.1 FTE	
10	positions	37,630,100
11	Average population 1,201	
12	Newberry correctional facility - Newberry--281.9 FTE	
13	positions	26,846,800
14	Average population 978	
15	Oaks correctional facility - Eastlake--309.0 FTE	
16	positions	33,808,200
17	Average population 1,156	
18	Ojibway correctional facility - Marenisco--209.9 FTE	
19	positions	19,361,100
20	Average population 1,090	
21	Pugsley correctional facility - Kingsley--218.0 FTE	
22	positions	20,300,600
23	Average population 1,158	
24	Saginaw correctional facility - Freeland--314.8 FTE	
25	positions	31,177,000
26	Average population 1,480	
27	Northern region administration and support--56.0 FTE	

1	positions		<u>3,622,900</u>
2	GROSS APPROPRIATION.....	\$	314,504,100
3	Appropriated from:		
4	Special revenue funds:		
5	Public works user fees.....		512,900
6	State general fund/general purpose.....	\$	313,991,200
7	Sec. 109. SOUTHEASTERN REGION CORRECTIONAL		
8	FACILITIES		
9	Average population	16,193	
10	Full-time equated classified positions.....	4,017.0	
11	Cooper street correctional facility - Jackson--275.9		
12	FTE positions	\$	28,503,700
13	Average population	1,752	
14	G. Robert Cotton correctional facility - Jackson--		
15	405.5 FTE positions		38,843,000
16	Average population	1,854	
17	Charles E. Egeler correctional facility - Jackson--		
18	357.3 FTE positions		39,222,400
19	Average population	1,376	
20	Gus Harrison correctional facility - Adrian--450.7 FTE		
21	positions		45,323,300
22	Average population	2,342	
23	Huron Valley correctional complex - Ypsilanti--651.6		
24	FTE positions		67,180,900
25	Average population	1,872	
26	Macomb correctional facility - New Haven--285.6 FTE		
27	positions		27,464,000

1	Average population	1,228	
2	Maxey/Woodland Center correctional facility - Whitmore		
3	Lake--186.3 FTE positions		15,850,100
4	Average population	328	
5	Mound correctional facility - Detroit--300.5 FTE		
6	positions		26,309,100
7	Average population	1,051	
8	Parnall correctional facility - Jackson--260.8 FTE		
9	positions		26,377,800
10	Average population	1,712	
11	Ryan correctional facility - Detroit--293.8 FTE		
12	positions		29,261,000
13	Average population	1,059	
14	Thumb correctional facility - Lapeer--288.0 FTE		
15	positions		29,147,500
16	Average population	1,219	
17	Special alternative incarceration program (Camp		
18	Cassidy Lake)--120.0 FTE positions.....		10,892,600
19	Average population	400	
20	Southeastern region administration and support--141.0		
21	FTE positions		<u>21,461,400</u>
22	GROSS APPROPRIATION.....	\$	405,836,800
23	Appropriated from:		
24	Federal revenues:		
25	DOJ, state criminal alien assistance program.....		1,409,200
26	Special revenue funds:		
27	Public works user fees.....		1,295,900

1	State general fund/general purpose	\$	403,131,700
2	Sec. 110. SOUTHWESTERN REGION CORRECTIONAL		
3	FACILITIES		
4	Average population		16,113
5	Full-time equated classified positions.....		3,478.3
6	Bellamy Creek correctional facility - Ionia--399.4 FTE		
7	positions	\$	36,767,300
8	Average population		1,850
9	Earnest C. Brooks correctional facility - Muskegon--		
10	454.2 FTE positions		45,346,500
11	Average population		2,440
12	Carson City correctional facility - Carson City--459.8		
13	FTE positions		46,464,800
14	Average population		2,440
15	Richard A. Handlon correctional facility - Ionia--		
16	237.4 FTE positions		23,238,300
17	Average population		1,320
18	Ionia maximum correctional facility - Ionia--306.7 FTE		
19	positions		29,583,600
20	Average population		707
21	Lakeland correctional facility - Coldwater--473.8 FTE		
22	positions		46,167,900
23	Average population		2,392
24	Michigan reformatory - Ionia--311.1 FTE positions		26,179,100
25	Average population		1,338
26	Pine River correctional facility - St. Louis--211.7		
27	FTE positions		20,713,200

1	Average population	1,200	
2	St. Louis correctional facility - St. Louis--524.2 FTE		
3	positions		50,425,800
4	Average population	2,426	
5	Southwestern region administration and support--100.0		
6	FTE positions		<u>16,706,200</u>
7	GROSS APPROPRIATION.....	\$	341,592,700
8	Appropriated from:		
9	Special revenue funds:		
10	Public works user fees.....		371,700
11	State general fund/general purpose.....	\$	341,221,000
12	Sec. 111. INFORMATION TECHNOLOGY		
13	Information technology services and projects.....	\$	<u>22,582,000</u>
14	GROSS APPROPRIATION.....	\$	22,582,000
15	Appropriated from:		
16	Special revenue funds:		
17	Correctional industries revolving fund.....		154,900
18	Parole and probation oversight fees set-aside.....		606,300
19	State general fund/general purpose.....	\$	21,820,800

20 PART 2

21 PROVISIONS CONCERNING APPROPRIATIONS

22 GENERAL SECTIONS

23 Sec. 201. Pursuant to section 30 of article IX of the state
 24 constitution of 1963, total state spending from state resources
 25 under part 1 for fiscal year 2009-2010 is \$1,921,115,000.00 and

state spending from state resources to be paid to local units of government for fiscal year 2009-2010 is \$93,287,000.00. 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	\$	48,783,900
Public service work projects		4,859,800
Community corrections comprehensive plans and services		12,758,000
Community corrections residential services		18,075,500
Community corrections public education and training ..		50,000
Felony drunk driver jail reduction and community		
treatment program		1,740,100
Community re-entry centers		2,019,600
Regional jail program		<u>100</u>
TOTAL	\$	88,287,000

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.

1 (f) "DED-OVAE" means the DED office of vocational and adult
2 education.

3 (g) "Department" or "MDOC" means the Michigan department of
4 corrections.

5 (h) "DOJ" means the United States department of justice.

6 (i) "DOJ-BOP" means the DOJ bureau of prisons.

7 (j) "DOJ-OJP" means the DOJ office of justice programs.

8 (k) "FTE" means full-time equated.

9 (l) "GED" means general educational development certificate.

10 (m) "GPS" means global positioning system.

11 (n) "HIV" means human immunodeficiency virus.

12 (o) "IDG" means interdepartmental grant.

13 (p) "IDT" means intradepartmental transfer.

14 (q) "MDCH" means the Michigan department of community health.

15 (r) "Medicaid benefit" means a benefit paid or payable under a
16 program for medical assistance under the social welfare act, 1939
17 PA 280, MCL 400.1 to 400.119b.

18 (s) "MDSP" means the Michigan department of state police.

19 (t) "MPRI" means the Michigan prisoner reentry initiative.

20 (u) "OCC" means the office of community corrections.

21 (v) "RSAT" means residential substance abuse treatment.

22 (w) "SSA" means the United States social security
23 administration.

24 (x) "SSA-SSI" means SSA supplemental security income.

25 Sec. 204. The civil service commission shall bill departments
26 and agencies at the end of the first fiscal quarter for the 1%
27 charge authorized by section 5 of article XI of the state

1 constitution of 1963. Payments shall be made for the total amount
2 of the billing by the end of the second fiscal quarter.

3 Sec. 205. (1) A hiring freeze is imposed on the state
4 classified civil service. State departments and agencies are
5 prohibited from hiring any new full-time state classified civil
6 service employees and prohibited from filling any vacant state
7 classified civil service positions. This hiring freeze does not
8 apply to internal transfers of classified employees from 1 position
9 to another within a department.

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

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

24 Sec. 207. At least 120 days before beginning any effort to
25 privatize, except for the current effort to privatize and contract
26 for prisoner mental health services which is necessitated by the
27 critical need for prisoner mental health treatment staff, the

1 department shall submit a complete project plan to the appropriate
2 senate and house appropriations subcommittees and the senate and
3 house fiscal agencies. The plan shall include the criteria under
4 which the privatization initiative will be evaluated. The
5 evaluation shall be completed and submitted to the appropriate
6 senate and house appropriations subcommittees and the senate and
7 house fiscal agencies within 30 months. In the case of the current
8 effort to privatize and contract for prisoner mental health
9 services, the department shall submit a complete project plan to
10 the appropriate senate and house appropriations committee chairs
11 and appropriate senate and house appropriations subcommittee chairs
12 as well as the senate and house fiscal agency and state budget
13 office 10 days prior to beginning the effort.

14 Sec. 207a. (1) Before privatizing any services or activities
15 currently provided by state employees in the department, except for
16 the privatization of prisoner mental health services which is
17 necessitated by a critical shortage of mental health professional
18 staff, the department shall submit to the senate and house
19 appropriations committees a preprivatization cost-benefit analysis.
20 This analysis shall utilize accurate, reliable, and objective data.
21 Included in this analysis shall be a comparative estimate of the
22 costs that will be incurred by this state over the life of the
23 contract if 1 or both of the following occur:

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

26 (b) The service or activity is privatized. The costs of
27 privatizing these services shall include the costs of all necessary

1 monitoring and oversight of the private entity by this state.

2 (2) The department shall not commence any efforts to privatize
3 the services or activities currently provided by state employees
4 under part 1, except for prisoner mental health services, until the
5 cost-benefit analysis prescribed by subsection (1) has been sent to
6 both the senate and house appropriations committees 14 days prior
7 to the efforts to privatize, and proves a cost savings equivalent
8 to the savings specified in civil service rules for disbursement
9 for personal services outside the civil service. Before awarding a
10 contract for the provision of prisoner mental health treatment
11 services, a cost-benefit analysis shall be completed as specified
12 in subsection (1) and submitted to the appropriate senate and house
13 appropriations committee chairs and appropriate senate and house
14 appropriations subcommittee chairs as well as the senate and house
15 fiscal agency and state budget office not less than 7 days prior to
16 awarding a contract.

17 (3) In all cases in which a service or activity is privatized,
18 including the provision of prisoner mental health services, the
19 private entity shall be adequately bonded, so as not to expose the
20 state to any potential future liability or legal causes of action.

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

26 (5) State employees shall be given the opportunity to bid on
27 contracts that privatize services that are or were provided by

1 state employees. If the contract is awarded to any state employee,
2 he or she ceases being an employee of the state.

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

10 Sec. 209. Funds appropriated in part 1 shall not be used for
11 the purchase of foreign goods or services, or both, if comparable
12 quality American goods or services, or both, that do not cost more
13 than 5% greater than foreign goods or services are available.
14 Preference shall be given to produce, goods or services, or both,
15 grown, processed, manufactured, or provided by Michigan businesses
16 if they are of comparable quality and do not cost more than 5%
17 greater than non-Michigan manufactured or provided goods or
18 services. In addition, preference shall be given to goods or
19 services, or both, that are manufactured or provided by Michigan
20 businesses owned and operated by veterans, if they are
21 competitively priced and of comparable quality.

22 Sec. 210. (1) Individuals seeking employment with the
23 department shall submit to a controlled substance test administered
24 by the department under civil service rules and regulations and
25 applicable collective bargaining agreements.

26 (2) The department shall deny employment to individuals
27 seeking employment with the department who violate subsection (1)

1 or who submit to testing under subsection (1) but test positive for
2 the illicit use of a controlled substance.

3 Sec. 211. (1) The department may charge fees and collect
4 revenues in excess of appropriations in part 1 not to exceed the
5 cost of offender services and programming, employee meals, parolee
6 loans, academic/vocational services, custody escorts, compassionate
7 visits, and union steward activities. The revenues and fees
8 collected are appropriated for all expenses associated with these
9 services and activities.

10 (2) If a parolee or probationer has been ordered to pay
11 restitution, the department shall ensure that payment is a
12 condition of his or her community supervision. Restitution payments
13 shall be made as provided in section 22 of chapter XV of the code
14 of criminal procedure, 1927 PA 175, MCL 775.22. The department
15 shall collect not more than 50% of all money collected from
16 parolees and probationers for payments other than victim payments,
17 as that term is defined in section 22 of chapter XV of the code of
18 criminal procedure, 1927 PA 175, MCL 775.22.

19 Sec. 213. By February 15, 2010, the department shall provide
20 the members of the senate and house appropriations subcommittees on
21 corrections, the senate and house fiscal agencies, and the state
22 budget director with a report detailing non-general fund/general
23 purpose sources of revenue, including, but not limited to, federal
24 revenues, state restricted revenues, local and private revenues,
25 offender reimbursements and other payments, revolving funds, and 1-
26 time sources of revenue, whether or not those revenues were
27 appropriated. The report shall include statements detailing for

1 each account the total amount of revenue received during fiscal
2 year 2008-2009, the amount by which the revenue exceeded any
3 applicable appropriated fund source, the amount spent during fiscal
4 year 2008-2009, the account balance at the close of fiscal year
5 2008-2009, and the projected revenues and expenditures for fiscal
6 year 2009-2010.

7 Sec. 214. From the funds appropriated in part 1 for
8 information technology, the department shall pay user fees to the
9 department of information technology for technology-related
10 services and projects. These user fees shall be subject to
11 provisions of an interagency agreement between the department and
12 the department of information technology.

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

20 Sec. 216. (1) Due to the current budgetary problems of this
21 state, out-of-state travel for the fiscal year ending September 30,
22 2010 shall be limited to situations in which 1 or more of the
23 following conditions apply:

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

26 (b) The travel is necessary to protect the health or safety of
27 Michigan citizens or visitors or to assist other states for similar

1 reasons.

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

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

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

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

11 (2) Not later than January 1, 2010, each department shall
12 prepare a travel report listing all travel by classified and
13 unclassified employees outside this state in the immediately
14 preceding fiscal year that was funded in whole or in part with
15 funds appropriated in the department's budget. The report shall be
16 submitted to the senate and house standing committees on
17 appropriations, the senate and house fiscal agencies, and the state
18 budget director. The report shall include the following
19 information:

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

22 (b) The destination of each travel occurrence.

23 (c) The dates of each travel occurrence.

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

26 (e) The transportation and related costs of each travel
27 occurrence, including the proportion funded with state general

1 fund/general purpose revenues, the proportion funded with state
2 restricted revenues, the proportion funded with federal revenues,
3 and the proportion funded with other revenues.

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

6 Sec. 217. The director shall take all reasonable steps to
7 ensure businesses in deprived and depressed communities compete for
8 and perform contracts to provide services or supplies, or both. The
9 director shall strongly encourage firms with which the department
10 contracts to subcontract with certified businesses in deprived and
11 depressed communities for services, supplies, or both.

12 Sec. 219. Any contract for prisoner telephone services entered
13 into after the effective date of this act shall include a condition
14 that fee schedules for prisoner telephone calls, including rates
15 and any surcharges other than those necessary to meet special
16 equipment costs, be the same as fee schedules for calls placed from
17 outside of correctional facilities.

18 Sec. 221. (1) The department shall report no later than March
19 1, 2010 on each specific policy change made to implement a public
20 act affecting the department that took effect during the previous
21 calendar year to the senate and house appropriations subcommittees
22 on corrections, the joint committee on administrative rules, and
23 the senate and house fiscal agencies.

24 (2) Funds appropriated in part 1 shall not be used to adopt a
25 rule that will apply to a small business and that will have a
26 disproportionate economic impact on small businesses because of the
27 size of those businesses if the department fails to reduce the

1 disproportionate economic impact of the rule on small businesses as
2 provided under section 40 of the administrative procedures act of
3 1969, 1969 PA 306, MCL 24.240.

4 (3) As used in this section:

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

7 (b) "Small business" means that term as defined under section
8 7a of the administrative procedures act of 1969, 1969 PA 306, MCL
9 24.207a.

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

16 Sec. 223. (1) In addition to the funds appropriated in part 1,
17 there is appropriated an amount not to exceed \$10,000,000.00 for
18 federal contingency funds. These funds are not available for
19 expenditure until they have been transferred to another line item
20 in this act under section 393(2) of the management and budget act,
21 1984 PA 431, MCL 18.1393.

22 (2) In addition to the funds appropriated in part 1, there is
23 appropriated an amount not to exceed \$5,000,000.00 for state
24 restricted contingency funds. These funds are not available for
25 expenditure until they have been transferred to another line item
26 in this act under section 393(2) of the management and budget act,
27 1984 PA 431, MCL 18.1393.

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

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

13 Sec. 224. By March 1, 2010, the department shall provide a
14 litigation report to the senate and house appropriations
15 subcommittees on corrections, the senate and house fiscal agencies,
16 and the state budget director. The report shall identify all
17 lawsuits adjudicated through the trial court phase in which the
18 department or an employee acting on behalf of the department was a
19 defendant and in which trial court proceedings resulted in a
20 decision of \$250,000.00 or more against the department.

21 Sec. 225. (1) The department shall make every effort to place
22 employees displaced by any reductions in force within other
23 positions in the department.

24 (2) It is the intent of the legislature that all employees
25 displaced by any reductions in force who are not placed within
26 other positions in the department be given priority in state
27 programs for job retraining or education, such as the no worker

1 left behind program.

2 Sec. 230. (1) From the funds appropriated in part 1, the
3 department shall complete the study required by section 230 of 2008
4 PA 245. The study shall cover at least 1 county jail in each of the
5 department's 3 administrative regions within the state and at a
6 minimum shall be based on a representative random sample of county
7 jail inmates. To the extent that such information would not
8 conflict with state law on confidentiality for inmates included in
9 the study, at a minimum, the study shall be sufficient to provide
10 all of the information required by subsection (2). In the process
11 of study design, development, and implementation, the department
12 shall assure involvement of and consultation from counties,
13 sheriffs, prosecutors, victims, and consumer, family, advocacy,
14 provider, and professional groups concerned with mental health and
15 justice issues. The methodological basis for the study shall
16 include all of the following:

17 (a) Diagnostic clinical interviews with all of the inmates in
18 the study.

19 (b) Reviews of the criminal history records of all of the
20 inmates in the study.

21 (c) Reviews of the medical and mental health records of all of
22 the inmates in the study, as available.

23 (2) By September 1, 2010, the department shall report to the
24 senate and house appropriations subcommittees on corrections, the
25 senate and house appropriations subcommittees on community health,
26 the senate and house fiscal agencies, and the state budget director
27 on the results and findings of the study, including, at a minimum,

1 information on all of the following, to the extent that the
2 information does not conflict with state law on confidentiality for
3 the inmates included in the study:

4 (a) Study methodology, including information on the sample
5 size and counties sampled.

6 (b) The proportion of county jail inmates with a primary
7 diagnosis of mental illness, the proportion of inmates with a
8 primary diagnosis of addiction disorder, and the proportion of
9 inmates with a dual diagnosis of mental illness and addiction
10 disorder.

11 (c) For each category of inmates listed in subdivision (b),
12 all of the following information:

13 (i) The proportion considered to currently require treatment
14 and the percentage in need of treatment who are currently receiving
15 it. Information on inmates currently receiving treatment shall
16 identify whether the inmates are receiving inpatient, residential,
17 or outpatient treatment. Treatment information on inmates with a
18 dual diagnosis shall identify whether inmates are receiving mental
19 health inpatient, mental health residential, mental health
20 outpatient, substance abuse residential, or substance abuse
21 outpatient treatment.

22 (ii) Data indicating how many inmates previously had been
23 hospitalized in a state or private psychiatric hospital for persons
24 with mental illness.

25 (iii) Data indicating whether and with what frequency inmates
26 previously had been incarcerated in a jail or committed to the
27 department of corrections.

1 (iv) Data indicating whether inmates previously had received
2 services managed by a community mental health program or substance
3 abuse coordinating agency.

4 Sec. 231. The department shall not approve the travel of more
5 than 1 departmental employee to a specific professional development
6 conference or training seminar that is located outside of this
7 state unless a professional development conference or training
8 seminar is funded by a federal or private funding source and
9 requires more than 1 person from a department to attend, or the
10 conference or training seminar includes multiple issues in which 1
11 employee from the department does not have expertise.

12 Sec. 232. By April 1, 2010, the department shall report to the
13 senate and house of representatives appropriations subcommittees on
14 corrections, the senate and house fiscal agencies, and the state
15 budget director with a listing of Michigan vendors whose contracts
16 were canceled or reduced in favor of single-source contracts from
17 vendors based outside of Michigan. The report shall provide
18 information for fiscal years 2007-2008 and 2008-2009 and shall
19 include pertinent contract amounts.

20 Sec. 233. (1) The negative appropriation for correctional cost
21 savings in part 1 equates to an \$841.00 reduction in the
22 department's cost per prisoner and shall be satisfied by cost
23 savings realized through departmental savings and efficiencies
24 directly or indirectly affecting its cost per offender.

25 (2) Appropriation authorization adjustments required due to
26 negative appropriations for correctional cost savings shall be made
27 only after the approval of transfers by the legislature under

1 section 393 of the management and budget act, 1984 PA 431, MCL
2 18.1393.

3 (3) By March 1, 2010, the department shall report to the
4 senate and house of representatives appropriations subcommittees on
5 corrections, the senate and house fiscal agencies, and the state
6 budget director on the status of actions taken to meet the savings
7 identified in this section.

8 **EXECUTIVE**

9 Sec. 301. (1) For 3 years after a felony offender is released
10 from the department's jurisdiction, the department shall maintain
11 the offender's file on the offender tracking information system and
12 make it publicly accessible in the same manner as the file of the
13 current offender. However, the department shall immediately remove
14 the offender's file from the offender tracking information system
15 upon determination that the offender was wrongfully convicted and
16 the offender's file is not otherwise required to be maintained on
17 the offender tracking information system.

18 (2) Information removed from the offender tracking information
19 system due to the expiration of 3 years following release of an
20 offender from the department's jurisdiction shall be retained by
21 the department and maintained in a password-protected archive.
22 Effective October 1, 2009, information in the archive shall be made
23 available upon payment of a fee as determined by the department.
24 Revenue collected under this section is appropriated for the costs
25 of the offender tracking information system, and any revenue
26 collected in excess of the costs of maintaining the offender

1 tracking information system is appropriated for information
2 technology costs. The department shall report on March 1, 2010 to
3 the senate and house appropriations subcommittees on corrections,
4 the senate and house fiscal agencies, and the state budget director
5 on the fees charged and revenue collected under this section.

6 Sec. 302. A report on the mental health study required under
7 section 302 of 2007 PA 124, together with any recommendations
8 contained in the study and response from the department, shall be
9 provided to the members of the senate and house appropriations
10 subcommittees on corrections and community health, the senate and
11 house fiscal agencies, MDCH, and the state budget director no later
12 than 30 days after the receipt of the completed study. The report
13 shall include all of the information specified in section 302(2)(a)
14 to (j) of 2007 PA 124. The report also shall include a plan by the
15 department to implement those recommendations with which it agrees
16 and an explanation of any disagreements with recommendations. It is
17 the intent of the legislature to review the department's
18 implementation plan and, in coordination with the department, to
19 identify funds with which to implement the plan, as appropriate.

20 Sec. 303. It is the intent of the legislature that the
21 quantity of database systems in use by the department be optimal
22 for efficient data usage and communications. By March 1, 2010, the
23 department shall report to the senate and house appropriations
24 subcommittees on corrections, the senate and house fiscal agencies,
25 and the state budget director on the status of the plan to
26 implement secure, encrypted, Internet-based database systems that
27 can electronically communicate with each other and with other law-

1 enforcement-related databases by September 30, 2010.

2 Sec. 304. The director of the department shall maintain a
3 staff savings initiative program to invite employees to submit
4 suggestions for saving costs for the department. The department
5 shall report semiannually to the senate and house appropriations
6 subcommittees on corrections, the senate and house fiscal agencies,
7 and the state budget director on the suggestions submitted under
8 this section, the implementation plan for those suggestions with
9 which the department agrees, and an explanation of any
10 disagreements with suggestions.

11 Sec. 305. By March 1, 2010, the department shall report to the
12 senate and house appropriations subcommittees on corrections, the
13 senate and house fiscal agencies, and the state budget director on
14 the number of prisoners who committed suicide during the previous
15 calendar year. To the extent permitted by law, the report shall
16 include all of the following information:

17 (a) The prisoner's age, offense, sentence, and admission date.

18 (b) Each prisoner's facility and unit.

19 (c) A description of the circumstances of the suicide.

20 (d) The date of the suicide.

21 (e) Whether the suicide occurred in a housing unit, a
22 segregation unit, a mental health unit, or elsewhere on the grounds
23 of the facility.

24 (f) Whether the prisoner had been denied parole and the date
25 of any denial.

26 (g) Whether the prisoner had received a mental health
27 evaluation or assessment.

1 (h) Details on the department's responses to each suicide,
2 including immediate on-site responses and subsequent internal
3 investigations.

4 (i) A description of any monitoring and psychiatric
5 interventions that had been undertaken prior to the prisoner's
6 suicide, including any changes in placement or mental health care.

7 (j) Whether the prisoner had previously attempted suicide.

8 **PLANNING AND COMMUNITY SUPPORT**

9 Sec. 401. The department shall submit 3-year and 5-year prison
10 population projection updates by February 1, 2010 to the senate and
11 house appropriations subcommittees on corrections, the senate and
12 house fiscal agencies, and the state budget director. The report
13 shall include explanations of the methodology and assumptions used
14 in developing the projection updates.

15 Sec. 402. It is the intent of the legislature that the funds
16 appropriated in part 1 for prisoner reintegration programs be
17 expended for the purpose of reducing victimization by reducing
18 repeat offending through the following prisoner reintegration
19 programming:

20 (a) The provision of employment or employment services and job
21 training.

22 (b) The provision of housing assistance.

23 (c) Referral to mental health services.

24 (d) Referral to substance abuse services.

25 (e) Referral to public health services.

26 (f) Referral to education.

1 (g) Referral to any other services necessary for successful
2 reintegration.

3 Sec. 403. By March 1, 2010, the department shall provide a
4 report on MPRI expenditures and allocations to the members of the
5 senate and house appropriations subcommittees on corrections, the
6 senate and house fiscal agencies, and the state budget director. At
7 a minimum, the report shall include information on both of the
8 following:

9 (a) Details on prior-year expenditures, including amounts
10 spent on each project funded, itemized by service provided and
11 service provider.

12 (b) Allocations and projected expenditures for each project
13 funded and for each project to be funded, itemized by service to be
14 provided and service provider.

15 Sec. 403a. (1) In collaboration with a technical committee
16 composed of representatives from the department, designees of the
17 senate and house appropriations subcommittees on corrections, the
18 senate and house fiscal agencies, and the justice center of the
19 council of state governments, the department shall develop a
20 performance-based dashboard tracking and reporting system that
21 establishes key indicators of the success and failure of offenders.
22 Indicators shall reflect the status of and trends in key program
23 elements, behavior improvements on the part of offenders, and
24 whether targeted goals are being met.

25 (2) By April 1, 2010, the department shall report dashboard
26 data to the senate and house appropriations subcommittees on
27 corrections, the senate and house fiscal agencies, and the state

1 budget director.

2 Sec. 404. (1) The department shall screen and assess each
3 prisoner for alcohol and other drug involvement to determine the
4 need for further treatment. The assessment process shall be
5 designed to identify the severity of alcohol and other drug
6 addiction and determine the treatment plan, if appropriate.

7 (2) The department shall provide substance abuse treatment to
8 prisoners with priority given to those prisoners who are most in
9 need of treatment and who can best benefit from program
10 intervention based on the screening and assessment provided under
11 subsection (1).

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

17 (2) By March 1, 2010, the department shall report to the
18 senate and house appropriations subcommittees on corrections, the
19 senate and house fiscal agencies, and the state budget director on
20 the allocation, distribution, and expenditure of all funds
21 appropriated by the substance abuse testing and treatment line item
22 during fiscal year 2008-2009 and projected for fiscal year 2009-
23 2010. The report shall include, but not be limited to, an
24 explanation of an anticipated year-end balance, the number of
25 participants in substance abuse programs, and the number of
26 offenders on waiting lists for residential substance abuse
27 programs. Information required under this subsection shall, where

1 possible, be separated by MDOC administrative region and by
2 offender type, including, but not limited to, a distinction between
3 prisoners, parolees, and probationers.

4 (3) By March 1, 2010, the department shall report to the
5 senate and house appropriations subcommittees on corrections, the
6 senate and house fiscal agencies, and the state budget director on
7 substance abuse testing and treatment program objectives, outcome
8 measures, and results, including program impact on offender
9 behavior and success as defined in section 409.

10 Sec. 405a. It is the intent of the legislature that the
11 department work cooperatively with MDCH and substance abuse
12 coordinating agencies in referring offenders as appropriate to
13 intensive substance abuse services, including residential services.

14 Sec. 407. (1) By June 30, 2010, the department shall place the
15 2009 statistical report on an Internet site. The statistical report
16 shall include, but not be limited to, the information as provided
17 in the 2004 statistical report.

18 (2) It is the intent of the legislature that starting with
19 calendar year 2009, the statistical report be placed on an Internet
20 site within 6 months after the end of each calendar year.

21 Sec. 408. The department shall measure the repeat offense
22 rates of offenders using at least a 3-year period following their
23 release from prison.

24 Sec. 409. The office of community corrections shall provide
25 and coordinate the delivery and implementation of services in
26 communities to facilitate successful offender reintegration into
27 the community. Programs and services to be offered shall include,

1 but are not limited to, technical assistance for comprehensive
2 corrections plan development, new program start-up funding, program
3 funding for those programs delivering services for eligible
4 offenders in geographic areas identified by the office of community
5 corrections as having a shortage of available services, technical
6 assistance, referral services for education, employment services,
7 and substance abuse and family counseling. As used in this act:

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

14 (b) "Goal" means the intended or projected result of a
15 comprehensive corrections plan or community corrections program to
16 reduce repeat offending, criminogenic and high-risk behaviors,
17 prison commitment rates, to reduce the length of stay in a jail, or
18 to improve the utilization of a jail.

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

22 (d) "Objective risk and needs assessment" means an evaluation
23 of an offender's criminal history; the offender's noncriminal
24 history; and any other factors relevant to the risk the offender
25 would present to the public safety, including, but not limited to,
26 having demonstrated a pattern of violent behavior, and a criminal
27 record that indicates a pattern of violent offenses.

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

7 (f) "Offender target population" means felons or misdemeanants
8 who would likely be sentenced to imprisonment in a state
9 correctional facility or jail, who would not likely increase the
10 risk to the public safety based on an objective risk and needs
11 assessment that indicates that the offender can be safely treated
12 and supervised in the community.

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

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

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

23 (h) "Success" means that an offender has done all of the
24 following:

25 (i) Regularly reported to his or her assigned field agent.

26 (ii) Is participating in or has successfully completed all
27 required substance abuse, mental health, sex offender, or other

1 treatment as approved by the field agent.

2 (iii) Obtained employment, has enrolled or participated in a
3 program of education or job training, or has investigated all bona
4 fide employment opportunities.

5 (iv) Obtained housing.

6 (v) Obtained a state identification card.

7 (vi) Not sent or returned to prison for the conviction of a new
8 crime or the revocation of probation or parole.

9 (vii) Not been sentenced to a jail term for a new criminal
10 offense.

11 Sec. 410. (1) The funds included in part 1 for community
12 corrections comprehensive plans and services are to encourage the
13 development through technical assistance grants, implementation,
14 and operation of community corrections programs that enhance
15 offender success and that also may serve as an alternative to
16 incarceration in a state facility or jail. The comprehensive
17 corrections plans shall include an explanation of how the public
18 safety will be maintained, the goals for the local jurisdiction,
19 offender target populations intended to be affected, offender
20 eligibility criteria for purposes outlined in the plan, and how the
21 plans will meet the following objectives, consistent with section
22 8(4) of the community corrections act, 1988 PA 511, MCL 791.408:

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

26 (b) Improve the appropriate utilization of jail facilities,
27 the first priority of which is to open jail beds intended to house

1 otherwise prison-bound felons, and the second priority being to
2 appropriately utilize jail beds so that jail crowding does not
3 occur.

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

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

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

10 (2) The award of community corrections comprehensive plans and
11 residential services funds shall be based on criteria that include,
12 but are not limited to, the prison commitment rate by category of
13 offenders, trends in prison commitment rates and jail utilization,
14 historical trends in community corrections program capacity and
15 program utilization, and the projected impact and outcome of annual
16 policies and procedures of programs on offender success, prison
17 commitment rates, and jail utilization.

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

20 Sec. 411. The comprehensive corrections plans shall also
21 include, where appropriate, descriptive information on the full
22 range of sanctions and services that are available and utilized
23 within the local jurisdiction and an explanation of how jail beds,
24 residential services, the special alternative incarceration
25 program, probation detention centers, the electronic monitoring
26 program for probationers, and treatment and rehabilitative services
27 will be utilized to support the objectives and priorities of the

1 comprehensive corrections plans and the purposes and priorities of
2 section 8(4) of the community corrections act, 1988 PA 511, MCL
3 791.408, which contribute to the success of offenders. The plans
4 shall also include, where appropriate, provisions that detail how
5 the local communities plan to respond to sentencing guidelines
6 found in chapter XVII of the code of criminal procedure, 1927 PA
7 175, MCL 777.1 to 777.69, and use the county jail reimbursement
8 program under section 414. The state community corrections board
9 shall encourage local community corrections advisory boards to
10 include in their comprehensive corrections plans strategies to
11 collaborate with local alcohol and drug treatment agencies of the
12 MDCH for the provision of alcohol and drug screening, assessment,
13 case management planning, and delivery of treatment to alcohol- and
14 drug-involved offenders.

15 Sec. 412. (1) As part of the March biannual report specified
16 in section 12(2) of the community corrections act, 1988 PA 511, MCL
17 791.412, that requires an analysis of the impact of that act on
18 prison admissions and jail utilization, the department shall submit
19 to the senate and house appropriations subcommittees on
20 corrections, the senate and house fiscal agencies, and the state
21 budget director the following information for each county and
22 counties consolidated for comprehensive corrections plans:

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

27 (b) If federal funds are made available, the number of

1 participants funded, the number served, the number successfully
2 completing the program, and a summary of the program activity.

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

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

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

11 (f) Data on the use of funding made available under the felony
12 drunk driver jail reduction and community treatment program.

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

16 Sec. 413. (1) The department shall identify and coordinate
17 information regarding the availability of and the demand for
18 community corrections programs, jail-based community corrections
19 programs, jail-based probation violation sanctions, and basic
20 state-required jail data.

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

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

26 Sec. 414. (1) The department shall administer a county jail
27 reimbursement program from the funds appropriated in part 1 for the

1 purpose of reimbursing counties for housing in jails felons who
2 otherwise would have been sentenced to prison.

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

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

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

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

19 (4) The department, the state budget office, the Michigan
20 association of counties, and the Michigan sheriffs' association
21 shall, if appropriate, recommend modification of the criteria for
22 reimbursement contained in subsection (2) at meetings convened by
23 the chairs of the house and senate appropriations subcommittees on
24 corrections.

25 (5) The department shall reimburse counties for offenders in
26 jail based upon the reimbursement eligibility criteria in place on
27 the date the offender was originally sentenced for the reimbursable

1 offense.

2 (6) County jail reimbursement program expenditures shall not
3 exceed the amount appropriated in part 1 for the county jail
4 reimbursement program. Payments to counties under the county jail
5 reimbursement program shall be made in the order in which properly
6 documented requests for reimbursements are received. A request
7 shall be considered to be properly documented if it meets MDOC
8 requirements for documentation. The department shall by October 15,
9 2008 distribute the documentation requirements to all counties.

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

18 (2) The department shall only halt funding for an entity
19 funded under section 8 of the community corrections act, 1988 PA
20 511, MCL 791.408, in instances of substantial noncompliance during
21 the period covered by the plan.

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

26 (a) To increase availability of treatment options to reduce
27 drunk driving and drunk driving-related deaths by addressing the

1 alcohol addiction of felony drunk drivers who otherwise likely
2 would be sentenced to jail or a combination of jail and other
3 sanctions.

4 (b) To divert from jail sentences or to reduce the length of
5 jail sentences for felony drunk drivers who otherwise would have
6 been sentenced to jail and whose recommended minimum sentence
7 ranges under sentencing guidelines established under chapter XVII
8 of the code of criminal procedure, 1927 PA 175, MCL 777.1 to
9 777.69, have upper limits of 18 months or less, through funding
10 programs that may be used in lieu of incarceration and that
11 increase the likelihood of rehabilitation.

12 (c) To provide a policy and funding framework to make
13 additional jail space available for housing convicted felons whose
14 recommended minimum sentence ranges under sentencing guidelines
15 established under chapter XVII of the code of criminal procedure,
16 1927 PA 175, MCL 777.1 to 777.69, have lower limits of 12 months or
17 less and who likely otherwise would be sentenced to prison, with
18 the aim of enabling counties to meet or exceed amounts received
19 through the county jail reimbursement program during fiscal year
20 2002-2003 and reducing the numbers of felons sentenced to prison.

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

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

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

13 (5) The standards developed by the committee shall assign each
14 county a maximum funding allocation based on the amount the county
15 received under the county jail reimbursement program in fiscal year
16 2001-2002 for housing felony drunk drivers whose recommended
17 minimum sentence ranges under the sentencing guidelines described
18 in subsection (1)(c) had upper limits of 18 months or less.

19 (6) Awards of funding under this section shall be provided
20 consistent with the local comprehensive corrections plans developed
21 under the community corrections act, 1988 PA 511, MCL 791.401 to
22 791.414. Funds awarded under this section may be used in
23 conjunction with funds awarded under grant programs established
24 under that act. Due to the need for felony drunk drivers to be
25 transitioned from county jails to community treatment services, it
26 is the intent of the legislature that local units of government
27 utilize funds received under this section to support county sheriff

1 departments.

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

8 Sec. 417. (1) By March 1, 2010, the department shall report to
9 the members of the senate and house appropriations subcommittees on
10 corrections, the senate and house fiscal agencies, and the state
11 budget director on each of the following programs from the previous
12 fiscal year:

13 (a) The county jail reimbursement program.

14 (b) The felony drunk driver jail reduction and community
15 treatment program.

16 (c) Any new initiatives to control prison population growth
17 funded or proposed to be funded under part 1.

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

20 (a) Program objectives and outcome measures, including, but
21 not limited to, the number of offenders who successfully completed
22 the program, and the number of offenders who successfully remained
23 in the community during the 3 years following termination from the
24 program.

25 (b) Expenditures by location.

26 (c) The impact on jail utilization.

27 (d) The impact on prison admissions.

1 (e) Other information relevant to an evaluation of the
2 program.

3 Sec. 418. (1) The department shall ensure that each prisoner
4 make all reasonable efforts to obtain the documents necessary to
5 obtain a state operator's license or state identification card
6 prior to a prisoner's discharge or parole hearing. The process for
7 prisoners to acquire this documentation shall be part of the
8 department's operating procedure.

9 (2) The department shall cooperate with MDCH to maintain a
10 process by which prisoners can obtain their birth certificates. By
11 March 1, 2010, the department shall report to the senate and house
12 appropriations subcommittees on corrections, the senate and house
13 fiscal agencies, and the state budget director on the process
14 developed under this section.

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

20 (2) The department shall provide monthly electronic mail
21 reports to the senate and house appropriations subcommittees on
22 corrections, the senate and house fiscal agencies, and the state
23 budget director. The reports shall include information on end-of-
24 month prisoner populations in county jails, the net operating
25 capacity according to the most recent certification report,
26 identified by date, and end-of-month data, year-to-date data, and
27 comparisons to the prior year for the following:

1 (a) Community residential program populations, separated by
2 centers and electronic monitoring.

3 (b) Parole populations.

4 (c) Probation populations, with identification of the number
5 in special alternative incarceration.

6 (d) Prison and camp populations, with separate identification
7 of the number in special alternative incarceration and the number
8 of lifers.

9 (e) Parole board activity, including the numbers and
10 percentages of parole grants and parole denials.

11 (f) Prisoner exits, identifying transfers to community
12 placement, paroles from prisons and camps, paroles from community
13 placement, total movements to parole, prison intake, prisoner
14 deaths, prisoners discharging on the maximum sentence, and other
15 prisoner exits.

16 (g) Prison intake and returns, including probation violators,
17 new court commitments, violators with new sentences, escaper new
18 sentences, total prison intake, returns from court with additional
19 sentences, community placement returns, technical parole violator
20 returns, and total returns to prison and camp.

21 Sec. 420. By March 1, 2010, the department shall report to the
22 senate and house appropriations subcommittees on corrections, the
23 senate and house judiciary committees, the senate and house fiscal
24 agencies, and the state budget director on performance data and
25 efforts to improve efficiencies relative to departmental staffing,
26 health care services, food service, prisoner transportation, mental
27 health care services, and pharmaceutical costs.

1 Sec. 421. Of the funds appropriated in part 1, \$100,000.00 is
2 appropriated for the purpose of providing an IDG to the MDSP for
3 the purpose of providing grants for training teams of law
4 enforcement officers and mental health treatment providers. The
5 teams shall be trained in effective and safe ways of assisting
6 people with mental illness during law enforcement contacts and
7 directing people with mental illness to treatment programs. It is
8 the intent of the legislature that mental health awareness training
9 be incorporated into continuing education for all law enforcement
10 officers in the state.

11 Sec. 422. It is the intent of the legislature that MPRI
12 programs as measured by success as identified in section 409 are
13 maintained as standard operating procedure in the department.

14 Sec. 424. (1) From the funds appropriated in part 1 for
15 residential services, the department shall develop and implement,
16 in collaboration with the judiciary and as approved by the state
17 court administrative office, a demonstration project based on
18 evidence-based practices related to judicial and case management
19 interventions that have been proven to increase public safety for
20 high-risk, high-need probationers as determined by a validated risk
21 and need assessment instrument. As used in this section,
22 "probationer" means a circuit court probationer serving a probation
23 sentence for a crime.

24 (2) The demonstration project shall be implemented in 4 areas
25 of the state identified jointly by the department and the state
26 court administrative office. Preference shall be given to locations
27 that are representative of areas with high rates of violent crimes

1 as described in the council of state governments' justice center
2 report on analyses of crime, community corrections, and sentencing
3 policies in this state.

4 (3) The primary goal of the demonstration project is to reduce
5 crime and revictimization by high-risk, high-need probationers. The
6 secondary goal of the demonstration project is to reduce
7 expenditures for long-term incarceration.

8 (4) The demonstration project may provide up to 6 months of
9 residential services, and treatment methods, and interventions that
10 are evidence-based, including, but not limited to, the following:

11 (a) Risk/needs assessment.

12 (b) Motivational techniques.

13 (c) Type, intensity, and duration of treatment based on each
14 probationer's risk and needs and delivered consistent with
15 evidence-based practices.

16 (5) The department shall implement the evidence-based practice
17 of collaborative case management and utilize the services of the
18 department and of local community corrections consistent with the
19 local comprehensive corrections plan developed under the community
20 corrections act, 1988 PA 511, MCL 791.401 to 791.414.

21 (6) The department shall assign a probation officer to the
22 demonstration project to supervise a specialized caseload for high-
23 risk, high-need probationers. All probation officers supervising a
24 specialized caseload under this section shall receive substantial
25 education and training on issues of substance abuse, mental health,
26 and drug and alcohol testing.

27 (7) The probation officer shall work in cooperation with the

1 local judiciary and the community corrections advisory board in a
2 collaborative effort toward the goals of promoting probationer
3 success and reducing crime and revictimization.

4 (8) The probation officer assigned to the demonstration
5 project shall comply with supervision requirements established for
6 the demonstration project by the field operations administration
7 deputy director.

8 (9) The department shall identify and coordinate information
9 for each local jurisdiction selected for the demonstration project
10 regarding the rate of incarceration of high-risk, high-need
11 probationers to ensure that appropriate probationers are targeted
12 for the demonstration project.

13 (10) From the funds appropriated in part 1 for public
14 education and training, the department shall collaborate with the
15 local judiciary, community corrections advisory board, and service
16 providers to develop and provide appropriate training for all local
17 stakeholders involved in the demonstration project described in
18 this section.

19 (11) From the funds provided to the local jurisdiction for the
20 demonstration project, the department shall collaborate with the
21 local judiciary and the community corrections advisory board to
22 develop and implement an evaluation of the demonstration project
23 that will show the impact of the project on the arrests,
24 convictions, technical violations, and commitments to prison of the
25 demonstration project participants. This evaluation shall be
26 performed in accordance with department of corrections policy and
27 procedure on evaluation design in cooperation with the office of

1 research and planning.

2 (12) By May 1, 2010, the department shall report to the senate
3 and house appropriations subcommittees on corrections, the senate
4 and house fiscal agencies, and the state budget director on the
5 status of the demonstration project prescribed under this section,
6 including information on all of the following:

7 (a) Demonstration project locations and participating courts.

8 (b) The number of probationers participating in the pilot
9 categorized by location and offense.

10 (c) Evaluation status and methodology.

11 (d) Preliminary results, if any.

12 Sec. 426. It is the intent of the legislature that the
13 department cooperate with nonprofit agencies to establish recycling
14 programs for the purpose of employing at-risk youth and offenders
15 on parole. The programs shall be administered by Michigan-chartered
16 nonprofit corporations. The nonprofit corporations must have
17 expertise in recycling and expertise in creating employment
18 opportunities for parolees.

19 Sec. 429. It is the intent of the legislature that the
20 department work with other state departments and agencies to
21 implement the policy options provided to the state by the council
22 of state governments in January 2009.

23 Sec. 430. The department shall ensure that each prisoner has
24 the opportunity to meet with his or her transition team prior to
25 release from prison. If applicable, community providers shall enter
26 the prison to meet with the prisoner prior to release.

27 Sec. 431. The department shall ensure that prior to release

1 from prison, each offender has possession of all of the following:

2 (a) All documents necessary to obtain a state operator's
3 license or state identification card.

4 (b) A set of clothing that would be appropriate and suitable
5 for wearing to an interview for employment.

6 Sec. 433. The department shall report quarterly on January 1,
7 2010, April 1, 2010, July 1, 2010, and September 30, 2010 to the
8 senate and house appropriations subcommittees on corrections, the
9 senate and house fiscal agencies, and the state budget director on
10 the status of any contracts entered into under the June 2009
11 request for proposals for the re-entry initiative project for
12 offenders with special needs. The report shall include information
13 on all of the following:

14 (a) The number of prisoners and participating parolees in each
15 of the target population subgroups, including medically fragile,
16 mentally ill, developmentally disabled, and youthful offenders.

17 (b) Descriptions of the key services being provided to each
18 subgroup under the contract or contracts.

19 (c) Estimates of the average per-offender costs of services
20 for each target population subgroup under each contract, compared
21 to the average cost of prison incarceration for those populations.

22 Sec. 434. (1) The negative appropriation for county jail
23 reimbursement program savings in part 1 shall be satisfied by
24 savings realized through departmental savings and efficiencies.

25 (2) Appropriation authorization adjustments required due to
26 negative appropriations for county jail reimbursement program
27 savings shall be made only after the approval of transfers by the

1 legislature according to section 393 of the management and budget
2 act, 1984 PA 431, MCL 18.1393.

3 **OPERATIONS AND SUPPORT ADMINISTRATION**

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

10 Sec. 502. Funds included in part 1 for the sheriffs'
11 coordinating and training office are appropriated for and may be
12 expended to defray costs of continuing education, certification,
13 recertification, decertification, and training of local corrections
14 officers, the personnel and administrative costs of the sheriffs'
15 coordinating and training office, the local corrections officers
16 advisory board, and the sheriffs' coordinating and training council
17 under the local corrections officers training act, 2003 PA 125, MCL
18 791.531 to 791.546.

19 Sec. 503. Funds appropriated in part 1 for administrative
20 hearings officers are appropriated as an interdepartmental grant to
21 the department of energy, labor, and economic growth for the
22 purpose of funding administrative hearings officers for
23 adjudication of grievances pertaining to the department of
24 corrections. The department shall not expend appropriations from
25 part 1 to satisfy charges from the department of energy, labor, and
26 economic growth for administrative hearings officers in excess of

1 the amount expressly appropriated by this act for the
2 administrative hearings officers unless funding is transferred into
3 this line under section 393(2) of the management and budget act,
4 1984 PA 431, MCL 18.1393.

5 Sec. 504. Of the funds appropriated in part 1, \$50,000.00 is
6 appropriated to provide an interdepartmental grant to the judiciary
7 for use of the judicial data warehouse by department employees.

8 Sec. 505. The department shall train all custody staff in
9 effective and safe ways of handling prisoners with mental illness
10 and referring prisoners to mental health treatment programs. Mental
11 health awareness training shall be incorporated into the training
12 of new custody staff.

13 **FIELD OPERATIONS ADMINISTRATION**

14 Sec. 601. (1) From the funds appropriated in part 1, the
15 department shall conduct a statewide caseload audit of field
16 agents. The audit shall address public protection issues and assess
17 the ability of the field agents to complete their professional
18 duties. The results of the audit shall be submitted to the senate
19 and house appropriations subcommittees on corrections and the
20 senate and house fiscal agencies, and the state budget office by
21 March 1, 2010.

22 (2) It is the intent of the legislature that the department
23 maintain a number of field agents sufficient to meet supervision
24 and workload standards.

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

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

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

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

15 Sec. 603. (1) All prisoners, probationers, and parolees
16 involved with the electronic tether program shall reimburse the
17 department for costs associated with their participation in the
18 program. The department may require community service work
19 reimbursement as a means of payment for those able-bodied
20 individuals unable to pay for the costs of the equipment.

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

25 (3) Included in the appropriation in part 1 is adequate
26 funding to implement the community tether program to be
27 administered by the department. The community tether program is

1 intended to provide sentencing judges and county sheriffs in
2 coordination with local community corrections advisory boards
3 access to the state's electronic tether program to reduce prison
4 admissions and improve local jail utilization. The department shall
5 determine the appropriate distribution of the tether units
6 throughout the state based upon locally developed comprehensive
7 corrections plans under the community corrections act, 1988 PA 511,
8 MCL 791.401 to 791.414.

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

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

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

26 Sec. 606. It is the intent of the legislature that the
27 department shall ensure that parolees and probationers may timely

1 contact their parole or probation agents and maintain procedures
2 that preclude any necessity for an offender to have access to an
3 agent's home telephone number or other personal information
4 pertaining to the agent.

5 Sec. 608. By March 1, 2010, the department shall report to the
6 senate and house appropriations subcommittees on corrections, the
7 senate and house fiscal agencies, and the state budget director on
8 the use of electronic monitoring. At a minimum, the report shall
9 include all of the following:

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

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

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

23 Sec. 609. By March 1, 2010, the department shall report to the
24 senate and house appropriations subcommittees on corrections, the
25 senate and house fiscal agencies, and the state budget director on
26 the use of kiosk reporting stations. At a minimum, the report shall
27 include all of the following:

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

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

5 (c) Information on demonstration project outcome measures.

6 (d) An evaluation of the kiosk reporting demonstration
7 project, including any need for improvement and an assessment of
8 the potential for expanded use of kiosk reporting stations.

9 Sec. 611. The department shall prepare by March 1, 2010
10 individual reports for the community reentry program, the
11 electronic tether program, and the special alternative to
12 incarceration program. The reports shall be submitted to the house
13 and senate appropriations subcommittees on corrections, the house
14 and senate fiscal agencies, and the state budget director. Each
15 program's report shall include information on all of the following:

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

22 (b) Monthly participant unsuccessful terminations, including
23 cause.

24 (c) Number of successful terminations.

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

26 (e) Average length of placement.

27 (f) Return to prison statistics.

1 (g) Description of each program location or locations,
2 capacity, and staffing.

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

5 (i) Comparison with prior year statistics.

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

8 Sec. 612. (1) The department shall review and revise as
9 necessary policy proposals that provide alternatives to prison for
10 offenders being sentenced to prison as a result of technical
11 probation violations and technical parole violations. To the extent
12 the department has insufficient policies or resources to affect the
13 continued increase in prison commitments among these offender
14 populations, the department shall explore other policy options to
15 allow for program alternatives, including department or OCC-funded
16 programs, local level programs, and programs available through
17 private agencies that may be used as prison alternatives for these
18 offenders.

19 (2) To the extent policies or programs described in subsection
20 (1) are used, developed, or contracted for, the department may
21 request that funds appropriated in part 1 be transferred under
22 section 393(2) of the management and budget act, 1984 PA 431, MCL
23 18.1393, for their operation.

24 (3) The department shall continue to utilize parole violator
25 processing guidelines that require parole agents to utilize all
26 available appropriate community-based, nonincarcerative postrelease
27 sanctions and services when appropriate. The department shall

1 periodically evaluate such guidelines for modification, in response
2 to emerging information from the demonstration projects for
3 substance abuse treatment provided under this act and applicable
4 provisions of prior budget acts for the department.

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

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

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

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

1 received a vocational certificate while in prison.

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

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

7 Sec. 613. Subject to the appropriations in part 1, the
8 department is encouraged to expand the use of continuous remote
9 alcohol monitors for parolees and probationers who test positive
10 for alcohol abuse or have alcohol-abuse-related violations of their
11 community supervision.

12 Sec. 614. (1) As a condition of probation, community control,
13 payment plan for the payment of a fine or restitution, or any other
14 court-ordered supervision, the court may order the posting of a
15 bond to secure the defendant's appearance at any subsequent court
16 proceeding or to otherwise enforce the orders of the court. An
17 appearance bond executed under this section shall be filed with the
18 court or with the sheriff by a licensed professional bail agent who
19 shall provide a copy of the bond to the clerk of court.

20 (2) The court may issue an order to produce the defendant sua
21 sponte or upon notice by the clerk or the probation officer that
22 the person has violated the terms of probation, community control,
23 court-ordered supervision, or other applicable court order. The
24 court or the clerk of the court shall give the bail agent not less
25 than 72 hours to bring the defendant before the court. If the bail
26 agent fails to produce the defendant in court or to the sheriff at
27 the time noticed by the court or the clerk of court, the appearance

1 bond required under subsection (1) shall be forfeited according to
2 the procedures set forth in section 15 of chapter V of the code of
3 criminal procedure, 1927 PA 175, MCL 765.15. The defendant's
4 failure to appear shall be the sole grounds for forfeiture of the
5 appearance bond.

6 HEALTH CARE

7 Sec. 801. The department shall not expend funds appropriated
8 under part 1 for any surgery, procedure, or treatment to provide or
9 maintain a prisoner's sex change unless it is determined medically
10 necessary by the chief medical officer of the department.

11 Sec. 802. As a condition of expenditure of the funds
12 appropriated in part 1, the department shall provide the senate and
13 house of representatives appropriations subcommittees on
14 corrections, the senate and house fiscal agencies, and the state
15 budget director with all of the following:

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

24 (b) Regular updates on progress on requests for proposals and
25 requests for information pertaining to prisoner health care and
26 mental health care, until the applicable contract is approved.

1 Sec. 804. (1) The department shall report quarterly to the
2 senate and house appropriations subcommittees on corrections, the
3 senate and house fiscal agencies, and the state budget director on
4 prisoner health care utilization. The report shall include the
5 number of inpatient hospital days, outpatient visits, and emergency
6 room visits in the previous quarter and since October 1, 2009, by
7 facility.

8 (2) By March 1, 2010, the department shall report to the
9 senate and house appropriations subcommittees on corrections, the
10 senate and house fiscal agencies, and the state budget director on
11 prisoners receiving off-site inpatient medical care that would have
12 received care in a state correctional facility if beds were
13 available. The report shall include the number of prisoners
14 receiving off-site inpatient medical care and average length of
15 stay in an off-site facility during the period they would have
16 received care in a state correctional facility if beds were
17 available, by month and correctional facilities administration
18 region.

19 Sec. 805. The bureau of health care services shall develop
20 information on hepatitis C and HIV prevention and the risks
21 associated with exposure to hepatitis C and HIV. The health care
22 providers shall disseminate this information verbally and in
23 writing to each prisoner at the health screening and full health
24 appraisal conducted at admissions, at the annual health care
25 screening 30 days before or after a prisoner's birthday, and prior
26 to release to the community by parole, transfer to community
27 residential placement, or discharge on the maximum sentence.

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

13 (2) By March 1, 2010, the department shall report to the
14 senate and house appropriations subcommittees on corrections, the
15 senate and house appropriations subcommittees on community health,
16 the senate and house fiscal agencies, and the state budget director
17 on the number of offenders tested and the number of offenders
18 testing positive for HIV, the hepatitis C antibody, or both at
19 prison admission and parole, transfer to community residential
20 placement, or discharge on the maximum sentence. The department
21 shall keep records of those offenders testing positive for HIV, the
22 hepatitis C antibody, or both at prison admission, parole, transfer
23 to community residential placement, and discharge. These records
24 shall clearly state the date each test was performed.

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

27 (a) The number of offenders testing positive for the hepatitis

1 C antibody who do not receive treatment, by reason for not
2 participating.

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

5 (c) Cost and duration of treatment by offender.

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

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

16 Sec. 809. The department, in conjunction with efforts to
17 implement the MPRI, shall cooperate with the MDCH to share data and
18 information as they relate to prisoners being released who are HIV
19 positive or positive for the hepatitis C antibody. By March 1,
20 2010, the department shall report to the senate and house
21 appropriations subcommittees on corrections, the senate and house
22 fiscal agencies, and the state budget director on all of the
23 following:

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

26 (b) The number of prisoners released to the community by
27 parole, discharge on the maximum sentence, or transfer to community

1 residential placement who are HIV positive, positive for the
2 hepatitis C antibody, or both.

3 (c) The number of offenders referred to the local public
4 health department, by county.

5 Sec. 811. By February 1, 2010, the department shall report to
6 the senate and house appropriations subcommittees on corrections,
7 the senate and house fiscal agencies, and the state budget director
8 on the status of efforts to implement continuous quality
9 improvement for prisoner health care. At a minimum, the report
10 shall identify the processes that were in place before the start of
11 the fiscal year, the processes undertaken since the beginning of
12 the fiscal year, and plans for future changes.

13 Sec. 812. (1) It is the intent of the legislature that the
14 department continue to provide the department of human services
15 with a monthly list of prisoners newly committed to the department
16 of corrections. The department and the department of human services
17 shall enter into an interagency agreement under which the
18 department of human services provides the department of corrections
19 with monthly lists of newly committed prisoners who are eligible
20 for Medicaid benefits in order to maintain the process by which
21 Medicaid benefits are suspended rather than terminated. The
22 department shall assist prisoners who may be eligible for Medicaid
23 benefits after release from prison with the Medicaid enrollment
24 process prior to release from prison.

25 (2) The department shall provide the senate and house
26 appropriations subcommittees on corrections, the senate and house
27 fiscal agencies, and the state budget director with regular updates

1 on the utilization of Medicaid benefits for prisoners.

2 **CORRECTIONAL FACILITIES ADMINISTRATION**

3 Sec. 902. From the funds appropriated in part 1, the
4 department shall allocate sufficient funds to develop a
5 demonstration children's visitation program. The demonstration
6 program shall teach parenting skills and arrange for day visitation
7 at these facilities for parents and their children, except for the
8 families of prisoners convicted of a crime involving criminal
9 sexual conduct in which the victim was less than 18 years of age or
10 involving child abuse.

11 Sec. 903. Except as otherwise provided in this section, the
12 department shall prohibit prisoners' access to or use of the
13 Internet or any similar system. Under adequate supervision and with
14 security precautions that ensure appropriate computer use by
15 prisoners, the department may allow a prisoner access to or use of
16 the Internet for the purposes of educational programming,
17 employment training, job searches, or other Internet-based programs
18 and services consistent with programming objectives, efficient
19 operations, and the safety and security of the institution.

20 Sec. 904. Any department employee who, in the course of his or
21 her job, is determined by a physician to have had a potential
22 exposure to the hepatitis B virus, shall receive a hepatitis B
23 vaccination upon request.

24 Sec. 905. (1) The inmate housing fund shall be used for the
25 custody, treatment, clinical, and administrative costs associated
26 with the housing of prisoners other than those specifically

1 budgeted for elsewhere in this act. Funding in the inmate housing
2 fund is appropriated into a separate control account. Funding in
3 the control account shall be distributed as necessary into separate
4 accounts created to separately identify costs for specific
5 purposes.

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

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

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

18 (3) It is the intent of the legislature that public works fee
19 schedules be maintained at half the rates in effect on September
20 30, 2008.

21 (4) The department shall maintain a list of the number of
22 prisoners available for public works crews at each department
23 facility, and the number of prisoners necessary to fulfill current
24 public works contracts at each department facility. The department
25 shall place the list on a publicly accessible Internet site and
26 update the list weekly.

27 (5) It is the intent of the legislature that pay rates for

1 prisoners classified to public works assignments be increased by 50
2 cents per day from the rates in effect on September 30, 2009.

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

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

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

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

23 (d) The number of prisoners paroled without a high school
24 diploma and the number of prisoners paroled without a GED.

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

1 (f) An identification of program outcomes for each academic
2 and vocational program.

3 (g) An explanation of the department's plans for academic and
4 vocational programs, including plans to contract with intermediate
5 school districts for GED and high school diploma programs.

6 (h) The number of prisoners not paroled at their earliest
7 release date due to lack of a GED, and the reason those prisoners
8 have not obtained a GED.

9 Sec. 908. By February 1, 2010, the department shall report to
10 the senate and house appropriations subcommittees on corrections,
11 the senate and house fiscal agencies, and the state budget
12 director, the percent of offenders included in the prison
13 population intake for fiscal years 2007-2008 and 2008-2009 who have
14 a high school diploma or a GED.

15 Sec. 909. As a condition of expending funds appropriated for
16 academic/vocational programs under part 1, the department shall by
17 January 31, 2009 provide a plan to contract with intermediate
18 school districts for GED and high school diploma programs at
19 correctional facilities to the members of the senate and house
20 appropriations committees, the senate and house fiscal agencies,
21 and the state budget director. The plan shall include detailed
22 information on the development of the curriculum, how the program
23 will be administered, how the program will improve employability,
24 and how the program will be evaluated.

25 Sec. 910. The department shall allow the Michigan Braille
26 transcribing fund program to operate at its current location. The
27 donation of the building by the Michigan Braille transcribing fund

1 at the G. Robert Cotton correctional facility in Jackson is
2 acknowledged and appreciated. The department shall continue to
3 encourage the Michigan Braille transcribing fund to produce high-
4 quality materials for use by the visually impaired.

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

9 (2) By March 1, 2010, the department shall report to the
10 senate and house appropriations subcommittees on corrections, the
11 senate and house fiscal agencies, and the state budget director the
12 number of critical incidents occurring each month by type and the
13 number and severity of assaults occurring each month at each
14 facility during calendar year 2009.

15 (3) The department shall not reduce the ratio of custody
16 officers to prisoners at any correctional facility below the levels
17 that existed October 1, 2008. Any correctional facility that
18 reduces its security level after October 1, 2008 shall not have a
19 ratio of custody officers to prisoners below that of a comparable
20 facility. The department shall report to the senate and house
21 appropriations subcommittees on corrections, the senate and house
22 fiscal agencies, and the state budget director if it is unable to
23 comply with this section. The report shall include all of the
24 following:

25 (a) A list of the correctional facilities that reduced their
26 ratio of custody officers to prisoners in violation of this
27 subsection.

1 (b) An explanation of why the department is unable to comply
2 with this subsection.

3 (c) A plan to maintain the safety and security of the
4 facilities or units.

5 (4) Subsection (3) does not apply to facilities or portions of
6 facilities that have closed.

7 Sec. 912. The department shall report to the senate and house
8 appropriations subcommittees on corrections, the senate and house
9 fiscal agencies, and the state budget director by March 1, 2010 on
10 the ratio of correctional officers to prisoners for each
11 correctional institution, the ratio of shift command staff to line
12 custody staff, and the ratio of noncustody institutional staff to
13 prisoners for each correctional institution.

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

22 Sec. 916. The department shall conduct a feasibility study
23 focusing on the budgetary impact of converting the law library
24 collections at correctional facilities to an electronic medium. The
25 department shall report its findings to the senate and house
26 appropriations subcommittees on corrections, the senate and house
27 fiscal agencies, and the state budget director by April 1, 2010.

1 Sec. 917. From the funds appropriated in part 1, the
2 department shall allocate sufficient funds to implement evidence-
3 based demonstration projects that change offenders' behaviors,
4 values, beliefs, and attitudes toward victims and the community.

5 Sec. 918. Following receipt of an auditor general performance
6 audit on offender transportation, the department, in conjunction
7 with the department of management and budget, shall issue a request
8 for information on the possible bidding of all offender
9 transportation services. State employees shall be given the
10 opportunity to respond to a request for information on offender
11 transportation services. Any response to the request for
12 information shall include an explanation of how savings of at least
13 5% over existing costs of offender transportation would be
14 realized.

15 Sec. 919. (1) As a condition of expending funds appropriated
16 in part 1 for prison food service, the department shall comply with
17 the provisions of sections 207 and 207a, including, but not limited
18 to, all of the following criteria:

19 (a) Providing a complete project plan at least 120 days prior
20 to issuing a request for proposals or an invitation to bid for all
21 or a substantial portion of food service, including a contract for
22 food procurement.

23 (b) Conducting a preprivatization cost-benefit analysis as
24 described by section 207a.

25 (c) Providing a copy of the cost-benefit analysis to the
26 senate and house appropriations subcommittees on corrections, the
27 senate and house fiscal agencies, and the state budget director

1 before the earliest of the following:

2 (i) Issuance of a request for proposals or invitation to bid.

3 (ii) Filing a contract change request with the state
4 administrative board.

5 (iii) Entering into a contract for all or a substantial portion
6 of prison food service.

7 (2) As a condition of expending funds appropriated in part 1
8 for prison food service, any contract for prison food service or
9 prison food procurement shall identify all of the following:

10 (a) How savings equivalent to the savings specified in civil
11 service rules for personal services outside the civil service would
12 be realized.

13 (b) How the department will comply with the requirements of
14 sections 209 and 212.

15 (c) How food quality will be maintained in conjunction with
16 any cost savings.

17 (d) The impact on local vendors, growers, and processors,
18 identified by facility or region, as appropriate, compared to
19 prior-year purchases.

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

24 Sec. 921. (1) By April 30, 2010, the department shall report
25 to the chairs of the senate and house appropriations committees,
26 the senate and house appropriations subcommittees on corrections,
27 the senate and house fiscal agencies, and the state budget director

1 on the following:

2 (a) The actual savings realized between October 1, 2009 and
3 April 1, 2010 as a result of closing correctional facilities and
4 correctional camps between June 1, 2009 and January 1, 2010,
5 itemized by correctional facility or correctional camp.

6 (b) The projected fiscal year 2009-2010 savings by closing
7 correctional facilities and correctional camps between June 1, 2009
8 and January 1, 2010, itemized by correctional facility or
9 correctional camp.

10 (2) The report in subsection (1) shall include information on
11 all of the following:

12 (a) The savings realized or projected to be realized, itemized
13 by program or type of expenditure.

14 (b) Any cost of field supervision, field operations programs,
15 or prisoner reintegration programs related to the closure of
16 correctional facilities and correctional camps between June 1, 2009
17 and January 1, 2010.

18 Sec. 922. It is the intent of the legislature that all
19 prisoners work 40 hours per week in the correctional facility, as
20 part of a public works crew or in private enterprise, or
21 participate in vocational or training programs. Prisoners may be
22 enrolled in GED or education programs in combination with
23 employment. Prisoners not employed shall be enrolled in GED or
24 other educational programs for not less than 20 hours per week.
25 This section does not apply to prisoners classified in level V or
26 administrative segregation.

27 Sec. 923. The department shall cooperate with the department

1 of education to evaluate the feasibility of local school districts
2 providing education programming to targeted prisoners under the age
3 of 20 who have not received a high school diploma. By June 1, 2010,
4 the department shall report to the senate and house appropriations
5 subcommittees on corrections, the senate and house fiscal agencies,
6 and the state budget director on any plans or evaluations developed
7 under this section.

8 Sec. 924. The department shall evaluate all prisoners at
9 intake for substance abuse disorders, developmental disorders, and
10 serious mental illness. Prisoners with serious mental illness shall
11 not be confined in administrative segregation due to behavior that
12 is symptomatic of serious mental illness. Under the supervision of
13 a mental health professional, a prisoner with serious mental
14 illness may be secluded in a therapeutic environment for the safety
15 of the prisoner or others. A prisoner in seclusion shall be
16 evaluated every 12 hours by a mental health professional in order
17 to remain in seclusion. As used in this section:

18 (a) "Administrative segregation" means confinement for
19 maintenance of order or discipline to a cell or room apart from
20 accommodations provided for inmates who are participating in
21 programs of the facility.

22 (b) "Serious mental illness" means that term as defined in
23 section 100d(3) of the mental health code, 1974 PA 328, MCL
24 330.1100d.

25 Sec. 925. By March 1, 2010, the department shall report to the
26 senate and house appropriations subcommittees on corrections, the
27 senate and house fiscal agencies, and the state budget director on

1 the annual number of prisoners in administrative segregation
2 between October 1, 2003 and September 30, 2009, and the annual
3 number of prisoners in administrative segregation between October
4 1, 2003 and September 30, 2009 who at any time during the current
5 or prior prison term were diagnosed with serious mental illness or
6 have a developmental disorder and the number of days each of the
7 prisoners with serious mental illness or a developmental disorder
8 have been confined to administrative segregation. As used in this
9 section:

10 (a) "Administrative segregation" means confinement for
11 maintenance of order or discipline to a cell or room apart from
12 accommodations provided for inmates who are participating in
13 programs of the facility.

14 (b) "Serious mental illness" means that term as defined in
15 section 100d(3) of the mental health code, 1974 PA 328, MCL
16 330.1100d.

17 Sec. 927. It is the intent of the legislature that the
18 department of corrections and the department of human services
19 examine the potential of entering into an intergovernmental
20 agreement to place offenders less than 19 years of age who are
21 committed to the department of corrections in underutilized units
22 of the W.J. Maxey training school. The facilities shall be used to
23 house offenders less than 19 years of age who are currently
24 committed to the department of corrections.

25 Sec. 928. Funding appropriated in part 1 for consent decree
26 line items is appropriated into separate control accounts created
27 for each line item. Funding in each control account shall be

1 distributed as necessary into separate accounts created for the
2 purpose of separately identifying costs and expenditures associated
3 with each consent decree.

4 Sec. 929. From the funds appropriated in part 1, the
5 department shall do all of the following:

6 (a) Ensure that any inmate care and control staff in contact
7 with prisoners less than 19 years of age are adequately trained
8 with regard to the developmental and mental health needs of
9 prisoners less than 19 years of age.

10 (b) Provide appropriate placement for prisoners less than 19
11 years of age who have serious mental illness or a developmental
12 disorder and who need to be housed separately from the general
13 population. Prisoners less than 19 years of age who have serious
14 mental illness or a developmental disorder shall not be placed in
15 administrative segregation due to behavior that is symptomatic of
16 serious mental illness. Under the supervision of a mental health
17 professional, a prisoner less than 19 years of age with serious
18 mental illness may be secluded in a therapeutic environment for the
19 safety of the prisoner or others. A prisoner in seclusion shall be
20 evaluated every 12 hours by a mental health professional in order
21 to remain in seclusion. As used in this section:

22 (i) "Administrative segregation" means confinement for
23 maintenance of order or discipline to a cell or room apart from
24 accommodations provided for inmates who are participating in
25 programs of the facility.

26 (ii) "Serious mental illness" means that term as defined in
27 section 100d(3) of the mental health code, 1974 PA 328, MCL

1 330.1100d.

2 (c) Implement a specialized re-entry program that recognizes
3 the needs of prisoners less than 19 years old for supervised re-
4 entry.

5 Sec. 930. The department shall not have a shooting range
6 located on property east of 3760 Foco Road, Standish, Michigan.

7 Sec. 931. (1) Included in the annual cost per prisoner are
8 funds appropriated in part 1 for the following:

9 (a) Northern, southeastern, and southwestern region
10 correctional facilities.

11 (b) Northern, southeastern, and southwestern region
12 administration and support.

13 (c) Northern, southeastern, and southwestern region clinical
14 complexes.

15 (d) Prisoner health care services.

16 (e) Health care administration.

17 (f) Vaccination program.

18 (g) Prison food service and federal school lunch program.

19 (h) Transportation.

20 (i) Inmate legal services.

21 (j) Correctional facilities administration.

22 (k) Central records.

23 (l) DOJ psychiatric plan.

24 (m) Workers compensation.

25 (n) New custody staff training.

26 (o) Housing inmates in federal institutions.

27 (p) Prison store operations.

1 (q) Education services and federal education grants.

2 (r) MPRI education program.

3 (2) It is the intent of the legislature that the department
4 reduce the annual cost per prisoner by \$841.00 in comparison to the
5 annual cost per prisoner in fiscal year 2008-2009.