

SENATE BILL No. 965

EXECUTIVE BUDGET BILL

February 3, 2000, Introduced by Senators NORTH, HOFFMAN and JOHNSON and referred to the Committee on Appropriations.

A bill to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 2001; to provide for the expenditure of the appropriations; to provide for reports; to provide for the creation of certain advisory committees and boards; to prescribe certain powers and duties of the department of corrections, certain other state officers and agencies, and certain advisory committees and boards; to provide for the collection of certain funds; and to provide for the disposition of fees and other income received by certain state agencies.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

PART 1

LINE-ITEM APPROPRIATIONS

05705'00

Sec. 101. Subject to the conditions set forth in this bill, the amounts listed in this part are appropriated for the department of corrections for the fiscal year ending September 30, 2001, from the funds indicated in this part. The following is a summary of the appropriations in this part:

DEPARTMENT OF CORRECTIONS

APPROPRIATION SUMMARY:

Average population	51,189
Full-time equated unclassified positions . .	16.0
Full-time equated classified positions .	19,768.8
GROSS APPROPRIATION	\$ 1,703,340,600
Interdepartmental grant revenues:	
Total interdepartmental grants	616,700
Total intradepartmental transfers	6,093,800
ADJUSTED GROSS APPROPRIATION	\$ 1,696,630,100
Federal revenues:	
Total federal revenues	26,633,600
Restricted revenue funds:	
Total local revenues	429,500
Total private revenues	0
Total state restricted revenues	50,484,300
State general fund/general purpose	\$ 1,619,082,700

Sec. 102. EXECUTIVE

Full-time equated unclassified positions . .	16.0
Full-time equated classified positions . . .	83.5
Unclassified salaries	\$ 1,290,900
Executive direction -81.5 FTE positions	7,854,700
Michigan youth correctional facility -2.0 FTE	
positions	<u>16,868,300</u>
GROSS APPROPRIATION	\$ 26,013,900
Appropriated from:	
Federal revenues:	
Federal revenues and reimbursement	16,868,300
State general fund/general purpose	\$ 9,145,600

1	Sec. 103. ADMINISTRATION AND PROGRAMS		
2	Full-time equated classified positions . .	425.4	
3	Administrative services -67.6 FTE positions . . .	\$	5,818,100
4	Prisoner programs and treatment -35.0 FTE		
5	positions		29,813,500
6	Training -32.5 FTE positions		19,247,800
7	Prison industries operations -203.8 FTE		
8	positions		15,504,100
9	Planning, research, and information services -86.5		
10	FTE positions		9,858,200
11	Rent		2,240,800
12	Equipment and special maintenance		2,054,000
13	Worker's compensation		16,060,400
14	Compensatory buyout and union leave bank		275,000
15	Reimbursement to counties, parole revocation		
16	hearings and court settlements		<u>4,051,000</u>
17	GROSS APPROPRIATION	\$	104,922,900
18	Appropriated from:		
19	Interdepartmental grant revenues:		
20	IDG-MDSP, Michigan justice training fund		616,700
21	Federal revenues:		
22	Federal revenues and reimbursements		5,709,400
23	Special revenue funds:		
24	Local revenues and reimbursements		122,900
25	Correctional industries revolving fund		15,597,600
26	State restricted revenues and reimbursements . .		287,500
27	State general fund/general purpose	\$	82,588,800
28	Sec. 104. FIELD OPERATIONS ADMINISTRATION		
29	Average population	808	
30	Full-time equated classified programs . .	2,326.3	
31	Field programs -1,556.0 FTE positions	\$	99,853,600
32	Parole board operations -22.0 FTE positions . . .		1,658,000
33	Rent and building occupancy charges		1,492,900
34	Boot camp-phase III/intensive supervision--72.0 .		

1	FTE positions	3,037,000
2	Parole/probation services	2,286,500
3	Tether operations -167.3 FTE positions	8,107,400
4	Community residential programs -269.1 FTE	
5	positions	22,119,600
6	Technical rule violator program -104.9 FTE	
7	positions	9,330,000
8	Special alternative incarceration program -135.0	
9	FTE positions	<u>10,186,900</u>
10	GROSS APPROPRIATION	\$ 158,071,900
11	Appropriated from:	
12	Special revenue funds:	
13	Local revenues and reimbursements	306,600
14	State restricted revenues and reimbursements . .	16,995,600
15	State general fund/general purpose	\$ 140,769,700
16	Sec. 105. COMMUNITY CORRECTIONS	
17	Full-time equated classified positions . . . 17.0	
18	Community corrections administration -17.0	
19	FTE positions	\$ 1,503,900
20	Community corrections board expense	15,000
21	Probation residential centers	14,896,600
22	Community corrections comprehensive plans and	
23	services	13,033,000
24	Public education and training	50,000
25	Regional jail program	100
26	County jail reimbursement program	<u>17,982,200</u>
27	GROSS APPROPRIATION	\$ 47,480,800
28	Appropriated from:	
29	Special revenue funds:	
30	State restricted revenues and reimbursements . .	13,744,700
31	State general fund/general purpose	\$ 33,736,100
32	Sec. 106. CONSENT DECREES	
33	Average population	400
34	Full-time equated classified positions . .	577.4

1	Prisoner rehabilitation education program	\$	1,020,100
2	Hadix consent decree -157.0 FTE positions		10,762,900
3	DOJ consent decree -166.5 FTE positions		11,081,100
4	DOJ psychiatric plan-MDCH mental health		
5	services		71,380,700
6	DOJ psychiatric plan-MDOC staff and services 253.9		
7	FTE positions		<u>15,369,200</u>
8	GROSS APPROPRIATION	\$	109,614,000
9	Appropriated from:		
10	State general fund/general purpose	\$	109,614,000
11	Sec. 107. HEALTH CARE		
12	Full-time equated classified positions		1,016.5
13	Health care administration -18.0 FTE positions	\$	3,580,300
14	Hospital and speciality care services		44,779,200
15	Adrian clinical complex -31.2 FTE positions		3,435,900
16	Baraga clinical -18.9 FTE positions		1,488,000
17	Coldwater clinical complex -51.3 FTE positions . . .		4,722,900
18	Detroit clinical complex -32.2 FTE positions		2,889,900
19	Ionia clinical complex -168.8 FTE positions		11,778,900
20	Jackson clinical complex -231.9 FTE positions		26,947,100
21	Kincheloe clinical complex -65.0 FTE positions . . .		6,618,100
22	Lapeer clinical complex -18.2 FTE positions		1,517,500
23	Macomb clinical complex -17.4 FTE positions		1,610,200
24	Marquette clinical complex -50.0 FTE positions . . .		4,456,300
25	Muskegon clinical complex -56.5 FTE positions . . .		3,909,400
26	Newberry clinical complex -19.8 FTE positions . . .		1,512,400
27	Oaks clinical complex -15.7 FTE positions		1,926,300
28	Ojibway clinical complex -17.8 FTE positions		1,634,000
29	Plymouth clinical complex -54.5 FTE positions . . .		4,458,500
30	Pugsley clinical complex -17.8 FTE positions		1,446,600
31	Saginaw clinical complex -17.4 FTE positions		1,344,600
32	St. Louis clinical complex -60.6 FTE positions . . .		5,486,900
33	Standish clinical complex -18.0 FTE positions . . .		1,845,100
34	Ypsilanti clinical complex -35.5 FTE positions . . .		<u>2,756,000</u>

1	GROSS APPROPRIATION	\$	140,144,100
2	Appropriated from:		
3	Federal revenues:		
4	Federal revenues and reimbursements		83,500
5	Special revenue funds:		
6	State general fund/general purpose	\$	140,060,600
7	Sec. 108. CORRECTIONAL FACILITIES ADMINISTRATION		
8	Full-time equated classified positions	480.5	
9	Correctional facilities administration -19.0 FTE		
10	positions	\$	3,373,100
11	Leased beds		100
12	Academic/vocational costs -461.5 FTE positions		37,204,500
13	Inmate housing fund		<u>100</u>
14	GROSS APPROPRIATION	\$	40,577,800
15	Appropriated from:		
16	Federal revenues:		
17	Federal revenues and reimbursements		1,026,800
18	Special revenue funds:		
19	Correctional industries revolving fund		83,800
20	State restricted revenues and reimbursements		8,000
21	State general fund/general purpose	\$	39,459,200
22	Sec. 109. NORTHERN REGION CORRECTIONAL FACILITIES		
23	Full-time equated classified positions	4,428.0	
24	Alger maximum correctional facility-Munising		
25	-380.8 FTE positions	\$	27,630,100
26	Baraga maximum correctional facility-Baraga		
27	-446.2 FTE positions		31,328,500
28	Chippewa correctional facility-Kincheloe		
29	-560.3 FTE positions		42,211,600
30	Kinross correctional facility-Kincheloe		
31	-570.1 FTE positions		44,415,200
32	Marquette Branch prison-Marquette		
33	-480.8 FTE positions		36,647,500
34	Newberry correctional facility-Newberry		

1	-354.4 FTE positions	25,528,700
2	Oaks correctional facility-Eastlake	
3	-419.8 FTE positions	30,770,800
4	Ojibway correctional facility-Marenisco	
5	-233.6 FTE positions	15,974,600
6	Pugsley correctional facility-Kingsley	
7	-235.8 FTE positions	14,632,800
8	Saginaw correctional facility-Freeland	
9	-343.4 FTE positions	25,455,600
10	Standish maximum correctional facility-Standish	
11	-402.8 FTE positions	<u>29,172,100</u>
12	GROSS APPROPRIATION	\$ 323,767,500
13	Appropriated from:	
14	Special revenue funds:	
15	State restricted revenues and reimbursements . .	1,098,500
16	State general fund/general purpose	\$ 322,669,000
17	Sec. 110. SOUTHEASTERN REGION CORRECTIONAL FACILITIES	
18	Full-time equated classified positions . 5,480.6	
19	Cooper street correctional facility-Jackson	
20	-277.8 FTE positions	\$ 21,597,000
21	G. Robert Cotton correctional facility-Jackson	
22	-463.3 FTE positions	34,583,200
23	Charles E. Egeler correctional-Jackson	
24	-301.8 FTE positions	20,396,600
25	Gus Harrison correctional facility-Adrian	
26	-543.6 FTE positions	39,838,000
27	Huron Valley men's facility-Ypsilanti	
28	-287.8 FTE positions	21,295,900
29	Jackson maximum correctional facility-Jackson	
30	-637.2 FTE positions	45,163,700
31	Macomb correctional facility-New Haven	
32	-344.3 FTE positions	24,629,000
33	Mound correctional facility-Detroit	
34	-355.4 FTE positions	24,426,800

1	Parnall correctional facility-Jackson	
2	-295.0 FTE positions	22,360,600
3	Ryan correctional facility-Detroit	
4	-346.3 FTE positions	25,144,100
5	Scott correctional facility-Plymouth	
6	-340.7 FTE positions	24,231,500
7	Dental lab operations	102,300
8	Southern Michigan correctional facility-Jackson	
9	-482.6 FTE positions	30,553,500
10	Print shop operations	282,000
11	Thumb correctional facility-Lapeer	
12	-333.7 FTE positions	25,303,500
13	Western Wayne correctional facility-Plymouth	
14	-346.1 FTE positions	26,200,400
15	Jackson area administrative support and services	
16	-125.0 FTE positions	<u>19,301,100</u>
17	GROSS APPROPRIATION	\$ 405,409,200
18	Appropriated from:	
19	Interdepartmental grant revenues:	
20	IDT-dental lab operations	102,300
21	IDT-surplus food user fees	254,500
22	IDT-production kitchen user fees	5,080,000
23	IDT-print shop user fees	282,000
24	Federal revenues:	
25	Federal revenues and reimbursements	2,945,600
26	Special revenue funds:	
27	State restricted revenues and reimbursements	1,554,000
28	State general fund/general purpose	\$ 395,190,800
29	Sec. 111. SOUTHWESTERN REGION CORRECTIONAL FACILITIES	
30	Full-time equated classified positions	4,933.6
31	Bellamy Creek correctional facility-Ionia	
32	-445.0 FTE positions	\$ 8,987,700
33	E.C. Brooks correctional facility-Muskegon	
34	-517.3 FTE positions	39,046,800

1	Carson City correctional facility-Carson City	
2	-536.2 FTE positions	40,878,200
3	Florence Crane women's facility-Coldwater	
4	-400.8 FTE positions	29,848,500
5	Richard A. Handlon Michigan training unit-Ionia	
6	-270.0 FTE positions	21,089,100
7	Ionia maximum correctional facility-Ionia	
8	-372.0 FTE positions	26,457,000
9	Ionia temporary correctional facility-Ionia	
10	-208.9 FTE positions	16,418,500
11	Print shop operations	375,000
12	Lakeland correctional facility-Coldwater	
13	-268.9 FTE positions	21,145,600
14	Michigan reformatory-Ionia	
15	-392.1 FTE positions	32,344,800
16	Muskegon correctional facility-Muskegon	
17	-310.4 FTE positions	24,451,200
18	Pine River correctional facility-St. Louis	
19	-225.6 FTE positions	16,265,400
20	Riverside correctional facility-Ionia	
21	-341.0 FTE positions	26,513,800
22	St. Louis correctional facility-St. Louis	
23	-645.4 FTE positions	<u>43,516,900</u>
24	GROSS APPROPRIATION	\$ 347,338,500
25	Appropriated from:	
26	Interdepartmental grant revenues:	
27	IDT-print shop user fees	375,000
28	Special revenue funds:	
29	State restricted revenues and reimbursements . .	1,114,600
30	State general fund/general purpose	\$ 345,848,900
31	PART 2	
32	PROVISIONS CONCERNING APPROPRIATIONS	
33	GENERAL SECTIONS	
34	Sec. 201. (1) Pursuant to section 30 of article IX of the state	

constitution of 1963, total state spending under part 1 for fiscal year 2000-2001 is \$1,669,567,000.00 and state appropriations to be paid to local units of government are as follows:

DEPARTMENT OF CORRECTIONS

Field operations - assumption of county probation

staff	\$	36,909,600
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Reimbursement to counties, parole revocation hearings,

and court settlements		4,051,000
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Public service work projects		12,116,000
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Community corrections comprehensive plans and

services		13,033,000
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Community corrections probation residential

centers		14,896,600
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Community corrections public education and

training		50,000
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Regional jail program		<u>100</u>
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TOTAL	\$	81,056,300
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(2) If it appears to the principal executive officer of a department or branch that state spending to local units of government will be less than the amount that was projected to be expended for any quarter under subsection (1), the principal executive officer shall immediately give notice of the approximate shortfall to the state budget director, the senate and house of representatives standing committees on appropriations, and the senate and house fiscal agencies.

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

Sec. 203. As used in this bill:

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

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

(c) "FTE" means full time equated.

(d) "IDG" means interdepartmental grant. . . .

(e) "IDT" means intradepartmental transfer.

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

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

3 (h) "PREP" means the prisoner rehabilitation and education
4 program.

5

6 Sec. 204. (1) Pursuant to the provisions of civil service rules
7 and regulations and applicable collective bargaining agreements,
8 individuals seeking employment with the department shall submit to a
9 controlled substance test. The test shall be administered by the
10 department.

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

15 Sec. 205. The department of civil service shall bill departments
16 and agencies at the end of the first fiscal quarter for the 1% charge
17 authorized by section 5 of article XI of the state constitution of
18 1963. Payments shall be made for the total amount of the billing by
19 the end of the second fiscal quarter.

20 Sec. 206. The department may charge fees and collect revenues in
21 excess of appropriations in part 1 not to exceed the cost of employee
22 meals, academic/vocational services, custody escorts, compassionate
23 visits, union steward activities, public work programs, and emergency
24 services provided to units of government. The revenues and fees
25 collected shall be appropriated for all expenses associated with these
26 services and activities.

27 Sec. 207. Of the state general fund/general purpose revenue
28 appropriated in part 1, \$511,748,700.00 represents a state spending
29 increase over the amount provided to the department for the fiscal
30 year ending September 30, 1994, and may be used to meet state match
31 requirements of programs contained in the violent crime control and
32 law enforcement act of 1994, Public Law 103-322, 108 Stat. 1796, or
33 successor grant programs, so that any additional federal funds
34 received shall supplement funding provided to the department in part
35 1.

1 Sec. 208. (1) Beginning October 1, a hiring freeze is imposed on
2 the state classified civil service. State departments and agencies
3 are prohibited from hiring any new full-time state classified civil
4 service employees and prohibited from filling any vacant state
5 classified civil service positions. This hiring freeze does not apply
6 to internal transfers of classified employees from one position to
7 another within a department or to positions that are funded with 80%
8 or more federal or restricted funds.

9 (2) The state budget director shall grant exceptions to this
10 hiring freeze when the state budget director believes that the hiring
11 freeze will result in rendering a state department or agency unable to
12 deliver basic services. The state budget director shall report by the
13 30TH of each month to the chairpersons of the senate and house of
14 representatives standing committees on appropriations the number of
15 exceptions to the hiring freeze approved during the previous month and
16 the reasons to justify the exception.

17 Sec. 209. A prisoner who wins money in a lottery shall pay from
18 those winnings the amount necessary to reimburse the state for the
19 accrued cost of incarcerating that prisoner.

20 Sec. 210. (1) In addition to the funds appropriated in part 1,
21 there is appropriated an amount not to exceed \$20,000,000.00 for
22 federal contingency funds. These funds are not available for
23 expenditure until they have been transferred to another line item in
24 this bill pursuant to section 393(2) of the management and budget act,
25 1984 PA 431, MCL 18.1393.

26 (2) In addition to the funds appropriated in part 1, there is
27 appropriated an amount not to exceed \$5,000,000.00 for state
28 restricted contingency funds. These funds are not available for
29 expenditure until they have been transferred to another line item in
30 this bill pursuant to section 393(2) of the management and budget act,
31 1984 PA 431, MCL 18.1393.

32 (3) In addition to the funds appropriated in part 1, there is
33 appropriated an amount not to exceed \$500,000.00 for local contingency
34 funds. These funds are not available for expenditure until they have
35 been transferred to another line item in this bill pursuant to section

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

2 (4) In addition to the funds appropriated in part 1, there is
3 appropriated an amount not to exceed \$500,000.00 for private
4 contingency funds. These funds are not available for expenditure
5 until they have been transferred to another line item in this bill
6 pursuant to section 393(2) of the management and budget act, 1984 PA
7 431, MCL 18.1393.

8 Sec. 211. (1) The department shall screen and assess each
9 prisoner for alcohol and other drug involvement to determine the need
10 for further treatment. The assessment process shall be designed to
11 identify the severity of alcohol and other drug addiction and
12 determine the treatment plan, if appropriate.

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

18 Sec. 212. In expending residential substance abuse treatment
19 services funds appropriated by this bill, the department shall ensure
20 to the maximum extent possible that residential substance abuse
21 treatment services are available statewide.

22 Sec. 213. Of the amount appropriated for prisoner programs and
23 treatment, \$1,500,000.00 shall be expended for the second year of
24 implementing the MDOC in-prison drug treatment program with a minimum
25 of 2 in-prison drug treatment programs, and at least 1 program being
26 for male prisoners and 1 for female prisoners.

27 Sec. 214. Of the amount appropriated for prisoner programs and
28 treatment, \$1,000,000.00 shall be expended for the second year of
29 implementing the MDOC technical violator pilot drug treatment program
30 aimed at reducing parolee and probationer prison admissions for
31 substance abuse related technical violations or crimes.

32 Sec. 215. (1) The purpose of the substance abuse treatment pilot
33 programs funded under sections 213 and 214 and under 1998 PA 321 is to
34 evaluate and compare various substance abuse treatment modalities with
35 regard to cost and impact on prison admission, length of stay, jail

1 utilization, and offender relapse and recidivism and to provide for
2 continued monitoring of offenders and evaluation of program efficacy.

3 (2) Any funds appropriated to prisoner programs and treatment for
4 the MDOC in-prison drug treatment program and the MDOC technical
5 violator pilot drug treatment program that remain unexpended at the
6 end of the fiscal year shall not revert to the general fund but
7 instead shall be placed in separate work project accounts to be spent
8 as provided under this section and sections 213 and 214.

9 (3) The department shall contract with 1 or more independent third
10 parties for evaluation of alcohol and substance abuse programs
11 administered by the department, including in-prison programs and
12 programs provided through community placement or field programs. The
13 evaluation shall measure the impact of alcohol and other substance
14 abuse programs on prison admission, length of stay, jail utilization,
15 and offender relapse and recidivism. The evaluation of a program
16 funded under section 219(6) of 1998 PA 321 shall be consistent with
17 any requirements contained in the federal residential substance abuse
18 and treatment grant for that program. Evaluation of substance abuse
19 treatment pilot programs funded under sections 213 and 214 of this
20 bill, sections 220 and 221 of 1999 PA 92, and sections 220 and 221 of
21 1998 PA 321 shall be consistent with recommendations developed and
22 agreed to under section 222 of 1998 PA 321, and shall be structured so
23 as to allow the pilot programs funded under this bill, 1999 PA 92, and
24 1998 PA 321 to be compared with each other. Evaluations required by
25 this section shall to the extent feasible compare offenders treated
26 under those programs with other offenders of similar characteristics.

27 (4) The department shall develop agreements with 1 or more
28 independent third parties for monitoring of implementation of
29 substance abuse treatment pilot programs funded under this bill, 1999
30 PA 92, and under 1998 PA 321.

31 (5) The department shall report by April 1, 2001 to the house and
32 senate appropriations subcommittees on corrections and the house and
33 senate fiscal agencies on the progress on implementation of the
34 substance abuse treatment pilot programs funded under this bill, 1999
35 PA 92, and 1998 PA 321 and on implementation of evaluation and

1 monitoring requirements provided by this section.

2 Sec. 216. Sixty days before beginning any effort to privatize,
3 the department shall submit a complete project plan to the appropriate
4 subcommittees of the senate and house of representatives standing
5 committees on appropriations and the senate and house fiscal agencies.
6 The plan shall include the criteria under which the privatization
7 initiative will be evaluated. The evaluation shall be completed and
8 submitted to the appropriate subcommittees of the senate and house of
9 representatives standing committees on appropriations and the senate
10 and house fiscal agencies within 30 months.

11 Sec. 217. The department shall continue to pilot the use of the
12 Internet to fulfill the reporting requirements in this bill. This may
13 include transmission of reports via electronic mail to the recipients
14 identified for each reporting requirement or it may include placement
15 of reports on the Internet or on the Intranet. The appropriations
16 subcommittees shall be notified in writing of the Internet/Intranet
17 site of each such report.

18 Sec. 218. The appropriations in part 1 contain funding to support
19 an average prison population for each correctional facility and are as
20 follows:

21	Alger maximum correctional facility-Munising	. 844
22	Baraga maximum correctional facility-Baraga	. 1,084
23	Bellamy Creek correctional facility-Ionia	. . 1,500
24	E.C. Brooks correctional facility-Muskegon	. 2,200
25	Carson City correctional facility-Carson City	2,200
26	Chippewa correctional facility-Kincheloe	. . 2,322
27	Cooper Street correctional facility-Jackson	1,302
28	G. Robert Cotton correctional facility-Jackson	1,842
29	Florence Crane women's facility-Coldwater	. 1,350
30	Charles E. Egeler correctional facility-Jackson	1,006
31	Richard A. Handlon Michigan training unit-Ionia	1,315
32	Gus Harrison correctional facility-Adrian	. 2,200
33	Huron Valley men's facility-Ypsilanti 497
34	Ionia maximum correctional facility-Ionia	. . 636
35	Ionia temporary correctional facility-Ionia	. 960

1	Jackson maximum correctional facility-Jackson	1,556
2	Kinross correctional facility-Kincheloe . .	2,423
3	Lakeland correctional facility-Coldwater . .	1,200
4	Macomb correctional facility-New Haven . . .	1,228
5	Marquette branch prison-Marquette	1,129
6	Michigan reformatory-Ionia	1,338
7	Michigan youth correctional facility-Baldwin .	480
8	Mound correctional facility-Detroit	1,044
9	Muskegon correctional facility-Muskegon . .	1,310
10	Newberry correctional facility-Newberry . .	1,144
11	Oaks correctional facility-Eastlake	900
12	Ojibway correctional facility-Marenisco . .	1,196
13	Parnall correctional facility-Jackson . . .	1,448
14	Pine River correctional facility-St. Louis . .	960
15	Pugsley correctional facility-Kingsley	954
16	Riverside correctional facility-Ionia	1,034
17	Ryan correctional facility-Detroit	1,044
18	Saginaw correctional facility-Freeland . . .	1,228
19	Scott correctional facility-Plymouth	847
20	Southern Michigan correctional facility-Jackson	881
21	Standish maximum correctional facility-Standish	866
22	St. Louis correctional facility-St. Louis .	2,254
23	Thumb correctional facility-Lapeer	1,214
24	Western Wayne correctional facility-Plymouth	1,045
25	Total population	49,981

26 **EXECUTIVE**

27 Sec. 301. The department shall submit 3-year and 5-year prison
 28 population projection updates by February 1, 2001 to the senate and
 29 house appropriations subcommittees on corrections, the senate and
 30 house fiscal agencies, and the state budget director.

31 Sec. 302. (1) The department shall annually prepare and submit
 32 individual reports for the technical rule violator program, the
 33 community residential program, the electronic tether program,
 34 and the special alternative to incarceration program. The reports
 35 shall include the following:

1 (a) Monthly new participants.

2 (b) Monthly participant unsuccessful terminations, including
3 cause.

4 (c) Number of successful terminations.

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

6 (e) Average length of placement.

7 (f) Return to prison statistics.

8 (g) Description of program location(s), capacity, and staffing.

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

11 (i) Comparison with prior year statistics.

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

14 (2) Annual reports shall be prepared and submitted by April 1,
15 2001 to the house and senate appropriations subcommittees on
16 corrections, the house and senate fiscal agencies, and the state
17 budget director.

18 **ADMINISTRATION AND PROGRAMS**

19 Sec. 401. From the funds appropriated for reimbursement to
20 counties, parole revocation hearings, and court settlements, the
21 department shall reimburse counties for housing and custody of parole
22 violators and offenders being returned by the department from
23 community placement to institutional status and for prisoners who
24 volunteer for placement in a county jail.

25 **FIELD OPERATIONS ADMINISTRATION**

26 Sec. 501. (1) Of the amount appropriated for field programs,
27 \$546,900.00 is appropriated for the community service work program and
28 shall be used for salaries and wages and fringe benefit costs of
29 community service coordinators employed by the department to supervise
30 offenders participating in work crew assignments. Funds shall also be
31 used to cover motor transport division rates on state vehicles used to
32 transport offenders to community service work project sites.

33 (2) The community service work program shall provide adult
34 offenders with community service work of tangible benefit to a
35 community while fulfilling court-ordered community service work

1 sanctions and other postconviction obligations.

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

6 Sec. 502. (1) All prisoners, probationers, and parolees involved
7 with the electronic tether program shall reimburse the department for
8 the equipment costs and telephone charges associated with their
9 participation in the program. The department may require community
10 service work reimbursement as a means of payment for those able-bodied
11 individuals unable to pay for the cost of the equipment.

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

16 (3) Included in the appropriation in part 1 is adequate funding to
17 implement the community tether program to be administered by the
18 department. The community tether program is intended to provide
19 sentencing judges and county sheriffs in coordination with local
20 community corrections advisory boards access to the state's electronic
21 tether program to reduce prison admissions and improve local jail
22 utilization. The department shall determine the appropriate
23 distribution of the tether units throughout the state based upon
24 locally developed comprehensive corrections plans pursuant to the
25 community corrections act, 1988 PA 511, MCL 791.401 to 791.414.

26 (4) For a fee determined by the department, the department will
27 provide counties with the tether equipment, replacement parts,
28 administrative oversight of the equipment's operation, notification of
29 violators, and periodic reports regarding county program participants.
30 Counties are responsible for tether equipment installation and service
31 and apprehension of program violators. For an additional fee, the
32 department will provide staff to install and service the equipment.
33 Counties are responsible for the coordination and apprehension of
34 program violators.

35 (5) Any county with tether charges outstanding over 60 days shall

1 be considered in violation of the community tether program agreement
2 and lose access to the program.

3 Sec. 503. Community-placement prisoners and parolees shall
4 reimburse the department for the operational costs of the program. As
5 an alternative method of payment, the department may develop a
6 community service work schedule for those individuals unable to meet
7 reimbursement requirements established by the department.

8 Sec. 504. The department shall establish a uniform rate to be
9 paid by agencies that benefit from public work services provided by
10 special alternative incarceration participants and prisoners.

11 **COMMUNITY CORRECTIONS**

12 Sec. 601. (1) The department shall administer a county jail
13 reimbursement program from the funds appropriated in part 1 for the
14 purpose of reimbursing counties for housing in jails felons who
15 otherwise would have been sentenced to prison.

16 (2) The county jail reimbursement program shall reimburse counties
17 for housing and custody of convicted felons, in a total amount not to
18 exceed the appropriation in part 1. Reimbursement criteria shall be
19 based on sentencing guidelines score and other offender
20 characteristics that are consistent with the intent of diverting
21 felons who otherwise would have been sentenced to prison which shall
22 be developed by the department.

23 (3) From the funds appropriated in part 1 for the county jail
24 reimbursement program, the department shall contract for an ongoing
25 study to determine the impact of the new legislative sentencing
26 guidelines. The study shall analyze historical sentencing patterns of
27 jurisdictions as well as current and future patterns in order to
28 determine and quantify the population impact on prisons and jails of
29 the new guidelines as well as to identify and define felon or crime
30 characteristics or sentencing guidelines scores that indicate a felon
31 is a prison diversion. The department shall contract for a local and
32 statewide study for this purpose and provide periodic reports
33 regarding the status and findings of the study to the house and senate
34 appropriations subcommittees on corrections, the house and senate
35 fiscal agencies, and the state budget director.

1 Sec. 602. (1) From the funds appropriated in part 1 for probation
2 residential centers, funds are allocated for the operation of a
3 probation detention program in a county that has adopted a charter
4 pursuant to 1966 PA 293, MCL 45.501 to 45.521. The probation
5 detention program shall have a capacity of 100 beds. The department
6 shall provide the program administrator monthly with 90-day
7 projections of the numbers of beds expected to be needed for
8 probationers and parolees in Phase II residential placement under
9 section 4(2) of the special alternative incarceration act, 1988 PA
10 287, MCL 798.14, and the program administrator shall make beds
11 available as necessary to house probationers and parolees entering
12 Phase II residential placement.

13 (2) Funds awarded for probation residential centers in section 105
14 shall provide for a per diem reimbursement of not more than \$43.00.

15 (3) Payments under this section for operation of the probation
16 detention program shall be made at the same rates applicable to
17 disbursement of other funds awarded under the probation residential
18 centers line item, not to exceed a total expenditure of \$1,569,500.00.

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

25 (a) Orientation and assessment.

26 (b) Substance abuse counseling.

27 (c) Life skills counseling.

28 (d) Education.

29 (e) Employment preparation.

30 (f) Vocational training.

31 (g) Employment.

32 (h) Community service.

33 (i) Physical training.

34 (j) Cognitive skill training.

35 (5) The probation detention program shall reduce the admission to

1 prison of probation violators directly or indirectly by providing a
2 program for direct sentencing of felony probation violators who likely
3 would be prison-bound based on historical local sentencing practices
4 or by removing probation violators from jail with a resulting increase
5 in the number of jail beds available and used for felons who otherwise
6 would be likely to be sentenced to prison based on historical local
7 sentencing practices.

8 (6) The operation of the probation detention program shall be
9 included in an approved community corrections comprehensive plan for
10 the county described in subsection (1) pursuant to the community
11 corrections act, 1988 PA 511, MCL 791.401 to 791.414.

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

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

23 (9) The department shall require the program administrator to
24 report by March 1, 2001 to the department, the state budget director,
25 the senate and house fiscal agencies, and the senate and house
26 appropriations subcommittees on corrections concerning the program's
27 impact on prison admissions and recidivism including, but not limited
28 to, the numbers of offenders released from the probation detention
29 program who are arrested for a felony offense within 1 year of their
30 termination from the program.

31 **CONSENT DECREES**

32 Sec. 701. Funding appropriated in part 1 for consent decree line
33 items is appropriated into separate control accounts created for each
34 line item. Funding in each control account shall be distributed as
35 necessary into separate accounts created for the purpose of separately

1 identifying costs and expenditures associated with each consent
2 decree.

3 Sec. 702. The maximum reimbursement to colleges participating in
4 the prisoner rehabilitation and education program (PREP) shall be
5 limited to \$4.00 per student contact hour not to exceed 19.5 contact
6 hours per semester credit hour.

7 Sec. 703. (1) Appropriations in this bill shall not be used to
8 pay any costs associated with college or university programming for
9 prison inmates, unless such payments are required by existing court
10 orders or consent decrees.

11 (2) If the department is successful in modifying the Hadix v
12 Johnson consent decree to eliminate required college and university
13 programming, all funding for the prisoner rehabilitation and education
14 program shall be transferred to the academic/vocational costs line
15 item in the budget to eliminate waiting lists for general education
16 development, adult basic education, and vocational education
17 programming. Transfers and programming changes shall be based on
18 college and university semesters or terms. Transfers for this purpose
19 shall be made through the legislative transfer process pursuant to
20 section 393(2) of the management and budget act, 1984 PA 431, MCL
21 18.1393.

22 **HEALTH CARE**

23 Sec. 801. The department shall not expend funds appropriated
24 under this bill for any surgery, procedure, or treatment to provide or
25 maintain a prisoner's sex change unless it is determined medically
26 necessary by a physician.

27 Sec. 802. The department may require prisoners to pay a co-
28 payment of not less than \$3.00 for nonemergency medical care.

29 **CORRECTIONAL FACILITIES ADMINISTRATION**

30 Sec. 901. (1) The inmate housing fund shall be used for the
31 custody, treatment, clinical, and administrative costs associated with
32 the housing of prisoners other than those specifically budgeted for
33 elsewhere in this bill. Funding in the inmate housing fund is
34 appropriated into a separate control account. Funding in the control
35 account shall be distributed as necessary into separate accounts

1 created to separately identify costs for specific purposes.

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

6 **INSTITUTIONAL OPERATIONS**

7 Sec. 1001. As a condition of expenditure of the funds
8 appropriated in part 1, the department shall ensure that smoking areas
9 are designated for use by prisoners and staff at each facility. At a
10 minimum, all outdoor areas within each facility's perimeter shall be
11 designated for smoking, except that smoking may be forbidden within 20
12 feet of any building designated as nonsmoking or smoke-free.

13 Sec. 1002. From the funds appropriated in part 1, the department
14 shall allocate sufficient funds to develop a pilot children's
15 visitation program. The pilot program shall teach parenting skills
16 and arrange for day visitation at these facilities for parents and
17 their children, except for the families of prisoners convicted of a
18 crime involving criminal sexual conduct in which the victim was less
19 than 18 years of age or involving child abuse.

20 Sec. 1003. As a condition of expenditure of funds appropriated in
21 part 1, the department shall prohibit prisoners from using
22 interdepartmental mail except to correspond with the department.

23 Sec. 1004. Funds appropriated under part 1 shall not be expended
24 to provide prisoners with access to or use of the Internet or any
25 similar system.

26 Sec. 1005. Any department employee who, in the course of his or
27 her job, is determined by a physician to have had a potential exposure
28 to the hepatitis B virus, shall receive a hepatitis B vaccination upon
29 request.

Final page.